The Headline Parade of 1934

The significant industry news events of 1934, as culled from the day-to-day headlines of Motion Picture Daily throughout the year, are presented for review on pages 6, 13, 14 and 16 of this issue.

Outstanding in the headlines is the evidence they present of widespread financial improvement throughout the industry during the year, both in the improved earnings statements of all important companies and the definite progress toward rehabilitation of those organizations which experienced receivership or bankruptcy during the preceding year. Also, ying in significance with these developments are the experiences of the industry in the first year of its attempt at self-regulation under the NRA code; the development of the church decency campaign to influence the moral tone of films and its resultant strengthening of the Production Code Administration.

The year was also marked by a minimum of internal conflict within the industry and fewer changes in top executive positions than have occurred in many years.

Wired Houses Now 15,645 On Continent

Total sound theatres in 20 countries on the Continent as of Dec. 31, 1933, numbered 15,645, according to a compilation made by Fred W. Lange, Continental general manager for Paramount, now in New York on his annual visit. Germany leads the list with 4,274 wired houses and France is second with an aggregate of 2,714.

Third in line is Spain, which has 1,528, followed by Italy with 1,079, Sweden is next with 800 installations, and Czechoslovakia rating sixth place with 777. The Baltic countries have a total of 185 sound theatres, of which Lettland has 77; Estonia, 56; and Lithuania, 52. There are no available

Film Stocks Outstrip All Other Lines

What the financial ticker did and did not do during 1934 is covered in full statistical array on page 18 today.

By FINANCIAL OBSERVER

Raising fractions to more than 20 points during 1934, film issues outstripped all other groups on the New York Stock Exchange and gave a cheerful hue to the industry's outlook for 1935.

Boards of the industry and stocks listed on the New York Curb exchange kept pace with the Big Board (Continued on page 17)

Anthony Lucchesce of Philadelphia Passes

PHILADELPHIA, Jan. 1.—Anthony Lucchesce, one of the oldest independent exchange men in the country, died here Sunday night after an illness of many months. The funeral will be held tomorrow.

Lucchesce was one of the first men in the film business on Vine St. and he stayed there for more than 20 years. He operated the Gold Medal and Majestic exchanges here and in Washington.

Stoneham-Fox Suit Set for High Court

BOSTON, Jan. 1.—No settlement of the David Stoneham-Fox Film suit is in sight, according to Thomas Mahony. (Continued on page 2)

Congressmen Promising An Investigation

By CLARENCE LINZ

WASHINGTON, Jan. 1.—Interests opposed to the code are massing their forces here for conferences with members of Congress. As the NRA code would do the work Congresser have to so to as to attack the code in the House, it has

Treasury Ponders “Ecstacy” Import

WASHINGTON, Jan. 1.—Treasury officials are spending the year's end wondering what to do about the Czechoslovakian picture, "Ecstacy," entry of which is being sought by Drama Prod., officials of which claim that all the majors are bidding for the opus.

The picture stars a woman known as Hedy Keizer, who in private life is the wife of Fritz Mandel, a leading Austrian munitions manufacturer. It

Buffalo May Drop Clearance Schedule

BUFFALO, Jan. 1.—A meeting has been called by the local clearance and zoning board next week to take action on a schedule for this territory. Campi has been studying the plan and is understood to have voted it down in favor of individual protests. Recently, the Chicago board threw out its schedule after Campi rejected it for a second time and adopted the individual method of clearing protests on clearance. It is likely this may also be done in the local area.

Cleveland Two-Year Clearance Pact Ends

Cleveland, Jan. 1.—The Cleveland protection agreement, entered into between the local exhibitors and all of
Erpi to Introduce Engineers' Service

(Continued from page 1)

to furnish the advisory engineering service. In addition to the eastern office under Coronw, there will be a central office in charge of Stac-Hand, and a western office in charge of Harry Dodge. H. W. Wilcox, Erp's president, will watch over the new service. No theatre parts or equipment, other than those involved in the new service, will be sold, dis-tributed or recommended under the new service, according to Coronw.

International Projectionist, which reports that Erp would launch the new service, stated that RCA Photophone would also enter the field of a simi-lar service. Officials of RCA Photophone could not be reached on Mon-day for verification because of the New Year holiday.

Film Will Be Shown 12,000 Feet in Air

(Continued from page 1)

match notes through the ether from MARCH 8 with the idea that the former were first to make a jingle film from the latter is the first to fly over the South Pole. That makes a sort of community of interests.

It's all part of an exploitation plot thought up and engineered by Roger Ferri who is handling “Baboon” on special assignment at Fox.

U. A. Gets “The Battle"

United Artists, which held an op-eration on “The Battle,” has closed with Leon Garganoff, producer, to distrib-ute the French-made picture in the U. S. Other companies, including Paramount, Fox and RKO had been mentioned in the plans before U. A. signed the contracts.

The title will be changed to “Thun-der in the East.”

Saenger Plan Approved

The plan of reorganization for Saenger Theatres and Saenger Realty Co., which was approved by the court. J. E. Joyce on Monday in a report to Federal Judge Alfred C. Cox. If the latter approves the plan the com-pany will go to the federal court at New Or-leans where it must be approved also before becoming effective.

Ampa Invites 1st Div. 

Ampa's meeting on Jan. 17 will be devoted to First Division. Executives of the company, as well as Time office-offi-cials, are expected to make speeches. Tomorrow's session will be closed. Reports of the annual Christmas party held at the Astor last week will be made.

Universal Drops Wyler

Hollywood, Jan. 1—Dissatisfied with the time spent by William Wyler on “The Good Fairy,” Universal has stepped up production of the film. He and his bride, Margaret Sullivan, will leave shortly on an extended European honeymoon.

Delay Allied Session

Boston, Jan. 1—The scheduled meeting of New England Allied units has been postponed indefinitely from Jan. 8.

Treasury Ponders “Ecstasy” Import

(Continued from page 1)

is a sprightly tale of a woman who goes in swimming and loses her clothes.

The picture was shown in Vienna at the second International M. P. Ex-hibition. The Pope attacked and con-demned it and, through the efforts of Mandel, who apparently doesn't ap-prove, it has been barred from prac-tically all Europe. It is said that Mussolini was on the verge of ac-cording the film a medal as the best picture of the year, but was dissuaded, the award going to Gaumont British’s “Man of Aran,” which has been im-ported.

The film was secretly screened at a local theatre last Saturday before an audience including Ely Frank, consul for the Customs Division; Herbert Oliphant, Treasury counsel; Hunting Carls, consular agent for the Treasury, and others. It banned, the picture would be ex-chusted under the indemnity provision of the Tariff Act.

Stoneham-Fox Suit

Set for High Court

(Continued from page 3)

who, with Robert Buchbinder, is attorney for Stoneham. The plaintiff recently won a $75,000 verdict before a jury in Middlesex Superior Court. Fox has taken an appeal to the Supreme Court.

The case has dragged for several years. It is an outgrowth of a deal for acquisition of a theatre site in which Stoneham acted as agent during the period when Fox was expanding its theatre holdings.

**Treasury Ponders “Ecstasy” Import**

JANET GAYNOR plans to make a quick trip here shortly from the coast to see ‘The Farmer Takes a Wife.’ She is scheduled for a role in the film version of the play with Fox producing.

TUTTA ROLF, Scandinavian stage, screen and opera star, recently signed by Fox, arrives here Jan. 7 on the Astoria flight. She will leave for the coast immediately after landing.

CHARLES C. MOSKOWITZ gave a luncheon party to Lower district man-nagers and home office executives at the M. P. Club on Monday.

FRI D’ORSAY starts work today at the Brooklyn Vitaphone studio in a two-reel musical comedy.

JOHN CURTIS, First Division vice-president, is back from a flying trip to the coast.

ARTHUR MAYER spent Monday and Tuesday in Baltimore.

HAROLD RONDA leaves for the coast the middle of next month.

“Clouds” at Rialto Gets $10,000 Gross

“Murder in the Clouds” garnered $10,000 for the week at the Rialto. “I Sell Anything” took in $7,300 at the Mayfair and for the 20 days of “Babes in Toytland,” the Astor take was $30,000.

“Charlie Chan in Paris” will succeed “I Am a Thief” at the Mayfair next week and “Helpndorlo” will replace “A Wicked Woman” at the Astor.

Roxy Sets New Marks

Setting a new record for the house, the Roxy is now averaging between 90,000 to 115,000 patrons a week. Howard S. Cullman, trustee, states. For Christmas week, the admission tally was 135,000.

Olmstead in Studio Job

Hollywood, Jan. 1—Ed Olmstead, formerly in charge of exploitation in the home office, has succeeded Hubert Voight as studio publicity head at Columbia.

William Collier Weds

William Collier, Jr., was married Monday in Greenwich, Conn., to Ma-rie Stevens.

**Superfine Merchandise

Powers On Our Carts

Real Headline Attractions

CELEBRITY PRODUCTIONS, INC.

723 Seventh Ave., New York, N. Y.

Cable: “Celebrity”
Those New Year's chimes you heard were in honor of the first smash hit of 1935. The biggest M-G-M success in many years of many successes. That's "FORSAKING ALL OTHERS."

Joan Crawford, Clark Gable, Robert Montgomery in "Forsaking All Others" with Charles Butterworth, Billie Burke, Frances Drake, Rosalind Russell Directed by W.S. Van Dyke Produced by Bernard H. Hyman
USHERING IN THE GRANDEST SHOW

THE YEAR OF "THE BIG S"

PAUL MUNI in "BORDERTOWN"
With BETTE DAVIS
and hundreds of others, directed by Archie Mayo.

JAMES CAGNEY and
PAT O'BRIEN in
"DEVIL DOGS OF THE AIR"
The stars of "Here Comes the Navy" in a Cosmopolitan Production directed by Lloyd Bacon with the cooperation of the U. S. Marine Corps.

KAY FRANCIS in
"LIVING ON VELVET"
With GEORGE BRENT and WARREN WILLIAM
Directed by Frank Borzage.

IRENE DUNNE in "SWEET ADELINE"
With Jerome Kern-Oscar Hammerstein II songs, Bobby Connolly dances, and a 12-star cast directed by Mervyn LeRoy.

RUDY VALLEE in "SWEET MUSIC"
With ANN DVORAK

"THE RIGHT TO LIVE"
By the author of "Of Human Bondage", starring
JOSEPHINE HUTCHINSON
GEORGE BRENT
And a noted cast including Colin Clive and Peggy Wood, directed by Wm. Keighley.
"GOLD DIGGERS OF 1935"
With a 12-star cast headed by
DICK POWELL
The elaborate Warren & Dubin song numbers and the entire production exclusively directed by Busby Berkeley.

AL JOLSON and RUBY KEELER in
"GO INTO YOUR DANCE"
By the author of "42nd Street", With Warren & Dubin songs and Bobby Connolly dances. Directed by Archie Mayo.

PAUL MUNI in "BLACK FURY"
With KAREN MORLEY
And a cast that includes 32 other speaking parts. Directed by Michael Curtiz.

MAX REINHARDT'S "A MIDSUMMER NIGHT'S DREAM"
With a remarkable all-star cast including
JAMES CAGNEY—DICK POWELL—JOE E. BROWN
JEAN MUIR—VERREE TEASDALE—IAN HUNTER
Directed by Max Reinhardt and William Dieterle.

"OIL FOR THE LAMPS OF CHINA"
From the famous best-seller by Alice Hobart, starring
GEORGE BRENT and
JOSEPHINE HUTCHINSON
Directed by Mervyn LeRoy.

ROBT. DONAT in "CAPTAIN BLOOD"
by RAFAEL SABATINI
* A Fox National Picture, Vitagraph, Inc., Distributors.
January

Jan. 2.—M-G-M, Loew’s and Fox see ready to formalize Artists’ lead in restricting salary cuts.

Jan. 3.—Grosses in 17 key cities spurt with holiday business. M-G-M reports $114,488; Warner, $113,433; Paramount, $52,962; RKO, $28,939.

Jan. 4.—Industry to be given additional time to sign Production Code agreements. C. Frank Weiske, new FTC president, is to see film moguls on Jan. 8 to discuss Code administration.

Jan. 5.—Period for signing code agreements extended to Jan. 31. Paramount Theater Council could meet today to discuss agreement between operating partners in field and home office.

Jan. 6.—Carl Lammle and J. R. Grainger reveal Universal’s improved financial condition has eliminated option on company held by Sam Katz and Richard A. Row land.


Jan. 10.—Englund, M-G-M, Announces breaking experiment to practical test in New York field.

Jan. 11.—Code assets exceed 2,500 in first two days of signing period, Special Master Joseph R. Weintraub has ordered holding of double hearings today to assess anti-trust aspects of M.P.P.D.A. and I.M.P.F.P.A. and Federation of M. P. P.D.A. The hearings are regarded definitely ended.

Feb. 5.—Dr. A. H. Giannini of Bank of America, chairman of General Artists, completes negotiations. 20th Century-Fox files for new season.

Feb. 6.—Rosenblum returns from Hollywood to study data collected before acting on salaries, ratings and other production sub- jects under replenishment plans. New U.S. Supreme Court ruling on standard royalty rate is expected to give an answer to long-standing issue of royalty rate as interpreted in original contract.

Feb. 8.—Code not worth a rap unless administered by honest local boards, says R. R. H. Cochrane, Cameram member and counsel. He is drafting 50 new features.

Feb. 10.—20th Century-Fox Code proposes new nominations for appointments to local boards in 15 areas. It also asks for an immediate inspection by an independent commission.

Feb. 15.—First code board appointments of city, county, state and national Code Authority. Board members: J. H. Laemmle, Chas. H. Young, Frank M. privies, Frank B. L. Myers, A. Frank Laemmle, M. M. Weintraub, and L. H. Myers. The board is also in charge of ratifying appointments of all M.P.T.O.A. code representatives.

Feb. 21.—Industry attacks mark Government hearings on alien talent bill at Washington.


Feb. 25.—Code board extended to running code until March 31. New York Code is expected to extend code until May 31.

Feb. 28.—Noath Yaminis, Code Authority member, resigns his position on the Code Authority board, pleading illness.

Mar. 20.—Code Authority makes financial reforms to the organization to ratify the effectiveness of the new Code on cancellations as of Dec. 8, even though con- trary.

Mar. 29.—Official Code Authority appoint- ments: Code Authority, in addition to acts only on changes in list published in the Code of 1936, for all M.P.T.O.A. code representatives.

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Mar. 12.—Panel of Code Authority members is expected to bring about a new Code of Families, which American distributors in England must produce or acquire from their own domestic production.

Mar. 15.—20th Century-Fox, M-G-M, RKO, Warner, and M-G-M, announce financial reforms ratifying the organization to ratify the effectiveness of the new Code on cancellations as of Dec. 8, even though con- trary.

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April

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Apr. 4.—National Recovery Board Report’s special code appointment is held over to go to President Roosevelt by April 15.

Apr. 5.—Major companies’ positions, under Code, are expected to be changed prior to that date. Code assets process.

Apr. 7.—Code Authority’s annual budget is expected to be increased and distribution to contribute half to exhibit and half. Redistrict of Ed Kukkenden as president of M.P.T.O.A. expected.

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PARAMOUNT STARTS THE NEW YEAR WITH A THREE MONTHS CELEBRATION

"WHAT A KICK WE WILL GET OUT OF THIS"
THREE MAGNUMS OF ENTERTAIN

"HERE IS MY HEART"

"Will ring the bell at any box-office. Crosby fans will eat it up."
— Hollywood Reporter

"Box office in every respect."
— Hollywood Variety

"Swell entertainment. A romantic comedy that will have the crowds cheering."
— Film Daily

BING CROSBY
Kitty Carlisle
Alison Skipworth
Roland Young
Reginald Owen
Directed by Frank Tuttle

DECEMBER 28th

"The LIVES OF A BENGALLANCER"

with GARY COOPER
Franchot Tone
Richard Cromwell
Sir Guy Standing
C Aubrey Smith
Marie Blue
Kathleen Burke
Directed by Henry Hathaway

JANUARY 14th
MENT TO START THE NEW YEAR WITH

"THE LIVES OF A BENGAL LANCER"
"Is Paramount's best in years."
— Hollywood Reporter
"The picture's a natural! Should establish record attendance everywhere."
— Motion Picture Daily
"A big attraction destined for big money. Swaggering, exciting melodrama with lusty box-office prospects."
— Hollywood Variety

"THE GILDED LILY"
"Is just what the customers of 1935 are looking for. Fresh and sparkling as this week's New Yorker."
— Hollywood Reporter
"The Gilded Lily will prove box-office everywhere."
— Hollywood Variety
"Dramatic romance, sparkling with comedy, lively with colorful action and dialogue, destined for certain popularity."
— Motion Picture Daily

CLAUDETTE COLBERT
in THE GILDED LILY
"AND 14 MORE TO FOLLOW IN THE NEXT THREE MONTHS"
WHAT A CELEBRATION
AND NO HEADACHES!
They took their love where they found it
and dared death with a kiss. The Bengal Lancers... devil-logs of daring... sons of Britain's finest... they come from the four ends of the earth... to live and die... love and hate in the tropic midst of Mysterious India... land of romance and rebellion... riot and revolt!

**Romance**

Revealing that mystic world of exotic ricks
and barbaric beauty... which is India! Military pageantry...
charging Lancers on parade... lavish scenes of princely splendor in palaces of Indian potentates, sloe-eyed nautch dancers in shrouded, scented seraglios! Here is all the witchery of Asiatic enchantment and allure!

**Spectacle**

Into the jaws of death... into the mouth of hell rode the Bengal Lancers... a handful of reckless, courageous men... facing rebel hordes on the world's wildest frontier... fighting always... surrendering never... they blazoned their glorious deeds on a mighty background of Empire! The heart-filling story of three gallant comrades-in-arms... and the regiment they led to glory!

**Thrills**

"THE LIVES OF A BENGAL LANCER"
Gary Cooper • Richard Cromwell • Franchot Tone • Sir Guy Standing
C. Aubrey Smith • Monte Blue • Kathleen Burke • Directed by Henry Hathaway

If it's a Paramount Picture it's the best shown in town!
MOTION PICTURE Daily

Wednesday, January 2, 1935

Highlights of an Eventful Year

(Continued from page 6)

MOTION code's 13 Paramount exhibition compel film release July 21, as May 21, May
May 17, Paramount releases federal suit in New York to compel Campi and local theaters to play films.

May 19—Warners, Epi conclude series, all pending royal litigation, with Warners receiving $40,000 and

May 22—Cincinnati conference of Catholic Bishops opens; film industry's new plan of production regulation hearing to be held.

May 23—2,000 infringed copy claimants to receive $2,000,000

May 25—Hearst as exhibitor needs reorganization, according to Manville

May 26—New unfair radio competition with theaters is seen in offering of prizes on national air programs.

May 31—Warners executives pledge aid to every effort to end double featuring.

June 1—Fox decides to include in foreign trade product in new season schedule.


June 7—Reorganization plan for Seagram Enterprises relieves circuit of court reports.

June 9—Dawn of Roxy type in New York.

June 11—Large distributors including plans for elimination of score charge prior to expiration of one year's contracts.

June 12—Cleveland M. P. Exhibitors Ass'n offers Kansas City exhibitors cancel double bills.

June 15—More right censoring in advance of production for moral film-quality campaign.

June 16—Cleveland double feature ban effective with taking of agreement by Loew's End of Double Feature to be Included in New Sales Contracts.

June 20—Fox to release 25 features next season to set up new campaign for Campi: see new provision coming for handling them.

June 29—12,000,000 $2,500,000

July 2—Consolidated Film becomes influential in Personnel Department as one of purchase of company's $1,000,000 gold note issue.

July 6—Loew's $4,000,000, 4% bond sale of 10 houses next season.

July 8—Cathedral Playhouses of Philadelphia are coming under the control of the Bishops' Board.
Cheerier Note Found Prevailing

(Continued from page 13)

July 17—Release dates to be met despite church censure. Academy prods general strike across all theatres there. City

July 18—Rift looms between RKO and Loew's. New head of Columbia product goes to Loew's.

July 19—Paramount has rejected all three features in bid for juvenile patronage.

July 20—Indefinite suspension of code's sale of film packages—plan to end with December.—Paramount and Division Administrator Rosenblatt met again in New York City. Michael Zirn and Samuel F. Loew Jr. were present.

July 21—Producers are now bankers for industry, financial condition in Di- vision Administration indicated in latest M.P.T.O.A. report.

Aug. 1—M.P.T.O.A. gathers exhibitors re. actions to films for forwarding to producers. Injunction against re-organization of Fox Metropolitan Play- houses under new bankruptcy law.

Aug. 2—M.P.T.O.A. Vice-President Cramer, in denying appeal to review Code Authority decision, establishes precedent which recognizes Campi findings as final.

Aug. 21—Case—MPTOCA's request for support of Code Authority.

Aug. 23—Opposition to new enforcement measures for Production Code of United Motion Picture Council.

Aug. 24—Fifteen features, 92 shorts and four serials, in program of National Trade Show—first in 11 days of strengthening association.

Aug. 26—Exhibitors national opposition to increased music taxes demanded.

Aug. 30—Campi reveals preference for set- ting up a four- or five-man Federal Trade Board to handle complaints rather than establishing new scheduling rules. —A draft of the Campi report.

Aug. 31—Gaumont British deal for Roxy Theatre. A new plan of action against increased music taxes—will shortly file objections to code assessments. September

Sept. 1—Ascap going ahead with tax in- crease. Fox Midwest aims to establish film policy. New York T.I.P.D.A. meeting—demands co-ordination with unions. Low extension rates, leading to renewed threat of speculation, are reported. —Fox plans campaign for increased incomes by means of block booking.


Aug. 6—New Fox Met bid seen possible. Gaumont may emerge in company of Samuel J. Bernstein, Jeffery Bernerd. RKO receiver bill pruned $105,000. Cancellation rows fail to reach code boards.

Aug. 7—Warners may make bid for Fox Met. Legal fight on Ascap to be set today. Deal to end New Jersey duel may be set back. Long-smallest clear- ance favored.

Aug. 8—Dual bill ban spreads. Little hope for new Fox Met bids. Premium bat in Kentucky, in case of talk of suits. Major to end duals, ease prices in Kansas City in three weeks.


Aug. 15—Revision of code clauses looms as result of protests. M.G.M. profit for 12 weeks $1,266,072. Laboratory code costs assessed the day.


Aug. 17—With no plans to join deal to end duals. Campi ruling forbidding discrimina- tion against exhibitors showing duals calls for fines. New York T.I.P.D.A. are asked to sign Fox Met bankruptcy order today.

Aug. 18—Producer code budget rejected by some producers. Employees in judge's order's need in Fox Met bank- ruptcy plan.

Aug. 20—Church and industry in accord on Fox Met plan. Church, court, and the industry are denouncing, blacklisting.

Aug. 21—Test cases planned in Ascap fight. New York T.I.P.D.A. meeting—action to make up and exhibitors films. —Jack Rabbit (first name in new code)

Aug. 22—RKO realists theatre subsidiaries. United Artists debounce to note over Campi reorganization plan. United Artists de- cents not to see over Campi plan. —Ascap plans to present story to state.

Aug. 25—NRA's future under Hugh S. Johnson. motion pictures.
Booked by LOEW WARNER R.K.O. CIRCUITS

“Clean humorous bill of entertainment . . . . unique situations and clever dialogue sustain interest throughout.”
—MOTION PICTURE DAILY

“Smart screen writing, a strong cast, good direction and plenty of production value . . . . should please any man’s audience.”
—SCREEN WORLD

“Amusing travesty on kidnapping, developed with freshness and having an excellent story basis for its comedy.”
—VARIETY

“A very splendid photoplay for any theatre.”
—FILMOGRAPH

M.H. HOFFMAN presents

no RANSOM

SUGGESTED BY "THE BIG MITTEN" by DAMON RUNYON

WITH LEILA HYAMS PHILLIPS HOLMES JACK LARUE ROBERT McWADE HEDDA HOPPER — EDDIE NUGENT VINCE BARNETT

directed by Fred Newmeyer

Screen Story by ALBERT DEMOND
RECORDED BY RCA VICTOR SYSTEM

LIBERTY PICTURES CORP.

M. H. HOFFMAN, President
Path* Studios
CULVER CITY, CALIF.

BUDD ROGERS, Gen'l Sales Manager
1776 Broadway, NEW YORK


Chattking for a Cut In Picture Totals

CLEVELAND, Jan. 1.—Discovered: a pessimist for 1935. He is David J. Chaitkin, one-time mogul with Paramount and now an independent theatreman operating through Monarch Theatres, Inc. Herewith is what he thinks.

"Being optimistic at this time of the year is an old Spanish custom in our industry. Each year the same feeling of optimism prevails: always a hope for the future business improvement, things are on the up, we have raised stock prices and many other stock phrases.

"Unless certain steps are taken by producers I do not believe our business will recover during the first quarter of the year."

First Philadelphia Trans-Lux Started

PHILADELPHIA, Jan. 1.—This city's first Trans-Lux Theatre got underway yesterday with an invitation showing Sunday night. Stanley-Warner also reopened Keith's at midnight in preparation for another showing of "Sweet Adeline," the Roby-Mashuuan's first film. The house will continue to show first run movies.

Rumors are flying fast and far concerning a new first and second run theatre in the Stanley-Warner block. In the Stanley-Warner block the theatre is believed the Earl will go into a second run policy retaining vaudeville, with prices cut.

Quality Will Hike With Grosses Katz (Continued from page 1)

B. Mayer at M-G-M, believes big grosses are increasingly in sight for worthwhile and novelty attractions in 1935.

"The figures from all over the country testify to a constantly increasing indication of interest in worthwhile picture and provide a justification for money and effort being expended on real attractions," he told MOTION PICTURE DAILY Monday in a year-end statement.

"Broken Lives" Ban In Maryland Court

BALTIMORE, Jan. 1.—Majestic Pictures, Inc., has appealed the decision of the Maryland censors barring "Broken Lives," released by M-G-M, to the Baltimore City Court and Judge Albert S. J. Owens has ordered a temporary restraining order.

The appeal says that while Maryland censors have condemned the film as "indecent in its present form," it has been passed and shown in other states.

Art Cinema Claims Point to Better '35

Art cinema owners claim there is an opportunity for better business in the art theatre trade. Jack M. Goldwyn pictures are reported to be popular.

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Art cinema claims there is an opportunity for better business in the art theatre trade. Jack M. Goldwyn pictures are reported to be popular.
Wage Scales Talks Now Up to Capital

No further meetings of the NRA fact-finding committee on the New York basic operator scale will be held at Campau for discussion of the local booth situation will be held in Washington on Jan. 11 when the public hearing is due to bring out opposition to the plan tentatively agreed upon by circuit and independent heads and executives of the L. A. T. S.

One of the figures to be contested in Washington will be the $6-an-hour base. The hearing is slated to bring out opposition to the plan tentatively agreed upon by circuit and independent heads and executives of the L. A. T. S.

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### Pathe “A” Gains 1¼ on Big Board

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### Pathe Bonds Close Year with New High

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### $43,704,000 in Bonds, Year’s Transactions

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### Hollywood Is Better Equipped, Says Lloyd

Hollywood—Jan. 1—Producers will develop a “surer touch and more confidence” in the making of quality features this year, according to Frank Lloyd, prominent director and president of the Academy of M. P. A. and Sciences.

“The popularity of the candid biographies of a year and two years ago did not take away the glamour from history in the public mind but rather humanized the characters so that the motion picture could deal with them in closeup and make their living recreations instead of statues on pedestals,” he stated.

“The technical and artistic equipment of Hollywood has now reached for sound pictures the same flexibility which it had achieved at the end of silents.”

### Flash Reviews

Red Hot Tires—A good action drama with story inconsistencies surmounted by fast tempo and direction and good cast performances.

Only Eight Hours—good punnish show.

Best Man Wins—action thriller that should have particular appeal in neighborhoods and small towns.

Sweetheart Annie—thoroughly amusing comedy-drama.

These films will be reviewed in full in a later issue of Motion Picture Daily.
WARNERS PLAN FOR THEIR OWN SOUND SERVICE

SETTLEMENT WITH ERPI PROVIDES FOR SHIFT

WARNERS will set up a sound equipment service of their own, having withdrawn from the arrangement under which Erpi has been servicing 301 of the company's theatres, it was learned yesterday.

According to Motion Picture Herald, out today, Warners' action "established a precedent in the electric's rigid policy of compulsory servicing of the 5,500 W. E. reproducers which have been installed in theatres in this country to date" and was made possible legally through the workings of some of the service agreements of the agreement by which Warners and Erpi effected a settlement last

(Continued on page 7)

RCA PHOTOPHONE NOT TO TRY NEW SERVICE

The local office of RCA Photophone stated yesterday that there were no plans by that company for inaugurating a theatre engineering advisory service such as that to be started by Erpi within the next few weeks.

Erpi's plans contemplate the establishment of engineering staffs throughout the country whose advisory services on all phases of theatre engineering and maintenance problems will be made available.

OMAHA HOUSES WIN CUTS; RESTORE ADS

OMAHA, Jan. 2—Sixteen suburbs and the Downtown, a split first and second run house, came to an agreement with the News-Be, Hearst paper, today and resumed advertising after a boycott of a month.

Exhibitors say they have won their fight for a reduction of rates similar to one granted recently by the World-Herald.

POWERS PINS HOPES UPON OPEN BOOKING

P. A. Powers, president of Celebrity Prod., Inc., yesterday staked out for an open market for 1935, declaring "the measure of success for the new year will be determined by the degree

(Continued on page 7)

MOTION PICTURE DAILY

NEW YORK, THURSDAY, JANUARY 3, 1935

TEN CENTS

WARNERS PLAN FOR THEIR OWN SOUND SERVICE

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(Continued on page 7)

HUFFMAN CODE Defiance Goes To U. S. Court

Seeks Test of Camp's Power to Stop Film

DENVER, Jan. 2—First local test of the code is slated to get under way here Monday when an application by Harry Huffman for an injunction against the grievance board and exchanges comes up for hearing in the U. S. District Court. Members of the board and both managers have been summoned to appear tomorrow.

The test revolves around the board's power to stop distributors from supplying Huffman with film as a result of his refusal to stop giving away automobiles at the Aladdin, Paramount.

(Continued on page 7)

JUDGE COXE APPROVES SANGER'S NEW SETUP

Federal Judge Alfred C. Coxe yesterday approved the plan of reorganization of Sanger Theatres and Sanger Realty Corp., with a few minor changes which do not alter the effects of the plan.

Paramount's participation in the Sanger reorganization was also authorized by the court. The plan must now be approved by the Federal court at New Orleans. Under its provisions the reorganized Sanger circuit will operate 45 theaters, mostly in

(Continued on page 4)

Music Leads Studio Trend For New Year

By VICTOR M. SHAPIRO

Hollywood, Jan. 2—Hollywood doesn't make the public's dreams—it just cans them.

Hollywood doesn't decide the trends—it just pictures them.

While a priz or director silently spins their dreams—while from millions of hearts and from millions of human beings, sub-conscious aspirations rise to reality or burst into bubbles, Hollywood, with mirror in hand, merely catches and reflects man's wishes and desires, transmitting them by the magic of light, color and sound, into film entertainment.

What, for 1935, will the public get

(Continued on page 4)

DRACtic Film Control Bill Up in Albany

Scripts, Ads, Contracts Would Be Regulated

ALBANY, Jan. 2—Under the terms of a censorship bill introduced today by Senator John T. McCall of New York City censorship would be extended for one of the best products and to all advertising material, and the censors would be empowered to enlist the cooperation of civic and religious organizations; to prescribe forms of contracts between distributors and exhibitors; and to classify pictures as suitable for adults, families or juveniles.

The law would require that all advertising material should also carry the classifications of adult, family and juvenile.

The director of the censor bureau would be empowered to adopt all rules and regulations necessary to carry out the objectives of the law.

To put teeth into the measure it provides for licenses for distributors

(Continued on page 4)

MAJORS TO ST. LOUIS FOR PRODUCT PROBE

Echoes of the recent Fanchon & Marco-Warner product tie in St. Louis reverberated through distributor headquarters yesterday as communiques were served on all major companies to appear in St. Louis Monday when a Federal investigation gets under way.

When Harry Arthur and Harry Koplar took over the Missouri, Ambassador and St. Louis in St. Louis

(Continued on page 7)

"Forsaking" Boosts Capital to $87,400

"Forsaking All Others" took the capital out of its lethargic Christmas Week form and generated a handsome tie of $87,400 the first week with the result that the film is being held an additional 10 days.

MCVICKERS ROW ENDS WITH A PARA. LEASE

Amicable adjustment of the lease dispute between Balaban & Katz and Jones, Linnick & Schaefer over the

(Continued on page 4)

Mickey Deflates Celluloid Ego As He Looks 1935 Over

By WALT'S MICKEY

I predict:

1935 will be as big a year as 1929-35 days long. It will be the biggest year we have had for predictions.

Producers, distributors and exhibitors will go on a diet—and stop eating each other's hearts out.

Pictures will do all the talking for the industry. There will be a picket for every ticket—unless unions settle their squabbles among themselves—which they may.

There will be more pictures made for the man

(Continued on page 4)
M. P. Foundation Is Silent About Plans

The M. P. Foundation, when questioned by Motion Picture Daily yesterday, refused to comment on specific plans for production, release and finance of the series of pictures it had announced earlier it would produce.

According to a statement issued by the foundation, it proposed to make a series of features that will be classified as either "family pictures," "historical productions," "instructional pictures for classrooms," "pictures for the appreciation of fine music" or "pictures on international good will and travel." The foundation, in addition to its own production program, will sponsor any picture produced that it feels fails in any of the above mentioned categories, it was said.

New Resignation Denied by Pettijohn

Washington reports that Bert New was not resigned as assistant head of the Washington office of the Motion Picture Foundation. A. Washington office were denied yesterday by C. C. Pettijohn here, who stated that the resignaion does not plan to and is continuing in charge of the office at the Capitol. The reports are believed to have been started by the recent assignment of Tony Muto to the Washington scene by M.P.D.A. headquarters here.

Carl J. Sonin Is Dead

HORSEHEAD, Jan. 2—Carl J. Sonin, general manager for M-G-M in New York and eastern commuters, died on New Year's Eve. He was about 40. His body is being cremated.

No successor to Carl J. Sonin has been named by the M-G-M foreign department. About seven years ago, Sonin was manager of the New York exchange.

Bowling Body Here Soon

The body of Ambrose J. ("Bo") Dowlings, former radio head in England, who died last month from pneumonia, is here for a short time to arrive here Saturday on the Anconia. Catholic funeral services will be held here after the arrival of the remains.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Vol. 37 January 3, 1935 No. 2

MARTIN QUIGLEY
Editor

MAURICE KANN

JAMES A. CRON
Advertising Manager

Published daily except Sunday and holidays. Vol. 37. Subscription rates per year in the United States $6.00, with Canada $10.00, and foreign $12. Single copies 10 cents.

U. A. Sales Session Is Held in Frisco

SAN FRANCISCO, Jan. 2.—United Artists held a one-day sales convenion here today at the Rodeo House with 40 men present from this city, Seattle, Portland, Salt Lake City, and Los Angeles.

All Lichtman discussed new product. Local arrangements were in charge of D. J. McNerney and Ollie Watson, manager of the exchange and assistant manager of the exchange here.

Await New Officer

BOSTON, Jan. 2.—Theatremen look to the naming of a business manager of Allied Theatres of Massachusetts, M. P. T. O. A. unit, at a meeting of the board Tuesday or Wednesday. J. J. McGuinness, former manager, died suddenly a few days ago. According to Hughes, organization's secretary, has been in charge. It is believed by some that he may succeed to the position, though candidates are pushing forward daily.

New No Denughters

LONDON, Jan. 2.—In a new city, the London Wall, that Gaumont British was planning a new de- nvironment issue are denied by the firm.

Warner Ball Set Feb. 16

Warner's will stage its sixth annual ball at the Waldorf Astoria on Feb. 16.

Irvng Trust Seeks $234,624 from RKO

Petitions for allowances aggregating $234,624 filed Wednesday with Federal Judge William Bondy by Irving Trust Co., trustee for RKO, and William J. Donovan, counsel for the trustees, and including special services rendered in connection with the RKO receivership.

 Irving Trust petition asks for $100,000 on account; Donovan's asks for $125,000, and for $1,124 as expenses. Allocations of $2,500 each are asked by Edward J. Crawford and Robert Huntley, real estate appraisers, and $3,500 for Waterhouse & Gray, court-appointed receivers.

"Barrett's at Top of Film Daily Poll"

"The Barretts of Wimpole Street" heads the 1934 list of 10 best films chosen in Film Daily's annual poll of 454 of the country's critics. The vote for the leader was 348.

"Barrett's," in close second place, with 328 votes, is "The Great Gatsby" of Rothschild." The other eight in the order named were: "It Happened One Night," "Pride and Prejudice," "Little Women," "The Thin Man," "Viva Villa," "Dinner at Eight," "Count of Monte Cristo" and "Berlin Square." The total number of films nominated in the poll was 173, compared with 167 in 1933.

Loeew Dividend Set

Directors of Loeew's, Inc., yesterday declared a regular quarterly dividend of $1.625 on the preferred. It is payable Feb. 15 to stockholders of record at the close of business on Jan. 31.

Frank on Warner Sales

W. C. Frank has been put in charge of distribution for Walter Wanger Prod. Frank is former New York representative for Jack Sennett.

Clarifying an Error

"Life Returns," was reviewed on Hollywood on Monday as "Life Begins." The error crept in via telegraphic transmission.

Eastman Up 1 1/2 on Big Board

Columbia Pictures, etc., 331/2 to 33 3/4, + 1/4 900
Consolidated Film Industries, etc., 36 1/4 to 36 3/4, + 1/16 40
Eastman Kodak, 115 1/2 to 117, + 3 1,250
Foster�, 17 7/16 to 17 9/16, - 3/16 1,800
Loew's, Inc., 34 3/4 to 34 33/32, + 1/16 2,900
M-G-M, 89 5/8 to 89 31/32, - 1/16 3,000
Paramount Public, etc., 71 1/16 to 71 1/4, + 3/16 6,100
Pathé Exchange "A", 104 to 104 7/16, + 1/16 1,300
Pathe Exchange "B", 103 1/2 to 103 3/4, + 3/8 2,000
RKO, 78 31/32 to 78 31/32, - 1/16 1,700
Warner Bros., 98 1/8 to 98, + 3/16 2,000

Trans Lux Advances Eighth on Curb

Technicolor, 134 3/8 to 134 3/4, + 1/16 100
Trans Lux, 90 3/8 to 90 3/4, + 1/16 100

Paramount Broadway Bonds On 2

General Theatre Equipment 6s 40, 9 5/16 to 9 5/8, - 1/16 17
Paramount Broadway 5 1/2s 40, 43 3/4 to 43 3/8 2,000
Paramount Broadway 5 1/2s 40, 43 3/4 to 43 3/8 2,000
Paramount Broadway 5 1/2s 40, 43 3/4 to 43 3/8 2,000
Warner Bros. 6 1/4s 40, 61/16 to 61/16, - 1/16 17

[Quotations at close of Jan. 2]
To the 400 Distinguished Screen Critics
Appointed to Select 1934's Ten Best
Pictures in the Film Daily Poll:

Thanks for your many kind inquiries, but because of other major attractions already scheduled we found ourselves unable to release

**PAUL MUNI**

in

"**BORDERTOWN**"

with

**BETTE DAVIS**

in time for inclusion in your list of 1934's Ten Best.

Although you may have already seen this picture in preview, the rules of the Film Daily poll of course necessitated your postponing its selection until the 1935 list, since it will not be nationally released until this coming Saturday, Jan. 5th.

Sincerely,

**WARNER BROS.**
Music Leads Studio Trend For New Year

(Continued from page 1)

from the amusement center of the world? What relaxation, in the form of canned dreams, will there be in the new year? Will you dare to entertain every person on the globe? Holding up the mirror to 135 films in which editing or planning, Hollywood reflects 20 different classifications or pictures, each of which represents a definite trend of entertainment.

Set down in fact form, the summary herewith tells its own story:

Summary

PICTURES IN WORK, PREPARING FOR PRODUCTION AND EDITING

Position Cycle Total No.
1 Musicals 20
2 Comedy-dramas 13
3 Mystery 5
4 Dramas 7
5 Westerns 7
6 Fantasy 12
7 Romantic drama 9
8 Classical 3
9 Action 9
10 Westerns 11
11 Westerns 13
12 Fantasy 14
13 Biographical 15
14 Comedy-romance 17
15 Musicals 20
16 Romance 19
17 Football 19
18 Fairy tales 18
19 Total 135

By preponderance of number, the trend for 1935 seems to be towards musicals, comedy dramas, mysteries and dramas, with musicals dominating strongly.

The second trend evident from the above tabulation indicates comedy and melodrama, adventure, action and romance are third.

Breaking down the summary, the bird-view of Hollywood's reflection is clarified according to title, company and classification.

Musicals

Roberta (RKO) 
Top Hat (RKO) 
Reckless (RKO) 
Ruba (Para.) 
Alma (Para.) 
All Kings Noses (Para.) 
Stolen Harmony (Fox) 
Geo. White's Scandals (Fox) 
Redheads on Parade (Fox) 
Adorn Argentia (Para.) 
Georgiana (Col.) 
Go Into Your Room (Fox) 
Goldfinger of 1935 (W. B.) 
Sweet Adeline (W. B.) 
In Caliente (W. B.)
Follies Bergere (20th. Cent.)
Feyn Will (Goldwyn)
Wizard of Oz. (Goldwyn)
Enter Madame (Paramount)
Cantina (Goldwyn)
Naughty Marietta (MGM)
Love While You May (MGM)
The Night Is Young (MGM)
Sing Me a Love Song (Univ.)

Comedy-Drama

Captain Hurricane (RKO) 
Enchanted (RKO) 
Forsaking All Others (RKO) 
Three Little Beers (Col.) 
Now I'm a Lady (W. B.) 
One Second (Col.) 
The Little Colonel (Fox) 
Life of Great Liberator (Para.) 
County Chairman (Fox) 
King of the Ritz (W. B.) 
Alibi (MGM) 
Good Fairy (Univ.) 
Hands Across Tables (Goldwyn)

Mickey Deflates Celluloid Ego As He Looks 1935 Over

(Continued from page 1)

on the street—but he will have to go into a theatre to see them. Double features on the same bill will become as sore as the public and will stop talking to each other.

If these Hollywood indications are realistic, the collections of subject matter will appear to be definable. It seems that music will be more popular, comedy more amusing, and romance more romantic than ever to show their shorts in public—now that they are in color.

My boss, Walt Disney, will continue to draw business as well as he does under the Silly Symphony, which makes it a Happy New Year, folks!

Princess O'Hara (Univ.)
She Married a Millionaire (Univ.)
Mystery

Puzzle of Pepper Tree (Univ.)
The Murder Song (Fox)
Chan in Paris (Fox)
Mystery Woman (MGM)
Recipe for Murder (Fox)
Thursday in the Night (Fox)
White Cockatoo (MGM)
Woman in Pink (Col.)
Flamenco Dancer (W. B.)
Mystery of Edwin Drood (MGM)
The Raven (Univ.)

Drama

Farmer Takes a Wife (Fox)
Once a Gentleman (Col.)
Black Fury (W. B.)
Right to Live (W. B.)
The Man from1895 (Col.)
Oils for Lamps of China (Fox)
Goose with a Golden Feather (MGM)
The Greens Cat. (MGM)
Their Wedding Night (Fox)
Within This Present (Col.)
Magnificent Obsession (Col.)
When Next We Live (Univ.)
Melodrama

Only 8 Hours (MGM)
Wicked Woman (MGM)
Home Sweet Home (MGM)
Car 99 (Para.)
Klondyke (Col.)
Eight Bells (Col.)
I Murdered a Man. (Col.)
Mr. Dynamite (Univ.)

Comedy

Mark Marx, Picture (MGM)
Repeat (Univ.)
The Wilkie Way (Para.)
The Milk Way (Univ.)
While Patient Slept (W. B.)
The Gay Divorcee (MGM)
Women Are Born Newspapermen. (Univ.)
Moon Moons (Univ.)

Adventure

Metiny on Broadway (MGM)
Lives of Reinal Lunar. (Para.)
The Secret Bride (W. B.)
Best Man Wins. (Col.)
Call of Wild. (20th. Cent.)
Cuuters of Alhambra (Univ.)

Romantic Drama

Vanessa (MGM)
Caprice Espagnole (MGM)
The Secret (Col.)
Secret of the Little Women (Col.)

Classic

Becky Sharp (W. B.)
Three Musketeers (MGM)
Now Voyager (MGM)
Cowperfield (MG)
Let's Go Agate. (Col.)
Anna Karenina (MGM)

Action

Five Untitled (Col.)
Red Hot Tetes (W. B.)

Westerns

Home on the Range (Para.)
Vanishing Pioneer (Para.)
Untitled (Col.)

Fantasy

She (RKO)
Dante's Inferno (Fox)

Acination

West Point of Asia (MGM)
Wings in Dark. (Para.)
Devil Dogs of Al. (W. B.)
Sophisticated Drama

No More Ladies (Col.)
Lady Beware (Col.)

MPPDA Expands Offices

Large additional office space was opened by the M.P.P.D.A. yesterday on the 15th floor of the building which houses the Haywood Chamber of Art. It will be utilized by the eastern office of the Production Code Administration and the Advertising Advisory Council under J. J. McCarthy. The new offices will be used to relieve congestion in the main offices on the 21st floor.

PMCA Drastic Film Control Bill

Up in Albany

(Continued from page 1)

and exhibitors. The distributor fee would be $50 per year and that for an exhibitor $10. Distributors would be required to file bond reports and exhibitors would be called upon for $1,000 bonds to insure compliance. The director of censors would be empowered to suspend licenses for violations of regulations.

"The bill I have introduced," said Senator McCall, "will go a long way towards insuring clean films for the people, and will make possible the securing of more certain contractual relations between the distributor and exhibitor. It will enable exhibitors to know what they are buying and give them a chance to learn whether a picture is objectionable before exhibited. "The bill also provides that its provisions shall supersede any provision of the NRA code in conflict therewith."

McVickers Row Ends With a Para Case

(Continued from page 1)

McVickers, Chicago Loop house, was concluded here yesterday and provides for abandonment by J. L. & S. of the lease. The former disposed several weeks ago against B. & K., Paramount and large distributors.

Ye Franc Q. Frequent its lease on the McVickers last summer and the house was recently reopened by J. L. & S. with success. It is assuredly the Russia, however, that did not take position to bid for 1935-36 product in the event he operates it thereafter. Frequent found the theatre head, said yesterday that no operating plans had been made for the McVickers under the new lease and that the house might be kept closed.

Judge Coxe Approves Saenger's New Setup

(Continued from page 1)

Louisiana and Mississippi, with E. V. Richards as president and general manager of the new company. Judge Coxe also signed an order yesterday, continuing Paramount Broadmoor and Liberty companies for the Paramount Building and theatre, in possession of its assets pending its reorganization.

Winds Delay Air Trip

High winds prevented the showing of Mr. K. R. Blue's "Baboon" 12,000 feet over Manhattan yesterday. Roger Ferri, handling the stunt, was placed to screen for newspaper and syndicate men on two trips. The stunt will be put over today, weather permitting.

C. King Charney Here

C. King Charney, American distributor for Agfa Films, is in New York from the coast.
A PUSHOVER FOR HOLDOVERS!

BUSINESS is BUSINESS . . . But it's PHENOMENAL BUSINESS that makes exhibitors hold it over!

THREE WEEKS at the N. Y. Roxy, where it broke a five-year attendance record!

FOUR WEEKS at the Pantages in Los Angeles, and going into a fifth week! All-time records smashed for this house!

TWO WEEKS at the Orpheum in San Francisco, then TWO MORE WEEKS at the Strand across the street!

THREE WEEKS in Portland, Oregon
THREE WEEKS in Seattle, Washington
THREE WEEKS in Buffalo, N. Y.
HELD OVER in St. Louis
HELD OVER in Salt Lake City
HELD OVER in Richmond, Va.
HELD OVER in Baltimore
HELD OVER in Louisville
HELD OVER in Milwaukee
HELD OVER in Syracuse

Carl Laemmle presents
CLAUDETTE COLBERT
in FANNIE HURST'S
"IMITATION OF LIFE"

with
WARREN WILLIAM
ROCHELLE HUDSON • NED SPARKS
HENRY ARMETTA • BABY JANE • ALAN HALE
A JOHN M. STAHL PRODUCTION

"Happy New Year!" says Universal

COMING! IRENE DUNNE in SHOWBOAT
MOTION PICTURE DAILY

Thursday, January 3, 1935

PHILADELPHIA, Jan. 2—Anticipated success brought an 82-day run for "Day and Night" not realized in Philadelphia. There were no actual standouts, the business being split rather evenly among the unprepossessing number of features including the kick-off for the Roxy-Mastaba.

After the first two days, with the Mastaba running behind expectations, gloom was thick around the theater, but business improved later in the week and the house hit an estimated total of $38,000, generally conceded by the amateur accountants to represent profit on the investment. Roxy’s shows are geared much lighter than the last time the house was reopened with a net of $42,000 on the first show. For this present system, it is believed that the house can get by on slightly better than $30,000. “Sweet Adeline” is the opening film.

Total for first run, business, $135,300. Average was $104,900.

Estimated taking for the week ending Dec. 29:

1. "THE BRIGHT BARNUM" (U. A.)
   ALDINE—(1,200), 35c-40c-55c, 6 days.
   Gross: $3,300. (Average, $550.)
2. "COLLEGE RHYTHM" (Param.)
   ARCADIA—(600), 35c-36c-40c, 6 days.
   Gross: $2,160. (Average, $360.)
3. "ANNE OF GREEN GABLES" (Radio)
   ROYD—(1,400), 35c-55c-65c, 6 days.
   Gross: $3,300. (Average, $550.)
   (Alignment: 35c-45c.)

"BRIGHT EYES" (Fox)
EARL—(2,000), 40c-55c-65c, 6 days.
Stagel: July 20, 1919 with Harry Rose.
Gross: $19,500. (Average, $3,250.)

"FLIRTATION WALK" (Warners)
KARLTON—(1,200), 35c-40c-55c, 6 days.
Gross: $2,700. (Average, $450.)

MY HART IS CALLING (Gaumont)
LOCUST—(750), 40c-55c, 6 days.
Gross: $700. (Average, $117.)

"WOMEN OF THE WILD" (M-G-M)
ROYD-MASTABA—(1,800), 35c-75c-80c, $1.00, 6 days.
Gross: $2,400. (Average, $400.)

"BRIGHT EYES" (Fox)
STANLEY—(750), 35c-45c-55c, 6 days.
Gross: $1,500. (Average, $250.)

STANTON—(750), 35c-40c-55c, 6 days.
Gross: $1,500. (Average, $250.)

"BARNUM" Gets Big Providence Start

PROVIDENCE, Jan. 2—Holiday trade, midnight shows and shifting of "Bright Eyes," which was one of the big attractions of business for exhibitors to the Christmas season. Opening Monday at Landis Stage in Providence, the picture chalked up $16,000 in four days. This was by far the best for the city. The Majestic, with a total of $15,000, "Bright Eyes" and "Bachelor of Arts," caught a neat $10,200 and the RKO Albee was strong at $9,100 for "Grand Old Girl" and "Holiday Capers" on the stage. Fox’s came in for $8,100, with "The World Accuses" and a revue. Total first run business was $55,100, nearly $40,500.

Estimated takings for the week ending Dec. 27:

1. "THE BRIGHT BARNUM" (U. A.)
   ALDINE—(1,200), 35c-40c-55c, 6 days.
   Gross: $3,300. (Average, $550.)
2. "LOST IN THE STRATOSPHERE" (M-G-M)
   STRAND—(2,500), 35c-45c, 5 days.
3. "THE WORLD ACCUSES" (Fox)
   PAL—(1,800), 35c-45c, 5 days.
   Stage: July 20, 1919. "SWEETHEARTS," and "STAND-UP.""Bright Eyes" (Fox)
   STANLEY—(800), 35c-45c, 5 days.
   Stage: July 20, 1919. "SWEETHEARTS," and "STAND-UP.""Bright Eyes" (Fox)
   Kodiak—(1,500), 35c-45c, 5 days.
   Stage: July 20, 1919. "SWEETHEARTS," and "STAND-UP.""Bright Eyes" (Fox)
   RKO ALBEE—(2,500), 35c-45c, 5 days.
   Stage: July 20, 1919. "SWEETHEARTS," and "STAND-UP.""Bright Eyes" (Fox)
   RKO ABBY—(2,500), 35c-45c, 5 days.
   Stage: July 20, 1919. "SWEETHEARTS," and "STAND-UP.""Bright Eyes" (Fox)
   RKO BEAVER—(2,500), 35c-45c, 5 days.
   Stage: July 20, 1919. "SWEETHEARTS," and "STAND-UP.""Bright Eyes" (Fox)
   RKO VICTORY—(1,000), 10c-25c, 4 days.
   Gross: $1,100. (Average, $275.)

Talk Film Carnival For MPTOA Meeting

NEW ORLEANS, Jan. 2—Ed Kuykendall is due here tomorrow for a conference with Harry S. McLeod, chairman of the committee in charge of the annual M.P.T.O.A. convention, and a number of civic leaders, exhibitors and trade exchange men. The convention is set for Feb. 25, 26 and 27.

One plan broached is to have a film carnival, with three city blocks covered by an archway for the coronation of a king and queen of the carnival. All visitors will be provided with robes of royalty, the plan goes through.

Harry Cohn Coming East

Harry Cohn, president of Columbia, is due in New York Jan. 25 for a directors’ meeting.

Kids Get a Break

Portland, Me., Jan. 2—Juvenile interest in film was given a recent addition to the F. E. Lieberman unaffiliated circuit, which has heightened since a successful youth campaign early in the year. Each week from a horse on the stage is elected to act as doorman. The chosen junior staff assist their fellow men.

Bright Eyes" Big In Oklahoma City

OKLAHOMA CITY, Jan. 2—“Bright Eyes” led a Christmas pickup, but set such a swift pace that none of the other first run shows could keep out of the dust. The $9,540 gross was over $5,540, and nearly half the total first run business of the city.

“Babes in Toyaland” was another humdinger, grabbing $3,600 at the Capitol. Total first run business was $19,740.

Estimated takings:

Week Ending Dec. 31: 
1. "SWEET HEAVENS" (Warners) 
   RKO PALACE—(2,000), 35c-55c-45c, 7 days. Gross: $9,100. (Average, $1,295.)
2. "BRIGHT EYES" (Fox) 
   RKO PALACE—(2,000), 35c-55c-45c, 7 days. Gross: $9,100. (Average, $1,295.)

Week Ending Dec. 31: 
1. "PRIVATE LIFE OF DOROTHY JUAN" (U. A.) 
   LOEW’S STATE—(2,000), 35c-55c-45c, 4 days. Gross: $3,500. (Average, for 7 days, $1000.)

Week Ending Dec. 31: 
1. "Pursuit of Happiness" (Para.) 
   RKO PALACE—(2,000), 35c-55c-45c, 5 days. Gross: $5,000. (Average, for 7 days, $1,400.)

Temple Is Lincoln Smash with $3,500

Lincoln, Jan. 2—It was “Bright Eyes” last week and little Shirley Temple. The studio fell off balcony seats which had been a long time dusty. The picture’s Tuesday gross was $3,500, which is money at two-bits top.

The Orpheum has started full weeks with splitting vaude bills and took $5,000 on the week by headlining Gene Autry and Baby Rose. MacPhail at $1,000 per week.

The pictures were “Gay Bride” and “Little House Blues.” Little Minister,” with a local talent stage show, was a flop at the Sturt with about $2,300. “Jack Ahoy” attracted but few at the varsity with a $900 take. The first run businesses was $11,700. Average is $910.

Estimated takings:

Week Ending Dec. 31: 
1. "Little Pioneers" (Fox) 
   STUART—(2,000), 15c-35c-45c, 6 days. Gross: $3,000. (Average, $500.)
2. "BRIGHT EYES" (Fox) 
   LINCOTON—(2,000), 35c-55c-45c, 6 days. Gross: $3,000. (Average, $500.)
3. "LIMEHOUSE BLUES" (Par.) 
   ORCHARDS—(2,000), 35c-55c-45c, 7 days. Stage: Geno Autry and Baby Rose.
   RKO PALACE—(2,000), 35c-55c-45c, 7 days. Gross: $500. (Average, $70.)

Week Ending Dec. 31: 
1. "Jack Ahoy" (M-G-M) 
   VARSITY—(1,000), 10c-25c, 4 days. Gross: $900. (Average, $225.)

Franklin in Hollywood

Hollywood, Jan. 2—Harold B. Franklin is here from New York and expects to remain about 10 days.
Majors to St. Louis For Product Probe

(Continued from page 1)

last summer, they found considerable difficulty in getting the product. War- ner took over the Rialto a short time later, opening it in September. Arthur then filed a complaint with the Department of Justice and nothing had been heard until yesterday.

It is believed the Grand Jury may soon call for possible conspiracy to re- strain trade.

Arthur and Jack Partington of F. & M. also were served yesterday and an answer is expected from them on Friday. Sidney Bromberg of M-G-M departed late last night. Robert Youngman, attorney, Julius Levy and Cresson Smith of RKO Radio plan to leave either today or tomor- row. Edward Raftery of O'Brien, Driscoll & Raftery, counsel for U. A. left for Pittsburgh yesterday and plans to leave the Smoky City today for St. Louis.

Efforts to reach attorneys for Co- lumbia, Fox, Universal and Warners were unavailing, although it was ad- mitted these companies did not serve.

Warners will continue as an Erpl licensee until the agreement expires. The company’s service bill has been running to approximately $400,000 yearly, it was learned.

The Herald adds:

"There is no intention at the mo- ment of the Majors to fash- ion a new proposal, economically more favorable than the existing one, but Warners rejected it on the grounds that while it did give certain price concessions and was not out of proportion to the service to be performed, the Warner management did not find it remotely comparable by doing its own servicing."

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HOOPS, MY DEAR!

JIMMY SAVO and friend at play in Ben Hecht and Charles MacArthur's new production, "ONCE IN A BLUE MOON". Lee Garmes, photographer and associate director. A Paramount Release.
British Get An Industry Control Bill

Provides for Majority Rule in the Trade

By BRUCE ALLAN

London, Jan. 3.—A bill introduced in the British House of Lords by Lord Melchett is regarded as holding out the possibility of national control of the industry resembling, but going beyond, the provisions of NRA in the United States.

This measure, the Industrial Reorganization (Enabling) Bill, would give the power to a majority in any industry to work out a scheme of reconstruction for submission to the Government. If adopted by the latter, it would have the force of law, and dissenting minorities would have to conform.

Though read a first time in the House of Lords, it is thought unlikely (Continued on page 8)

Schwartz Re-elected By Cleveland Ass'n

Cleveland, Jan. 3.—Ernest Schwartz was re-elected president of the Cleveland M.P. Exhibitors' Ass'n today. Other officers named were: Vice-president, A.B. Broof; treasurer, John Kalafat; secretary, G.W. Erdmann; directors (three years), Meyer Fischer and Morris Berkowitz; (one year) James E. Scoville, Sigmund Vernes and Nace Schultz; (appointed by chair to fill unexpired two-year term of M.B. Horowitz) Frank Porozynski.

"Minister's" $110,000 New Music Hall Peak

"The Little Minister" grossed $110,000 at the Music Hall for the week ending Wednesday night and walked away with a new house record at the world's largest picture theatre.

The Helburn picture had the best theatre week in the year in its favor and likewise a number of other factors. The theatre day was lengthened by a 10 o'clock starting hour where-as the house normally opens at 11:30 (Continued on page 8)

Court O.K.'s Order On Westco Transfer

Los Angeles, Jan. 3.—District Court here today confirmed the order of Judge Earl E. Moss' order to transfer the bankrupt assets from Fox West Coast to the (Continued on page 12)

Film Bills Hit Congress, But Deluge Hides Their Identity

Washington, Jan. 3.—The opening of the 74th Congress today saw the introduction of a number of bills dealing with films. Because of the number of measures submitted, several thousand having been introduced in the House alone, identification of any individual bill but the measures submitted were reported to be those which have been introduced annually for several years past.

Representative Patman of Texas, who at the last session sponsored the block booking bill, was said at his office not to have reintroduced the measure today although it is expected he may do so later.

Representative Sirovich of New York, who in past years has secured much publicity through his copyright activities, is understood to have several measures ready for submission, while other bills would reduce the ban on interstate transportation of light film and amend the copyright law.

Arrests Made in Boston Bombings

Boston, Jan. 3.—The hunt for the terrorists who recently bombed theatres here and in Lynn and in Pawtucket, R. I., narrowed today following the arrest in this city last night of Herbert E. Logan, 34, actor of Torrington, Conn., who is said to have confessed he was offered $250 to burn a Boston theatre.

According to the authorities, five sticks of white phosphorus were (Continued on page 8)

Talk Over Cuts in Para.'s Payments

Discussions on a proposed reduction of the $5,100,000 cash payment by Paramount to its creditor bank group and separation of the Paramount Broadway reorganization plan from that of the Paramount Publich plan were held by reorganization and creditors' committees Wednesday and yesterday.

Criticism of the Paramount reorganization plan at the hearings before (Continued on page 8)

U. K. Prospects Held Good for U. S. Films

London, Jan. 3.—The prospects for good American pictures in the English market continue without abatement in the opinion of at least two representatives of large American distributors here.

Says R. S. F. Ditcham, managing director of Universal Pictures, Ltd.: "With the easing of trade depressions, unemployment and general (Continued on page 12)

Production Gains With 36 Shooting

Hollywood, Jan. 3.—Production for the week ending Dec. 29 registered a slight increase with 36 features and one short before the cameras as compared to 33 and five for the preceding week.

Paramount led the field with eight features working, two preparing and three editing. M-G-M had five, zero and nine; Fox, five, three and two; (Continued on page 8)

'Raboono' Shown in Plane; And There's a Lot to See

By J. M. JERUAULD

ATMOSPHERE (3,000 to 10,000 feet up), Jan. 3.—It's the first showing of a sound picture in an airplane, and there's only one thing the matter with it—nobody can look at two things at once, especially when they're both good.

The film was Mr. and Mrs. Martin Johnson's "Raboono," photographed largely from the air over Africa. A panorama of African landscape spreads out forward in the cabin and Johnson's voice explains that the thousands of animals running hither and thither are zebras.

On the left you hear him quietly asking the sound man how things (Continued on page 8)

Legislation Dangers Seen By Kuykendall

PLEADS FOR UNITY, BUT ENTHUSIASM ON PRODUCT

New Orleans, Jan. 3.—Legislative fears over the days ahead were voiced today by Ed Kuykendall, M.P.T.O.A. president, as he arrived to confer with Harry S. McLeod on details of the evening bill holding an abortive convention slated for Feb. 25-27.

"I am apprehensive as to our problems in a legislative way," he said. "We are going to be beset with various unfair and discriminatory bills in Washington. Many of these are inspired by those within this industry with selfish interests, others will be sponsored by reform organizations of various kinds. We can take care of ourselves if we use common sense and cooperate in all branches of the industry. This will certainly be a time for unified action, and the radicals among us must be shoved aside in the battles for the common good. We are (Continued on page 8)

RKO-Skouras Close Deal on Two Houses

Contracts have been signed between RKO and Skouras Theatres whereby the Strand, Rockefeller Center, L. I., and the Embassy, Port Chester, N. Y., will be turned over to the latter for operation next week. The deal is for five years.

Leslie E. Thompson signed for RKO and George Skouras for Skouras circuit. Exclusive of the Fox Met string, Skouras operates four William White houses on upper Broadway and six other houses leased from Fox Theatres.

Thomas Leaves for Probe in St. Louis

Abel Cary Thomas, general counsel for Warners, left for St. Louis late Wednesday to be heard by the Federal grand jury investigation into the product situation revolving (Continued on page 8)

Fox-RKO Sign

The long-pending franchise deal between Fox Film and the RKO circuit is now fact. The deal will run for a period of three years beginning with the 1935-36 season.
Insiders’ Outlook

By currier and from Samuel Cummins, a wordy communication pointing up the errors, his style, of the repertory system which prevails in these parts. It has to do with "Ectacy," Czechoslovakian-made and known on the other side as "Ectasy." States Cummins: "Ectacy" has not been barred from the top cards of Europe. The truth is the picture is being shown all over Europe and has been made in all languages and is considered the picture produced in many years. Magnanimous as we occasionally are, we now prove it by allowing this latter statement to stand. He also says he really ought to have the grace to pay that get to that on the lineotes. .

More from the same communication:

"For your information, the part of the girl losing her clothes is minor. The picture has attracted attention for its unusual direction, beauty and simplicity. Although "Ectacy" (Cummins' goes for in all caps here) is 9,000 feet, less than 300 words are spoken throughout the entire film. It makes no mention and, therefore, we do of the manner in which the affair between the girl, Hedi Keisler, and the man is handled; of the long, deliberate sequence in which the head of the girl, reflecting emotions about which you can draw upon your imagination for definition, appears on the screen, interrupted only occasionally by the caressing fingers of her lover. He describes what has been said about Ectacy as malicious propaganda spread by Hedi Keisler's husband. That's 'not a taken seriously. It's just a personal matter with him,' says Cummins. In all modesty, we should hope so...

It may be that the treatment by which the primal emotion is handled is so perfectly calculated. Personally, this forum stands willing to see the film whenever Cummins will put it on. The question here is whether the subject matter is suitable for general circulation through the channels of an entertainment medium that hits all classes of audiences. Aside and apart from all this, whatever argument may have studded Cummins' comment goes completely out of the window with his own damaging statement: "...if the picture was indecent we would not have imported the picture." Isn't this the same Cummins who, years ago, made a special appeal to the health and venereal disease films such as "The Road to Ruin," proving thereby that his business is not at all touched by the finest, the cleanest and the best in celluloid ware? .

High jinks at Paramount: Yesterday morning a deal was virtually set for "Lives of a Bengal Lancer" to bow in at the Astor on a two-week basis, top prices. Yesterday afternoon, Paramount decided to put the picture back into the Paramount. There it opens on January 11. Bill P. (a studio publicity hound, flew in from the coast yesterday all for the sake of the Astor exploitation campaign. Newsboys' strike. Yet the excitement and near riotous aspects of the world is understandable. For, in "Bengal Lancer," as Vic Shapiro said and said well in his telegraphed Hollywood preview the other day, Paramount has its outstandingly important picture in some time...

Resembling the book content only where the title enters the deliberations, here is an exhilarating and exciting story of high, soldierly adventure between among the old British Pass, Britain's final, strategic stronghold in the north of India. "Man-stuff handled the whole story in accepted two-listened fashion, it tells a simple military comradeship and daring photographed in broad and colorful strokes with much pomp, circumstance, an a grand show on all counts, a credit to its producing company, its producer, Louis Lighton, and its director, Henry Hathaway.

A high U. A. executive, light on his toes and fantastic with his rhumba, met Frank Busby the other day at El Morocco. And was awed. So were a lot of the town's elite, shy of the knowledge that it was one of the grandest boxers perpetually local. Frank Busby was supposed to be (1) one of the first three wealthiest men in the world, (2) an international financier and munificent manufacturer, (3) hunter de luxe with shooting lodges in South Africa, South America and South Hoboken. Actually, Busby was Nicolaus Youssepashvian, broken down Russian actor hired by a group of young and well-known conservatives all in the cause of sweet fun.

If for any reason you may have been curious over the story-telling ingenuity turned out to bring Frankenstein back to life, the answer is that nothing like this: The new monster film will pick up where No. 1 left off. That was the climactic scene where the dwarfed, rankled, Parkinsonstein was nicely charred by greedy flames. It seems, however, that back in ’33 F. dropped down the well of acid onto a convenient pool of waiting water and merely sizzled instead of burned. Now he’ll be back soon to give untold children bigger and better nightmares.
A SWELL PUBLICITY BREAK!

The lay-out below is being used by newspapers in many spots where "Forsaking All Others" is breaking records. Copy it when you play this M-G-M box-office smash!

NOTE: The stills used in this layout are No. 795-780; 795-82; 795-8 and 795-84.
60,000-MILE SAFARI BY AIR DARKEST AMAZING... AMUSING...

Now the Martin Johnsons bring back a cargo of new thrills... scenes that even they never before witnessed... forest fastnesses never before penetrated... because never before has anyone braved the perils of a flight INTO THE HEART OF THE ANIMAL KINGDOM. Watch for further details of the most unusual explorer experience ever recorded by living man!
UNCOVERS DARK CONTINENT’S SECRETS!

EXCITING...AUTHENTIC...

MR. & MRS. MARTIN JOHNSON’S OONO

AN AERIAL EPIC OVER AFRICA

Supervised by Truman Talley
"A SHOWMAN'S SHOW!...
shout the showmen's dailies

VARIETY DAILY:
“A showman's cinch! Among the most impressive pictures of the year, both from a money and a prestige standpoint. Solid entertainment values good for heavy cash returns. A natural for the ace houses as well as the nabes.”

MOTION PICTURE DAILY:
“Looks like an assured clean-up in all spots. Will Rogers will set audiences howling as his earthy humor unrolls from the screen. A clean, wholesome, swiftly paced film. All hands merit kudos for producing a fine, tongue-clucking showman’s show!”
WILL ROGERS in

THE COUNTY CHAIRMAN

by GEORGE ADE with

EVELYN VENABLE • KENT TAYLOR
LOUISE DRESSER • MICKEY ROONEY

and STEPIN FETCHIT

Produced by Edward W. Butcher
Directed by John Blystone. Screen play: Sam Hellman and Gladys Lehman
Legislation Dangers Seen By Kuykendall

(Continued from page 1) all equally endowed, exhibitor, producer and distributor.

"We don't regard regulation, are going to put forth every possible constructive effort the coming year. We are determined to fight to the limit unfair legislation and disturbing factors within the industry."

On other points, Kuykendall expressed considerably more optimism.

"Theatre owners everywhere are looking forward to 1935 with renewed courage and optimism. It is as it should be because 1934 is past history. We cannot recall the past, but we can mould the future so far as our industry is concerned."

"The so-called boycott has really helped us. It served to unite us and bring broader interests to us. Our mistakes and an appreciation of our ability to do things once we are convinced and united in our purpose to do it. It made people theatre-minded that had forgotten us, and they are coming to us to their old-time favorite diversion, the motion picture. Never have so many really wonderful pictures been offered in such a short time, pictures that are packed with entertainment, yet are clean and wholesome."

"I am most optimistic as to 1935. Theatre owners have accepted showmanship as their slogan. They are no longer depressed. They have the product. Business will be good in 1935."

Table Over Cuts in Para's Payments

(Continued from page 1) Federal Judge Alfred C. Coxe last week consented to a request for a pair of two provisions discussed. Wednesday's meeting was with the creditor bank group and representatives of the Paramount Broadway bondholders' committee. No final agreements resulted from either meeting. It was said, although others are slated to be held during the next few days at which the reorganization committee are also expected to renew discussions on the selection of additional members for the new Paramount board of directors.

Arrests Made in Boston Bombings

(Continued from page 1) found in a room occupied by the actor at the Hotel Paramount. Phillip R. Van Arsdale, business agent for the producer, John Montgomery, New Haven operateur, were taken into custody and held in $15,000 bail each after Logan had been questioned by Police and Department of Justice operatives.

Logan is alleged to have revealed that two men, one known to him only as "Tony" and another named George Howard, met him in a New Haven Hotel; had a second meeting at the Hotel Paramount in Boston, where a man known as George Anderson would meet him and tell him which Boston house he was to burn. When the man failed to show up, Logan is said to have declared he was looking for two Boston theatres but no one knew him.

Logan's arrest was caused by George Baker of Somerville, Mass., who is the actor is said to have split the money in a drunken moment in a local restaurant.

Brecht production flared up again last night when a sulphur bomb drove the audience from the Warner, Lynn, Mass., theatre. After another attempt was found in a fire behind a radiator. Police were unable to say whether it was a deliberate attempt to fire the house or just meant to terrify the patrons.

Boston, Jan. 3.—The Majestic, damaged by a bomb on Dec. 15, has been reopened by R. E. Lieberman. The repair work was completed by E. M. Loew has also reopened the Davis Square at Somerville, damaged at the same time. Repairs cost about $15,000.

Other New England reopenings are: Cameo, Portland, after remodeling; Abbott Hall, Forge Village, Mass., now being remodeled and scheduled for opening in about four weeks; Branford, Branford, Conn., after modernizing; Nodica, Freeport, Me., after being dark several years; Gold, Waterbury, Conn., after being dark for a few days following a fire. Park, Bridgeport, taken over by Fen & Sheas.

Two houses have closed, the Opera House at Alton, N. H., and Rialto, Lebanon, Mass.

A. H. Westcott has taken over management of the Ashland, Ashland, N. H., from I. M. Cottrell, resigned.

Plans "Barefoot Boy"

Hollywood, Jan. 3.—Ken Goldsmith is negotiating to bring Rose Hobart from New York for a lead in "Barefoot Boy," a John Greenleaf Whittier classic, which Goldsmith will produce.

Liberty Starting One


British Get An Industry Control Bill

(Continued from page 1) that the bill is invalid. Now at this time, but its introduction is regarded as significant of the drift of industrial opinion in the direction of corporate control.

The Cinematograph Times, official organ of the theatre owners' association, says the proposed measure is a warning against "a policy of drift" on the part of the trade and hints that it will be better to get an agreed exhibitor-renter policy in regard to excessive rentals and overbuilding than to have one enforced by legislation.

An action for alleged infringement of patent rights has been brought in London by RCA Photophone, Ltd., against Gaumont British Picture Corp., Ltd., and British Acoustic Films, Ltd., a subsidiary of G. B. London.

RCA alleges that the B. A. system of sound recording infringes its patent No. 361,907. The defense is a denial of infringement and an allegation that the patent, due to lack of inventiveness and insufficient detailed specification, is invalid.

Measures by which variable width is obtained in the sound track, in the plaintiffs' system, are alleged to be infringed by the defendants' use of a variable triangular beam and it is asserted that the optical system in the British Acoustic system is identical with that covered by the plaintiffs' patent.

Associated Talking Pictures, Ltd., British producing company, lost $61,345 on the year. Last year's loss was $7,245, and the total debit balance on the company's profit and loss account is $2,125,500. A.T.P. has not yet paid a dividend.

Moss Empires, Ltd., British theatre owning company associated with G.B., is paying one and half-year's arrears of preference dividend.

Thomas Leaves for Probe in St. Louis

(Continued from page 3) around the Ambassador, Missouri and St. Louis. The case gets under way Monday in the U. S. District Court. Streets is expected to fly to St. Louis either tomorrow or Saturday. Harry Arthur and Jack Parfrey plan to leave either today or tomorrow.

Adolph Schimel of Universal leaves today. William Jaffe of Columbia yesterday could not tell who would represent the company at the hearing.

Ruben May Build

MINNEAPOLIS, Jan. 3.—E. B. ("Eddie") Ruben, former divisional manager for Publix here and now president of "Home-Word" chain, may build at New Ulm.

Group Weighs By-Laws

MILWAUKEE, Jan. 3.—By-laws were taken up at a closed meeting here today of the newly organized Independent Exhibitors Protective Ass'n of Wisconsin.

‘Baboon’ Shown in Plane; And There’s a Lot to See

"Minister's" $10,000 New Music Hall Peak

Ruben by Daily
Welcome to Universal, Miss Dunne. Welcome at the start of the New Year's great productions. We know you will help to make "Show Boat" one of the biggest in Universal's history.  

Carl Laemmle
ONLY HEPBURN
HEPBURN REC

has stood unchallenged at
staggered show business!
the industry have played
it has remained for
herself established! She

"THE LITTLE
SEVEN DAYS AT
IN MORE MONEY
ON EARTH EVER

RKO-RADIO PICTURE with
JOHN BEAL * ALAN HALE
DIRECTED BY RICHARD WALLACE
A PANDRO S. BERMAN PRODUCTION
COULD BEAT THE ORD! . . . For thirteen months a record Radio City . . . the “Little Women” record that . . . during that time the outstanding pictures of this theatre, many to remarkable grosses . . . but Katharine Hepburn to top the box-office peak she has done the “impossible”! . . .

MINISTER” IN ITS FIRST RADIO CITY MUSIC HALL TOOK THAN THE LARGEST THEATRE SAW BEFORE!

wrrally... HELD OVER!
Two Omaha Houses Reach New Records

OMAHA, Jan. 3.—Two house records have been smashed and one near-record broken this week. "Eight Ball," and "Father Brown, Detective," did a terrific $12,500 at the Orpheum, beating the record for a general engagement of $8,500. This beat the record set by Will Rogers’ "Handy Andy" in 1924. "Here I Lay My Heart" at the World did $7,900, beating all previous marks. "Fright Walk" doubled average at the Brandeis by going to $8,000.

Total four runs were $28,000 and average is $7,000. Average is $16,000.

Estimations taken:

Week Ending Dec. 31:

HERE IS MY HEART (Para.)
WORLD—(3,000), 25c-60c, 7 days. Gross: $7,200. (Average, $1,029.)

"FLIRTAT WALK" (Walters)
BRANDES—(2,333), 65c-90c, 6 days. Gross: $9,000. (Average, $1,500.)

"MISTER BROWN, DETECTIVE"
ORPHEUM—(3,000), 25c-40c, 7 days. Gross: $12,500. (Average, $1,786.)

Attacks Clearance In Baltimore Spots

Declaring that none of the major distributors would sell him his second run unless he agreed to charge a 15c admission normal extra the theater Baltimore, yesterday complained that protection for the McHenry and Palace is such that business should be reduced from 14 to 10 days.

During a code appeal hearing, it was revealed that the zoning board is giving first runs 14 days protection over second runs. Frank Durkee represents the McHenry and Henry’s Garden while Zimmermann appeared on his own behalf.

Other Washington board cases heard by the circuit court, chairman, and F. Tom Murray were:

Joseph Brodli, Brodli, against the circuit court of Appeals, Baltimore, on overbuying; Thomas E. Ayres, Palace, Georgetown, against the circuit court on clearance and zoning; Bayne-Roland Corp, Bayne, Virginia Beach, Va., against all first runs in Norfolk on clearance.

Court O.K.'s Order On Westco Transfer

 Ricahmond, Jan. 3.—Prospects for acceptance of the transfer which the incoming Session of the Legislature are considered brighter than at any time in the past because of the recent spread of Sunday benefit shows.

After Police Justice Ellen C. Folkes had discharged employees of the Byrd who had worked for 25 years for a longer and better shows became numerous. People have used the idea, undoubtedly the box-office outlook is looking better for 1935 than it has been in 1934.

Virginians Hopeful On Sunday Opening

Richmond, Jan. 3.—Prospects for acceptance of the transfer which the coming Session of the Legislature are considered brighter than at any time in the past because of the recent spread of Sunday benefit shows.

After Police Justice Ellen C. Folkes had discharged employees of the Byrd who had worked for 25 years for a longer and better shows became numerous. People have used the idea, undoubtedly the box-office outlook is looking better for 1935 than it has been in 1934.

U. K. Prospects Held Good for U. S. Films

(Continued from page 1)

financial setbacks, the outlook for motion picture business in Great Britain has now assumed a more hopeful aspect. When there is money to spend, the public will not curtail a general portion of it on entertainment and, today, entertainment largely means motion pictures.

"The American star values in the British territory will take a long time to waive—if ever they do. The British public generally is home talent, always preserves a liking for the world's greatest stars—the outstanding sphere of entertainment; the film, the stage, radio, opera, vaudeville and the gramophone.

"I would like point out, however, that the British public is averse to one type of American star; the siren with indifferent voice and firebox slung of the Sez You, Oh Yeah! variety.

"The H. E. Leichman, recently named head of a committee of four, to manage operations here of Radio Picture Co.

"General prospects for American-made pictures in the British market are still what they ever were, dependent largely on the box-office appeal and the box-office appeal of the pictures themselves. British audiences, however, are probably more loyal and less liable to sudden fluctuations of taste than any other, and so long as a picture is of standard entertainment is made trained and improved, the general prospects are at least as good as ever.

"Undoubtedly the box-office outlook is looking better for 1935 than it has been in 1934.

Coast Opening Shifts Boost Holiday Takes

LOS ANGELES, Jan. 3.—Openings were scheduled both here and in Hollywood for New Year's Eve, and the takes were up at some spots. Business jumped generally.

"Little Minister," showing at the RKO and Warner's Hollywood, took $5,161, or $1,000 more than the former and reached $6,500 for the same period in the latter.

"Bright Eyes," in five days at Grauman's Chinese, had a take of $7,061. Average for seven days is $12,500.

"Pinkie," in ten days at Grauman's, was $106,705. Average without the Film created is $88,450.

Estimations taken for the week ending Jan. 2:

"BRIGHT EYES" (Fox)
CHELSEA—(3,000), 3 days. Gross: $1,091. (Average, $1,091.)

"KNOCK ME OUT"
CHINESE—(2,000), 30c-65c, New Year’s eve and two days. Gross: $3,582.

"POTATOES"
FILMART—(600), 4c-15c, 7 days. Gross: $300.

"WHAT EVERY WOMAN KNOWS"
LOEW'S—(4,600), 25c-50c, 5 days. Gross: $1,339. (Average, $268.)

"BRIGHT EYES" (Fox)
LOEW’S ORPHEUM—(2,900), 65c-85c, 4 days. Gross: $1,389. (Average, $347.)

"KNOCK ME OUT"
CHINESE—(2,000), 30c-65c, New Year’s eve and two days. Gross: $3,582.

"SWEET ADELINE" (Warner)
LOEW’S (2,700), 25c-50c, 2nd week, 5 days. Gross: $1,250. (Average, $250.)

"LITTLE MINISTER" (Radio)
RKO—(2,700), 25c-65c, New Year’s eve and two days. Gross: $1,152. (Average, $230.)

"SWEET ADELINE" (Warner)
WARNER BROS. TOWNSC—(4,000), 25c-40c, 3 days. Gross: $1,000.

"LITTLE MINISTER" (Radio)
WARNER BROS. TOWNSC—(4,000), 25c-40c, New Year’s eve and two days. Gross: $1,000.

"MILLS OF THE GODS" (Col)
"MEN OF THE NIGHT" (Col)
WARNER BROS. DOWNTOWN—(3,000), 25c-40c, 6 days. Stages: 6 aces vaudeville, Oscar Baum and his orchestra. Gross: $6,500. (Average, $1,083.)

"MURDER IN THE CLOUDS" (Col)
WARNER BROS. DOWNTOWN—(1,000), 25c-40c, New Year’s eve and two days. Stages: 4 aces vaudeville, Oscar Baum and his orchestra. Gross: $6,000. (Average, $1,200.)

"THE MAN WHO RECLAIMED HIS HEAD" (Univ)
"THE CURTAIN FALLS" (Chesapeake) PANTAGES—(3,100), 25c-40c, 5 days. Gross: $1,600.

"THE CAPTAIN OF THE BLUES SEA" (Col)
PANTAGES—(5,000), 25c-40c, New Year’s eve and two days. Stage show. New Year’s eve only. Gross: $1,300.

Pick Next for Blondell

Hollywood, Jan. 3.—Joan Blondell's first picture for Warners following the birth of her son will be "The Saddle" according to a story in the New York Times. The play is being produced by Frank Howard Clark. The adaptation of the story will also be Benny Rubin's first writing assignment under his new contract. He will collaborate with F. Hugh Herbert.
NOW, the men who made Time and Fortune magazines and radio's March of Time the leaders in their fields have prepared a unique screen experience. After a year's experimentation, they are producing a new kind of motion picture—stirring, significant—its dramatic action taken from the romance, science, adventure, fighting and amusement of humanity itself.

These reels twenty minutes long and released monthly, will tell not only what happened, but will complete the story, with the where, when, how and why it happened.

Thousands of you have already been told by your own patrons how important THE MARCH OF TIME is to them. That makes THE MARCH OF TIME important to your box office.
Where buying power is greatest

Every day Motion Picture Daily reaches the great centers of the industry's purchasing power.

*Its fast news service, box office reports, Hollywood previews and alert and progressive editorial policy makes it a vital factor in all key points.*

Figures taken from the recent survey by the U. S. Bureau of the Census, listing all theatres and combined gross receipts for each city for the year 1933.
Baltimore Business Better, Says Durkee

Theatre business in Baltimore has shown a slight improvement over last year, Frank H. Durkee, head of the circuit bearing his name, stated yesterday. Admissions have been maintained in the territory with slight cutting, he said. Baltimore is one of the few cities to which the producers have kept up admissions, he added.

Operating 17 houses, the Durkee Enterprises plans to build a new 1,500-seat theatre at Liberty Heights Ave. and Wygawn Oak Junction. The circuit is having trouble getting a building permit from the city council, but this is expected to be ironed out shortly. Most of the theatres in Baltimore are in operation, Durkee said.

There is only one 10-cent house, that is the Grand. This year the five-year Fox franchise with the Durkee circuit expires.

Further Slashes in Prices Loom in K. C.

Kansas City, Jan. 3.—Further cuts in admissions for downtown theatre loom on the local horizon with Loew's undertaking to reduce the Midland prices within the next few weeks. The house a few weeks ago sliced the matinee admission to 15 cents and now is contemplating another slash.

Joe Vogel, in charge of theatre operations, is due here shortly to look over the situation. It is understood the Midland cannot meet competition of the RKO Mainstreet and Tower which recently made drastic reductions in scales.

Fast Newsreel Time On Steamer Sinking

All Broadway theatres were supplied at opening time yesterday with newsreels of the sinking of the Leveson in the East River the night before. News of the accident “broke” just as the reels were compiling their regular midweek issues, enabling them to get night shots of the scene and interviews with the ship's captain, members of the crew and passengers and furnishing them to Broadway houses in the morning with the regular reel release.

New Coast Contracts

Hollywood, Jan. 3.—Joe Morrison and SirGuy Staving have had their options renewed at Paramount. Henry Wadsworth now has a new long-term contract with RKO and arrives Jan. 25.

Luis Ortega, who has been signed to a long-term contract at M-G-M, leaves Paris Jan. 9.

Samuel M. Goldwyn, talent coach for M-G-M, has been retained on a new contract.

Lucille Watson and Nelson Eddy have been given new contracts by M-G-M, which has re-signed George Seitz to a long-term directorial agreement.

Van Beuren Stops Five

RKO Van Beuren shorts have landed in five Broadway houses simultaneously for the current week. The bookings are the Astor and Mayfair with “Dumbbell Letters”; Music Hall and Trans Lux with Charles Chaplin with a color cartoon and the Bijou reissues.

**MOTION PICTURE DAILY**

Friday, January 4, 1935

**Short Subjects**

**“Going Places with Lowell Thomas, No. 4”**

A worthwhile shot. The camera journey to Malta, pries into a pile of Aztec ruins and finishes by taking a hike to the top of Mt. Crillon. The shots of the Alaskan mountain peak were taken among mountain-climbing expeditions. Scenes of Indians fishing for salmon in the Columbia River in the subject matter Code seal No. 444. Running time, 10 mins. “G.”

**“Stranger Than Fiction, No. 4”**

A collection of oddities and strange customs that is highly interesting. An airplane, marble warehouse, 12-foot flint-lock, a road surfaced with a cotton composition, a Mexican ice cave—these, and many other subjects in this short. Code seal No. 445. Running time, 9 mins. “G.”

**“Rustlers of Red Dog”**

If the succeeding chapters contain as much action as the first three, there is a serial that will probably go over with a bang, both with adults and children. It has everything in the line of western thrills, including Indian fights, cowboys shooting by the dozen, and, in fact, is negligible in the first three chapters. It appears that Brown is a former United States Marshall who is bent on reaching California to settle down. With him are his two buddies, Raymond Hatton and Walter Miller. But he meets Joyce Compson before he reaches California and it is a safe prediction she accompanies him to the end, if he really continues his journey.

Brown’s trip, however, is first interrupted, and, in fact, is negligible in the first three chapters. It appears that Brown is a former United States Marshall who is bent on reaching California to settle down. With him are his two buddies, Raymond Hatton and Walter Miller. But he meets Joyce Compson before he reaches California and it is a safe prediction she accompanies him to the end, if he really continues his journey.

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**“Sweepstake Annie”**

Liberty

Hollywood, Jan. 3.—“Sweepstake Annie” is a thoroughly amusing comedy-drama based on the Irish Sweepstakes. The story, continuity and dialogue are deftly rounded out by S. Scott Darling from a suggestion by Evelyn Law.

The story’s central figure is Marion Nixon, a working girl from a middle-class family who loses for the “better things” in life. She is about to marry a nice electrician, Tom Brown, when she finds her ticket in the Irish Sweepstakes is the winner. With $100,000 she acquires a pent house, furrs, jewels, and an assortment of crooked friends who are all conviving to romp away with her bankroll. The last of her money is finally saved from the hands of a phoney broker, Ivan Lebedoff, and his accomplice, Vera Engels, as a result of clever sleuthing on the part of young Tom.

William Nigh directed expertly, showing particular finesse in handling the comedy sequences. The cast contribute fine trouping. Inex Court- ney as Marion’s girl friend, and Carol Tevis as her sister, are responsible for many laughs. Harry Neumann’s photography is good. Picture is good fare for neighborhoods.

No code seal. Running time, 67 minutes. “G.”

**“Togoland Premier”**

Universal

This is one of the Oswald series, but does not carry his usual spotty streak and should afford mild entertainment to adults, while the kids will probably eat it up. Oswald sends a telegram to Santa Claus inviting him to a party. Santa’s preparations, his arrival and the party itself, with various screen stars drawn in as guests are shown. The characters of Laurel and Hardy provide most of the comedy. Production Code Seal No. 418. Running time, 9 mins. “G.”
Records Back To '31 Asked In St. Louis

Probe to Include Code Boards' Workings

St. Louis, Jan. 6.—Booking records and contracts of major exchanges as far back as 1931 have been subpoenaed by the district attorney for the federal grand jury investigation into the product situation, involving the Ambassador and Missouri, which gets under way here tomorrow.

In addition to calling for all records of the local clearance and zoning and grievance boards, the district attorney has summoned Lila B. Schofield, code board secretary, to be on hand. When Miss Schofield was handed the summons, she immediately phoned Executive Secretary John C. Flinn in New York.

(Continued on page 9)

Zirn Loses Moves For Para. Action

The long pending litigation by Samuel Zirn, counsel for Robert Levy and the holders of Paramount bonds, for the right to sue Chase National Bank as trustee under the bond indenture, has been transferred by members of its old board of directors, Columbia Broadcasting System and William S. Paley, C.B.S. president, to the New York Supreme Court.

(Continued on page 8)

Some of Fox Albany Accounts Come Here

Albany, Jan. 6.—The local Fox exchange has turned over accounts in 14 cities in the lower tip of this territory to Harry Buxbaum's New York sales force.

Cities now being serviced out of New York are Beacon, Callicoon, New Falls, South Fallsburgh, Wappinger Falls, Kingston, Poughkeepsie, Red Hook, Roscoe, Walden, Woodbridge, Marlboro, Newburgh, and Glen Falls.

Report U. A. Holds Share in "De Luxe"

"De Luxe," which opens in New York Feb. 20, is financially interested in Chester Erskine's new show, "De Luxe," which opens in New York Feb. 20, is financially interested in Chester Erskine's new show. Frank Underwood, who had charge of "Red Cat," which was sponsored by 20th Century, could not be reached yesterday for a statement. The cast is now being lined up.

H ints Denver Ruling

Denver, Jan. 6.—That Harry Huffman faces possible defeat in his suit to test the power of the grievance board in ordering his film service cut off because of his refusal to abide by a ruling to end auto giveaways was hinted Saturday when Federal Judge Symes said in District Court here the practice bordered on gambling. The indication was Huffman might get no relief from the court.

Pending decision in the case, in which further argument will be heard Thursday, the exhibitor was granted a temporary restraining order preventing exchanges from denying him service.

Code Changes To Help Bank Nights Sought

KANSAS CITY, Jan. 6.—An aggressive fight to eliminate or sharply modify sections of the code restricting prizes and rebates will be made at revision hearings before the National Industrial Recovery Board in Washington beginning Jan. 9.

Information to this effect has been received by R. W. McEwan, bank night distributor, Efforts will be directed at legalizing bank nights, said McEwan, who stated that petitions bearing signatures of many exhibitors, professional men, merchants and business people requesting code modifications in this particular are on file at Washington.

Bank nights and similar schemes have given code authorities much trouble.

(Continued on page 9)

M. P. Foundation to Advise on Pictures

M. P. Foundation has named as its secretary of the Atlantic Film Board of Trade, has been named secretary of the Atlantic clearance and zoning and grievance boards, succeeding Love B. Harrell, who has resigned to accept a post as assistant to the pastor of a local church. Cole is a member of the local bar association.

In accepting the church post, Harrell is returning to a profession he followed.

(Continued on page 9)

Schnitzer, Miffed, To Quit Film Board

Edward Schnitzer, Columbia New York exchange manager, will resign from the New York Film Board of Trade, he says, because local branch heads recently took advantage of his illness and elected Joe Lee of Fox as sergeant-at-arms.

Schnitzer, who has held that post for seven years, says this would not

(Continued on page 9)

Rezoning for New York City In the Offing

Board Will Act in 30 Days, It Is Stated

Within the next 30 days, the main New York clearance and zoning board will be in operation, as a rezoning of the territory, a member of the board has informed Morton Picture Daily. The reason for the meeting is a number of verbal complaints against Loew's, it is stated.

The complainants are being told to file written protests, expected to be on file within the next month.

In citing the complaints against Loew's, the board's officials states that the board's officials are put out by the cumulative protection for the circuit which holds up runs following Loew's. Attempts by local boards in Los Angeles, San Francisco, Chicago, New Haven, Buffalo and Kansas City to set up schedules have been abandoned at the request of Campi, which

(Continued on page 9)

Laemmle, Jr., Turns Associate Producer

HOLLYWOOD, Jan. 6.—Carl Laemmle, Jr., announced here yesterday that Carl, Jr., had relinquished his duties as general manager of the Universal studios in charge of production and hereafter would head a production unit of his own as an associate producer.

Laemmle, Jr., took complete charge

(Continued on page 8)

Vaude Plan Delayed For Theatre Deals

Inability to develop playing terms mutually acceptable to exhibitors and the American Federation of Actors was held on Saturday to be responsible for delay in offering vaudeville theatre units which A. F. A. has considered sending into cities without vaudeville.

Meetings on the proposal were resumed last week and will also

(Continued on page 8)

Films Face 2 1/2% Tax Under Congress Bill

WASHINGTON, Jan. 6.—Films produced and imported into the United States would bear a tax of two and one-quarter per cent of the sales price under a bill introduced in Congress by Representative Allen T. Treadway of Massachusetts providing for a general

(Continued on page 9)
THOSE who sit in on the more or less regular conferences on RKO reorganization stick to the viewpoint the company may find itself preparing for legal court, elected by class of the first quarter of the year if— that devastating stopper, in this case, referring to continuance of the company’s current earnings rate.

On such a basis, if and when, the idea entertains a plan of reorganization prepared and completed by June which isn’t so far away.

This same crystal-gazer, properly or otherwise, will tell you almost without asking that a net profit will be rolled up for first tertile quarter of this year and a lossless more than $500,000 for 1934.

If it does nothing else, the attitude reflects confidence radiating in some directions that an RKO, rehabilitated, looks like a tangibility at least, come April. Actual work on a plan of reorganization is being set back by Special Masters. Thomas the class of One. The teacher’s long awaited report to the Federal court on the $35,000,000 in claims smacked at RKO by its creditors. That report was due sometime Canadians may emerge rather quickly now. Once rendered and that first quarter profit noted, reorganization would not be remote by mid-year, allowing, as must be, for the contesting of claims which always marks this sort of thing. Such is the story cherished by some of the reorganizers. If anyone is stuck with it, they are.

About “Nate,” meaning N. L. Nathanson, and those stories picking him up from Famous Players and running him down in the Royal Bank of Canada. This much there is to say: He may be elected a director of that stalwart of the banking world across the line one of these days. That would come about through the close association, at least a decade young, between “Nate” and the Holts— in the person of outstanding Canadian financier, president or director of approximately 20 Dominion corporations, president of the Royal Bank as he is of the Montreal Trust, which has been financially beneficial to Nathanson for many years; and Major Andrew, nephew to Sir Herbert and the latter’s successor on the Famous Inyards Canadian directorate.

It was Sir Herbert who figured largely in the checkerboard of moves which produced the “Nate” out of retirement not so long ago and returned him to circulation with a whale as president of F.P.C., the company in which he had been financially beneficial to Nathanson for many years. While near the head of the phalanx with Holt were two other directors, one a Montreal financier. Two, J. F. Pickell of Toronto. This was the triumvirate which not only succeeded in the coup for Nathanson but forced the retirement from F.P.C. of D. W. Ross of Toronto, G. P. McLaughlin, president of Canadian General Motors, and Arthur Cohen, quondam managing director.

The business alliances and sympathies making these various men friendly and understanding of each other, those perhaps for the way for a Nathanson identification with one of the Holt blessed enterprises. To say, however, or to assume, for that matter, that plan such as this presaged his withdrawal from active operations of F.P.C. or Regal Films or Empire Films—all Nathanson enterprises—is to say or to assume far too much. To point again, on the other hand, that Nathanson is no longer interested in any of the top spots in the about-to-be-reorganized Paramount here in New York is to say something. It happens to be the truth.

Now that the Loew circuit, all points on its compass included, has slanted for Jan. 28, in the search of "Time" series, watch the sales barrage follow. For this deal, the first, had a bearing on others maybe or it is the other way around. It is the Division, which has been making a bunch is smiling and why not? Ditto on Fred McConnell, eastern end on sales for the new reel. While on things concerning F.D.A. who rates catering seats the opener of a new series of shorts known as "Thrilling Journeys" and made by Audio Productions, sopa of the charming Musicals, or.

Called "Old Faithful Speaks," this is a quick trip through Yellowstone National Park with nature broadcasting and climax led by a role with the famous geyser talking and saying it with a roar and an impact and a thunder that make the finale of this short one of the most thrilling this frontier post has ever witnessed.

With approximately $800,000 invested in "Lives of a Bengal Lancer," roughly $1,000,000 in "Clive of India," British and United Artists are about to enter the jousting field in a race for top money with pictures drawn from Mother India’s ample bosom. There are those who insist on tying both attractions as members of the same category, but why and how don’t they have background and Englishmen in India, both, it is true. Yet the spin of time between the conquest of India for England by Robert Clive and the guerilla warfare pictured in "Bengal Lancer" is almost two hundred years. Clive did the acquiring then; the Bengal lancers today. Let them see the acquisition doesn’t wander. If this suggests the theme of "Clive of India," so far unseen, is more arresting, more sweeter historically and dramatically, which it would appear to be, let U. A. make the most of it.

KANN

Hollywood, Jan. 6. — Charles Winninger has been signed by Univer- sal for the role in which Irene Dunne will have the leading role. Zach Akins is now working on the script. Production will start early in the spring.

May Delay Col. Meet

Columbia’s board of directors meeting, which was to have been held yesterday, was postponed. Harry Cohn, president, due in New York for the session, may be delayed on the coast by production problems requiring his presence.
No, dear reader, it’s not a change of title. It’s just one way of describing the sensational business done at every box-office by JOAN CRAWFORD, CLARK GABLE, ROBERT MONTGOMERY in M-G-M’s happiest entertainment “FORSAKING ALL OTHERS.”
Romance! Lavish with Love! Captivating with Comedy!

CARL LAEMMLE Presents
MARGARET SULLAVAN
HERBERT MARSHALL

in Universal's Production of Ferenc Molnar's

FAIRY

with
FRANK MORGAN
REGINALD OWEN • ALAN HALE
ERIC BLORE • HUGH O'CONNELL
JUNE CLAYWORTH

Story translation by Jane Hinton
Directed by WILLIAM WYLER
Produced by CARL LAEMMLE, Jr.
HALF THE NATION'S POPULATION WILL SOON BE READING THE FULL CLIVE.
AND WILL TELL THE OTHER HALF TO JOIN THEM IN SEEING THIS GREATEST OF 20TH CENTURY PICTURES
Code Seals Given To 299 Features

(Continued from page 1)

ing its total to date to 255 features and 257 shorts.

Titles and distributors of December approvals follow:

Celebrity

(Shorts)

"Jack Frost."

Columbia

(Features)

"Mills of the Gods," Against the Law" and "Behind the Lines".

One More Drink." (Shorts)

"Old Flame." The Happy Butterfly, "Helen Zeelen." "Screen Snap-Shot No. 4, "Silvers." and "Garden Galaxies."

First Division

"In a Mountain Pass," "Countryside Melody" and "Used Car Gys."

(Features)

"County Chairman" and "Charlie Chan in Paris."

(Shorts)

"Love, Honor and Okey" and "Fabulous From Fabulous"

Mascot

Little Men.

Mayfair

(Features)

"The Night of the Young". "Only Eight Hours." "David Copperfield" and "For- taking All Others." (Shorts)


Monogram

"Million Dollar Baby.

Paramount

The Gilded Lily.

(Features)

"Sweetest Music."

Radio

(Features)

"Enchanted." "The Little Minister." (Shorts)

"Wig Wag." "Pickle Peppers" and "Raised on an Alley." (Shorts)

Stage and Screen Prods.

(Features)

"Inside Information." (20th Century)

"Clive of India."

United Artists

(Features)

"Two Gun Mickey" and "Tootise and the Hare."

Universal

(Features)

"Night Life." "The God-Bet." "Straight From the Heart." "Rendyvers at Midnight" and "I Murdered a Millionaire." (Shorts)


Warners

(Features)

"The White Cockatoe." (Shorts)

"Mr. and Mrs. Is the Name."(continued from page 1)

"Except" Greetings

Kansas City, Jan. 6—The St. John and National Theatres, owned by Emanuel Rol-

sky, bought newspaper space to report that "they plan to accept" their best wishes for the new year.

M. P. Foundation to Advise on Pictures

(Continued from page 1)

according to a statement issued Saturday by Dr. William B. Millar, secretary.

Dr. Millar said the foundation stated that it would engage in production itself and planned to have its first pic-

ture in work by February of this year.

Joseph F. Day, Mrs. Ruth Pratt, Bishop William T. Manning, George A. Plimpton, Henry M. Price, Jonathan Athimson, Lowell Thomas, Rear Admiral Richmond Pearson Hobson, Mayor John C. Wimberly, Mrs. Walter Parsons, Clerk, John T. J. Lynch, T. P. Madison, Mrs. William Barney Parsons Jr., Dr. Victor F. Hug, Hugh Gordon Miller, T. W. Darrington Semple, Rabbi Herbert S. Goldstein, Irving Fisher of Yale; Dr. Don-

sko J. Cowling, president of Carleton Col-

lege; Dr. John Timothy Stone, president of the Presbyterian Theological Seminary; William McCormick; Blair of Chicago; Col. Clarence B. Drake, Walter Goldsmith; Dr. E. Gannett of Rochester; Dr. Fred B. Fisher, of Detroit; Col. Patrick Hen
callahan and Miss Mary E. Hughes of Florida; Col. Richard J. Logue, P. W. Fordyce, of New York; Dr. Albert F. Glomere, of Boston; Dr. Horace Flagg of Chicago; Episcopal Religion; New University; Dr. John J. Tipton, president of the American Academy of Florida; Frank, president of the University of Wisconsin; Dr. Henry N. McCracken, presiden-
t of Vassar College; Michael F. Doyle and Miss Jessie Allen Page of Philadelphia; Dr. Henry S. George, of Richmond; John E. Edgerden, chairman of the board; the National Assn. of Manu-

facturers, and Dr. Endicott Peabody, head-

master of Groton School, chairman of the committee.

Mass. Aims Attack At Night Baseball

(Continued from page 1)

games is also included in the measure which has now been filed with the clerk of the Senate by Joseph A. Langone of this city.

Exhibitors are expected to rally behind the hill because of their lost fight against horse and dog racing and pari-mutuel betting at the last elec-
tion.

Change in Music Award

Hollywood, Jan. 6—The Academy awards committee has decided to con-

fine the music certificate to the best song and the best scored picture in-

stead of to four as asked for by the motion picture branch of the Academy. In addition the committee has
decided to give certificates for the best editing job and the best cartoon novelty and comedy short.

Wera Engels Must Go

Hollywood, Jan. 6—Wera Engels has been ordered by local immigration of-

cials to return to Germany by Feb. 21. The actress came to this country two years ago, the original six-month permit having been extended several times. It is believed similar treatment may be dealt other alien talent.

Laemmle, Jr., Turns Associate Producer

(Continued from page 1)

of Universal City as executive head of production in 1929. He was said by Laemmle, Sr., that for some time his son "has been eager to pass the duties and details of complete studio direction to other hands he might concentrate on an independent production unit."

Fawcett Editorial Staffs Are Shifted


James Reid, for eight years edi-
tor of Motion Picture Publications, becomes manager editor of Motion Picture Parade. "Theatrical Mirror" and "Radio Parade" are discontinued. She will work closely with Capt. Fawcett.

"Copperfield," former editor of "Screen Book," becomes editor of "Screen Parade." "Motion Picture Production" of Paramount Pictures is given to Douglas Lurton, former Fawcett managing editor, assumes the duties of supervising editor of all 16 Fawcett film publications.

Vaude Plan Delayed For Theatre Deals

(Continued from page 1)

be held early next week. Present difficulties are said to center on the large plans of exhibitionists who are asking the admission prices when the vaudeville acts are booked, together with the A. F. A.'s belief that a stop of the gross increase, as offered by ex-
hibitors, would not be a definite enough guarantee. A. F. A.'s plan involves organizing about 30 vaude-
iville companies to tour the country in buses, playing only those cities where vaudeville has been discontinued for some time.

Zirn Loses Moves For Para. Action

(Continued from page 1)

was dismissed Saturday by Justice Sal-

tator for the U.S. Court.

Zirn alleged that violations of the state stock corporation law and the failure of Chase to bring suit under the same law against Param-

ount, the old board, C.B.S. and Paley resulted in "irreparable damage and injury" to the small stockholders who are holders of $5,000 of a $13,000,000 Paramount bond issue involved. In dismissing Zirn's action, the court pointed out that indorsement provides that any right to institute an action on behalf of the bonds shall rest in the hands of the trustee for the bondholders, and denies such a right to bondhold-
ers themselves "unless the trustee shall have refused or neglected to institute proper proceedings within a reasonable time after a request by 25 percent of the bondholders. However, instead of the principal action Zirn retains rights in the state court to prosecute actions for examinations of Paramount Pictures Corp., members of the former board of directors, the National City Bank, Chemical Bank & Trust Co., Bankers Trust Co., Manufacturers Trust Co., County Trust Co. of N. Y., Central Hanover Bank and the Commercial National Bank. The small stock companies were participants in Paramount's $13,000,000 Film Production credit transaction of 1932.

Zirn, Palmer Para. Briefs Are Finished

Briefs setting forth the objections of Samuel Zirn, Paramount bond-

holder counsel, and Archibald Palmer to the Paramount stock corporation recon-

stitution have been completed and will be filed today or tomorrow.

The shortage of film furnished the only opposition to date to the plan. Zirn's brief asks a reduction of $1,300,000 in the $15,750,000 cash pay-
ment to be made to the American Trust and Bank group under the plan and makes objections to the make-up of the board of directors of the new company. Palmer's objections are similar and also ask for the separation of the Paramount-Broadway organization from that of Paramount Publix.

The taking of formal proof of the plan is expected to require several days after its resumption on Jan. 10 before Federal Judge Alfred C. Cox.

If the court accepts the plan there-

after, five new directors of the new company will be named. These directors will be named by the trustee and Patterson McNutt from Paramount.
Code Changes

To Help Bank Nights Sought

(Continued from page 1)

trouble in many key centers. The usual procedure of exhibitors ordered to discontinue the practice by local boards has been to take appeals to Campi, pending determination of whether or not they have been able to complete contracts.

Edward L. O’Connor, attorney general of the National Board of Review, has been advised to take no action under the original opinion until supplemental instructions are issued.

Municipal Judge L. R. Sheets has ruled in favor of Don Thornburg, Marshalltown, Ia., exhibitor, charged with operating a lottery in connection with bank night.

Thornburg’s case has long been before the board, and his appeal has been pending at Des Moines. When the board found against him on Sept. 25, he appealed, and Campi ruled that the hearing would begin on Nov. 16.

In the meantime, Thornburg sent letters to President Roosevelt, Deputy Administrator William Farnworth, and Director Sol A. Rosenblatt and others to the effect that he was compelled to discontinue the stunt. So would his two theatres and bring damage suits against the officials named and the NRA. Thornburg’s case was not heard by Campi, and he is still operating bank nights.

In the Kansas City territory, nine cases pending with the local grievance board were on appeal, and some have been withdrawn by the complainants. Glen W. Dickinson Theatres, which recently desisted in bank nights, have dismissed eight of which the circuit has filed against competitors.

Stopped in Wisconsin

MILWAUKEE, Jan. 6—Bank nights have been ordered discontinued in eight theatres by the grievance board. Houses ordered to discontinue include the Riviera, Milwaukee, operated by the A. & V. Operating Co.; the Parade in West Allis; Orpheum and Strand, Green Bay; Embassy, Neenah; Brin, Menasha; Allis, West Allis, and Rex, Oshkosh, all houses operated by Wisconsin Amusement Enterprises, Inc., or its subsidiary, Milwaukee Theatres, Inc.

The board also issued a cease and desist order against the Embassy in Neenah, charged with issuing perfect attendance cards to children providing for attendance at 15 episodes to a series of films with a free show to those attending all 15 episodes after it had been shown.

The Bay, Green Bay, was also ordered to discontinue selling thrift coupons for $1.00 in admission for $1.00. The complaint was entered by Wisconsin Amusement Enterprises, operators of the Orpheum and Strand in Green Bay.

Click in 3 Nebraska Spots

LINCOLN, Jan. 6—Three Nebraska keyes are operating bank nights to ex- cellent reception. The spots, Norfolk (Granada, managed by Rowan Miller), York (Sun, managed by Carl Rose) and Kearney (World, by Ralph Blanks). There has been a lot of squawk about the practice at other previous attempts, but these three cases have gone on without trouble.

Fox Midwest Drops Its Premium Fight

(Continued from page 1)

previous decision that the vote on premiums was legal. McCarthy informed the code office here that he was unsuccessful in at- tempts to have independent exhibitors reject their signatures to the special ballot on the question, which required a 75 per cent declaration of exhibitors.

There is little chance that another attempt will be made to conduct a vote on the premium question, since no one wants to take the responsibility. J. B. Means, I. O. U. president and grievance board member, who took the original vote, said he would not reverse the issue.

The grievance board, deciding the cases by a majority vote, recently held that requests of six independents to recall their names from the petition should have been honored.

O’Keefe Nominated For L. A. Code Post

LOS ANGELES, Jan. 6—A. J. O’Keefe, branch manager for Universal, has been nominated unanimously by the clearance and zoning board to fill the vacancy caused by the resig- nation of William L. Ritter. The nomination has been forwarded to Campi for approval.

Cole Gets Harrell Atlanta Code Post

(Continued from page 1)

owed before he became connected with the theatrical business a score of years ago. He has been variously a theatre operator, an executive of the Southeastern Theatre Owners’ Assn., secretary of the Atlanta Film Board of Trade, a practicing lawyer and latter- sary of the code boards.

Schnitzer, Miffed, To Quit Film Board

(Continued from page 1)

have happened had he been able to attend the elections. He contends that the management is a fast one.”

On Wednesday evening, Moe Strei- mer, U. A. manager and newly elected president, and other officers will be inducted into office at a ban- quet. After the formalities are over the men will attend “Thumbs Up.” Streimer plans to leave for Miami for a vacation about the middle of the month.

No Action on Leasing

Although the NRA held a public hearing on the issue Dec. 19, no decision has yet been rendered on with- drawing the leasing clause from the code. Following objections by Ed Kuykendall and Allied on withdrawal, it was indicated at the hearing that the clause might be retained.

Coast Meeting Adjourned

HOLLYWOOD, Jan. 6.—The writer-producer five-man committee adjourned its meeting over the week-end without reaching a decision. The producers who were present were asked for the adjournment to confer with other producers before casting their votes.

Records Back

To ’31 Asked

In St. Louis

(Continued from page 1)

York, who advised her to release the records.

One of the important phases of the investigations is understood to be Paramount’s 20-year franchise with the Ambassador, which, the receivers for the theatre state, was a vital asset. When the Ambassador, along with the Missouri and St. Louis, was leased to Fanchon & Marco for 10 years the new operators could not get the product, Paramount having sold it to Warners for the Radio. The Ambassador has been able to get only Universal, Fox and Columbia product this season.


Becomes Lon Chaney, Jr.

HOLLYWOOD, Jan. 6.—After refusing for three years to change his name, Creighton Chaney has adopted his father’s name, Lon Chaney, Jr.

Rezoning for

New York City

In the Offing

has advised exhibitors in these areas to file individual clearance complaints as directed.

Whether the New York board will actually set up a new zoning plan is problematical. Several individual protests have been heard and disposed of, all having been filed by indepen- dents.

The latest clearance dispute was filed last Friday by Century against RKO. A. H. Schwartz, in his complaint, contends that the Century in Rockville Center, L. I., is not competi- tive with RKO’s Far Rockaway and Jamaica houses. In the past RKO’s Far Rockaway houses have not had protection over the Century, Schwartz holds, and this year the major circuit is asking for a week’s clearance.

‘THE WHOLE TOWNS ALKING’

Rezoning for

New York City

In the Offing

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Fims Face 27/4% Tax

Under Congress Bill

(Continued from page 1)

manufacturers’ excise tax. Motion pictures are covered by a provision ap- plying the tax to the amount paid for leases.

Raw stock purchased by producers will be exempt from the tax under a provision releasing sales by one manufacturer to another or articles for further manufacture.

All manufacturers would have to secure licenses under the bill.

| PICTURES |
**“Bright Eyes” Has Big Denver Start**

DENVER, Jan. 6.—“Bright Eyes” did the business of the week in Denver, although it opened only on three days on the current week, and was held an additional five days. Other houses did from poor to normal business.

Total first run business was $29,500.

Average is $20,500.

Estimated takings for the week ending Dec. 28:

<table>
<thead>
<tr>
<th>Film Title</th>
<th>Radio</th>
<th>Stage</th>
<th>Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BACHELOR OF ARTS</strong></td>
<td><em>(Fox)</em></td>
<td></td>
<td>$1,500</td>
</tr>
<tr>
<td><strong>WEDNESDAY’S CHILD</strong></td>
<td><em>(Radio)</em></td>
<td></td>
<td>$2,500</td>
</tr>
<tr>
<td><strong>MUSIC IN THE AIR</strong></td>
<td><em>(Fox)</em></td>
<td></td>
<td>$2,500</td>
</tr>
<tr>
<td><strong>MYSTERY OF THE COAT AND GLOVE</strong></td>
<td><em>(Radio)</em></td>
<td></td>
<td>$2,500</td>
</tr>
<tr>
<td><strong>OH, NIGHT OF LOVE</strong></td>
<td><em>(Col)</em></td>
<td></td>
<td>$2,500</td>
</tr>
</tbody>
</table>

**Universal Holds Five**

Hollywood, Jan. 6.—Universal has just exercised five options on players. They are Patricia Collin, singer; Phyllis Brooks, Valeria Heron, Allen Roberts and Baby Jane.

**Plan Death Valley Film**

Hollywood, Jan. 6.—A film built around the life of Death ValleyScots is planned by 20th Century for release through United Artists.

**“Bright Eyes” Is Smash in Portland**

PORTLAND, Jan. 6.—“Bright Eyes” proved a real Christmas gift for the picture trade. With the usual stage show, it took $11,000, or $6,000 over normal, one of the best weeks of the year.

“The Mighty Barnum” at the United Artists went par $1,000 with a gross of $6,000.

“Little Minister” proved a favorite with the holiday crowds at the Music Box, rolling up $4,000, or $2,000 over the usual.

First run total business was $37,400.

Estimated takings for the week ending Dec. 29:

<table>
<thead>
<tr>
<th>Film Title</th>
<th>Radio</th>
<th>Stage</th>
<th>Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GENTLEMEN ARE BORN</strong></td>
<td><em>(F. N.)</em></td>
<td></td>
<td>$5,500</td>
</tr>
<tr>
<td><strong>APOLLO</strong></td>
<td><em>(Radio)</em></td>
<td></td>
<td>$5,000</td>
</tr>
<tr>
<td><strong>RICH JR.</strong></td>
<td><em>(Radio)</em></td>
<td></td>
<td>$4,500</td>
</tr>
<tr>
<td><strong>BRIGHT EYES</strong></td>
<td><em>(Radio)</em></td>
<td></td>
<td>$4,500</td>
</tr>
<tr>
<td><strong>ORIENTAL</strong></td>
<td><em>(20th)</em></td>
<td></td>
<td>$3,000</td>
</tr>
</tbody>
</table>

**“Bright Eyes” Takes $8,300**

SEATTLE, Jan. 6.—“Bright Eyes” did a record that it has been doing elsewhere throughout the country away with the big money. The $8,300 take at the Fifth Avenue was $1,300 over the usual.

“Little Minister” and “Kid Millions” were also in the money. The latter had $7,400, and the Eddie Cantor feature at the Blue Mouse, on an extended run, took $4,250.

Total first run business was $38,050.

Average is $38,000.

Estimated takings for the week ending Dec. 28:

<table>
<thead>
<tr>
<th>Film Title</th>
<th>Radio</th>
<th>Stage</th>
<th>Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>KID MILLIONS</strong></td>
<td><em>(U. A.)</em></td>
<td></td>
<td>$4,250</td>
</tr>
<tr>
<td><strong>BRIGHT EYES</strong></td>
<td><em>(Fox)</em></td>
<td></td>
<td>$3,400</td>
</tr>
</tbody>
</table>

**“Barnum” Is $10,000 Hit, Kansas City**

KANSAS CITY, Jan. 6.—“The Mighty Barnum” which took $10,000 at the Midland, topping par by $1,000.

Estimated takings for the week ending Dec. 28:

<table>
<thead>
<tr>
<th>Film Title</th>
<th>Radio</th>
<th>Stage</th>
<th>Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>THE SILVER STREAK</strong></td>
<td><em>(Radio)</em></td>
<td></td>
<td>$5,000</td>
</tr>
<tr>
<td><strong>MIGHTY BUNKER</strong></td>
<td><em>(Radio)</em></td>
<td></td>
<td>$3,700</td>
</tr>
<tr>
<td><strong>THE MIGHTY BARNUM</strong></td>
<td><em>(U. A.)</em></td>
<td></td>
<td>$2,700</td>
</tr>
</tbody>
</table>

**Pecos” Hits $23,000; Big Hub Surprise**

BOSTON, Jan. 6.—“West of the Pecos” was something of a sensation at the RKO Boston. The $23,000 take ran $6,000 over par.

Hedda Hopper established the other box-office surprise of the week, as it piled up $30,000, or $9,000 over average for the “Wendys’ Child” was also in the big money with $18,000 at Keith’s Memorial.

Total first run business was $101,100. Average is $75,000 without the Orpheum.

Estimated takings for the week ending Dec. 27:

<table>
<thead>
<tr>
<th>Film Title</th>
<th>Radio</th>
<th>Stage</th>
<th>Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>THE FIRST WORLD WAR</strong></td>
<td><em>(Fox)</em></td>
<td></td>
<td>$1,900</td>
</tr>
<tr>
<td><strong>FEW—</strong></td>
<td><em>(Gaumont)</em></td>
<td></td>
<td>$1,800</td>
</tr>
<tr>
<td><strong>WEDNESDAY’S CHILD</strong></td>
<td><em>(Radio)</em></td>
<td></td>
<td>$1,600</td>
</tr>
<tr>
<td><strong>THE BAND PLAYS ON</strong></td>
<td><em>(M-G)</em></td>
<td></td>
<td>$1,200</td>
</tr>
<tr>
<td><strong>THE FIRST WORLD WAR</strong></td>
<td><em>(Fox)</em></td>
<td></td>
<td>$1,100</td>
</tr>
<tr>
<td><strong>PARADIES OF LONDON</strong></td>
<td><em>(Radio)</em></td>
<td></td>
<td>$1,000</td>
</tr>
</tbody>
</table>

**“Kernels” Fair in Indianapolis Slump**

INDIANAPOLIS, Jan. 6.—“Kentucky Kernels” took $3,500 at the Circle last week, but failed to stir up much excitement.

Even “Bright Eyes,” a smash hit practically all over the country, was below normal at the Apollo on a take of $2,000. “The Mighty Barnum” was weak at $4,000.

Total first run business was $21,000. Average without the Circle was $2,000.

Estimated takings for the week ending Dec. 29:

<table>
<thead>
<tr>
<th>Film Title</th>
<th>Radio</th>
<th>Stage</th>
<th>Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BRIGHT EYES</strong></td>
<td><em>(Radio)</em></td>
<td></td>
<td>$3,000</td>
</tr>
<tr>
<td><strong>KENTUCKY KERNELS</strong></td>
<td><em>(Radio)</em></td>
<td></td>
<td>$3,000</td>
</tr>
</tbody>
</table>

**Closes Palisades House**

E. Thornton Kelly has closed the Grant Lee, Palisades, N. J.

**Form Affam Theatre**

Dover, Del., Jan. 6.—Affam Theatre Corp. has been incorporated here, listing capital stock of 200 shares, no par value. The incorporators are V. P. Johnson, M. F. Goughporn and W. R. Colleli, New York City.
THE 16th ANNUAL MOVIE..BALL.. MIDNIGHT SUPPER BIG DOINGS

HOTEL ASTOR SAT. NITE JAN. 12

DINE and DANCE with MOVIE STARS

FREDDIE RICH and his Columbia Broadcasting Orchestra
and
Bama State Collegians with
ERSKINE HAWKINS

DOORS OPEN AT 10:30 P.M.

The Theatre Owners of the Metropolitan District invite you to have the TIME OF YOUR LIVES

Make Your Reservations NOW

Telephone CHickering 4-3022

Independent Theatre Owners Assn.
Room 346—Hotel Lincoln
44-45 St. and 8th Ave
THE PICTURE TELLS THE STORY

DU PONT NEGATIVE

Du Pont Film Manufacturing Corporation
35 West 45th Street
New York City

Smith & Aller Ltd.
6656 Santa Monica Blvd.
Hollywood, Cal.

PLANT...Parlin, N. J.

THE Du Pont TRADE MARK HAS NEVER BEEN PLACED ON AN INFERIOR PRODUCT
Schaefer, Walker Names Up for New Para. Board

Important Paramount creditor support is being given to George Schaefer and Frank C. Walker as Charles E. Richardson for membership on the company's new board of directors in current meetings on the selection of additional members, it was learned yesterday. Schaefer, Paramount general manager, was prominently mentioned for a post on the board earlier in the reorganization proceedings, but the initial board membership, when completed, failed to include his name. His name, it is understood, was not proposed again until meetings held by the reorganization groups during the past few days, during which significant support has been thrown his way, according to reports. Richardson's name, likewise, had been before the reorganization groups earlier, and at the meetings held since his resignation. (Continued on page 2)

British Film Supply Above Quota Needs

By BRUCE ALLAN

LONDON, Jan. 4.—British Board of Trade statistics, made public today, demonstrate that there were five English-made pictures available for every three demanded under the Quota Act during 1934.

Footage on British films registered last year ran to 1,283,841 feet, compared with 1,202,197 feet in 1933, thus making the percentage of domestic product 22.20 percent the year before.

Total footage of product registered was 5,288,708 feet and the number of features 670, of which the British representation was 190.

From another government quarter, cognizance also was taken today of developments during the year borne out the statement. Grid houses in (Continued on page 2)

RKO Clearance Hit In Century Protest

Century circuit yesterday filed a clearance protest against RKO in Far Rockaway and Jamaica, contending that there is no competition between Century's Fantasy in Rockville Center and the RKO units in the two spots mentioned.

The case is slated to come before the Long Island advisory board on Wednesday.

On Tuesday the New York grievance board is slated to hear a premature advertising complaint filed by the Roxy against the Kingsway, Century house. The picture involved is "It's a Big, Big World," which played three weeks at the Roxy, starting Nov. 23, and was advertised by Century on Nov. 26.

Allied Details Its Ideas on New Campi

WASHINGTON, Jan. 4.—Details of the Allied plan for reorganization of the Code Authority agreed upon at the New Orleans meeting are revealed in the latest Allied bulletin. Campi
Schaefer, Walker Names Up for New Para. Board

**Minneapolis Hopeful: '34 Just a Year**

(Continued from page 1)

The downtown district did a steady business for the most part throughout the 13 months. Neighborhood houses, offering second and subsequent runs of hit shows showed increased rates.

Ten and 15-cent houses got the play except for smash hits and it was tough to get even these to a 30-cent top. At the high end of the scale was the forcing of the Palace to raise its scale from 10 to 15 cents. The theater was not grossing steadily and pay rent and upkeep but found itself shut out of production. William Mick slapped in St. Paul to bolster such product as he could get at 15 cents and has been turning them away from the box-office at times. He is now playing first run and lessening the run by using 55 minutes of standard vaudeville.

Luxuy houses have followed suit to some extent. Resurrection of small time vaudeville in 1935 would therefore be a possibility.

Minneapolis' Times Theatre has been feeling its way with more or less left-over product and is dropping its top prices shortly, a price which is very generally used by neighborhood houses, though Time is in the heart of the Loop. It is a small house and was built with some idea of featuring news reels.

At a distance with his little World has had a remarkable year although he has lately been running into some difficulty getting hold of product for his class clients. His top is 75 cents.

**Plans Dostoievsky Film Minneapolis.**

**Hollywood, Jan. 4.--Dostoievsky's "Crime and Punishment" will be filmed by Columbia.**

**In the Dick Bay**

Irvind Windisch, publicity and exploitation head of Warner's metropolitan theatres, is home with the gripes.

At United Artists, Harry D. Buckley, Arthur W. Kelly and Thomas Patrick Mulroneey are down with bad colds.

**Cupid's Gossips Up**

Rudolph Weiss of Warner'svarying department has given the bachelor overhaul at the M. P. Club Thursday night. He becomes a benefit tomorrow at Temple Emanuel.

Joe Suyko of New York sales force is planning to get married within the next few weeks. He is keeping the bachelor schedule.

Jennie Jelin, who operates the Opera, New Brunswick, N. J., will become a bride sometime in February. She is telling friends she will marry a local film man, name a secret.

**McKenzie Is Returning**

**Hollywood, Jan. 4.--** Maurice McKenzie, executive secretary of the Hays organization, is on his way east. Will Hay will be in town for the next two weeks in conference with producers on plans for the new season.

**Warnen, Einfeld Coming**

Still UNIQUE

When it was introduced in 1931, Eastman Super-Sensitive Panchromatic Negative was definitely a "new and different" product. And there is still no other film like it...no other has wrought comparable changes in motion picture procedure, or contributed as much to motion picture quality. It is only natural that this Eastman film should be unique, also, in the enthusiasm which it continues to arouse among cameramen and producers. Eastman Kodak Company. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative
New Recovery Plan Held Box-Office Aid

(Continued from page 1)

the President's proposals to big business that the Administration has "a clear mandate from the people that Americans must forever escape the perils of a glaring concentration of wealth which, through excessive profits, creates undue private power over private affairs and, to our misfortune, over public affairs as well."

Denying this implied a socialistic trend, he said: "We don't want to destroy, nor do we want to divide our wealth into equal shares on stated occasions."

Allied Details Its Ideas on New Campi

would be equally divided between "sellers" and "buyers."

In the "sellers" division, under the Allied plan, would be grouped all producing and distributing companies, together with theatres they own or control, or with which they have affiliation. The "buyers" would be "all independent theatres, with or without organized local groups," the name given to "sellers, either in a direct business connection or indirectly through associations or organizations financed or controlled by the group known as "sellers."

This basic division would also be applied to clearance and zoning and grievance boards.

Allied offers no suggestions as to how the "sellers" division would be chosen, but does urge that three government members with voting powers be named.

The latest bulletin reveals that the board of directors will meet in Washington Jan. 24 and 25, if these dates prove satisfactory, so that the legislative program can be pushed.

The annual convention will be held in Atlantic City in May. The date will be fixed by the directors at their Washington meeting.

Flint to Boston on Clearance Problems

John C. Flint left for Boston last night to attend a meeting of the clearance and zoning board today. Exhibitors and distributors in that territory will be told to drop plans for a schedule of favor of individual protests. Buffalo theatre men and exchange heads were advised last week by Campi to discard the zoning schedule and resume filing individual complaints.

Flint will return Monday and will make a report of his trip to Campi on Thursday.

Hearing Notices Arrive

Members of the NRA fact-finding committee which promulgated the tentative Code of Fair Competition, New York received notices yesterday from the Government notifying them of the public hearing at the Raleigh, Washington.

Coast Report to NRA

Hollywood, Jan. 4.—The full count of events for the week is recorded in this report. The expected fad in support of the adoption of a code of fair practice to govern relations between producers and actors was airmailed to the NRA in Washington tonight.

Probe in Australia Of Boycott Impends

(Continued from page 1)

their move means the restart of the proposed national quota. The alleged boycott is creating a furor in the trade here.

SYDNEY, Dec. 12—Pending quota legislation by the New South Wales Government as already outlined in DAILY, exhibitors, distributors and producers jointly have given the Government the green light for their own policies, and by action and comment. The Government plan is to give a hearing to the industry on the matter and to act within a month. The quotas for U.S. films and English films have been proposed. The amount of the quotas for the former will probably be 20 percent in 1935, and 30 percent in 1936. The quotas for the latter will be somewhat lower. The hearings will probably be held in February or March.

Court Awards Union Man $12,079 Salary

BUFFALO, Jan. 4.—With an award of $12,079 to a worker who claimed he was exploited, Arthur Geddes, Buffalo projectionist, has been ordered reinstated as a member of the M. P. Operators Union No. 638. Judge C. T. Noonan made the ruling in Supreme Court on the ground that Geddes was "purchased" from Tom Saxe, a Buffalo exhibitor, on Sept. 3, 1933, without a formal trial of the charges that he tried to interfere with strikers picketing neighborhood theatres.

The money award is based on a wage of $65 a week. Geddes brought suit for recovery and reinstatement against Benjamin N. Pinzel as president of the Buffalo local. Each of the 129 members of the local was assessed an assessment if the union lacks funds to satisfy the judgment.

A.C. Gutenberg Heads New Wisconsin Unit

(Continued from page 1)

Other officers elected were: F. J. McWilliams, Madison, vice-president; J. J. Boden, South Milwaukee, secretary; E. Langemack, Milwaukee, treasurer. The following directors were named: W. Silcock, Lake Geneva; A. C. Berkholz, West Bend; Harry F. Larson, Milwaukee; L. Koptelberger, LaCrosse; George Fischer, B. K. Fischer, E. F. Maertz, Milwaukee. The Wisconsin unit has been organized for the purpose of promoting the production, distribution and exhibition of copyrighted motion pictures, and has obtained a federal charter.

Girls from Coast Sail

Twelve girls who have been working for Paramount on the coast sail today on the Laffayet for England to appear at Dorchester House, London. They are: Nancy Caswell, Alma Rase, Alice Patricia Krausse, Dorothy E. Lansky, Lydia Rasheskoff, Lu Anne Mosley, Helen Curtis, Eunice F. Davis, Jeanne D. Jura, Florence Blumier, Lora Lee Hansen, Harriett Jane Northfoss and Nora Gale.

Underwood, Ezell Return

Hollywood, Jan. 4.—William G. Underwood and Claude C. Ezell, Metro film franchise holders for the Texas territory, who arrived Monday to confer with Tren Carr on Monogram's new project, leave today.

Sherman Will File

Hollywood, Jan. 4.—According to the will filed here for probate, Lowell Sherman who died recently from pneumonia, left his entire estate, which was valued in excess of $10,000, to his mother, Mrs. Julia Louise Sherman.

Mamoulian on "Sharp"

Hollywood, Jan. 4.—Rouben Mamoulian, director of "Becky Sharp" which Lowell Sherman was directing for Radio just before his last illness.

Huffman Case Adjourned

DENVER, Jan. 4.—Harry Huffman's action for reinstatement of his grievance board and exchanges was adjourned in U. S. District Court today to tomorrow. A decision may be probable by Monday.

Hold L. A. Greeter Rights

CHICAGO, Jan. 4.—Funeral services were held here yesterday for Lewis P. Ayres, 39, a Chicago greeter, who died on Monday after a protracted illness. He was 47 and is survived by his widow, one son and a daughter.
U. K. Perking Up; Forecast For '35 Good

But Legislation May Furnish Problems

By BRUCE ALLAN

LONDON, Jan. 7.—The most encouraging factor in the situation which faces the British industry at the outset of the New Year is that a definite, if slow, improvement in the general economic, commercial and industrial conditions of the country has set in.

The fact is indisputable; it is reflected in statistics of employment, in company profits, and in the willingness and ability of investors to finance new enterprises. The revival of British trade has been slow, but for that very reason is likely to be progressive.

Box-office potentialities are, therefore, greater than they have been and may be greater than ever before.

The inside and the lowdown on the German industry in 1934 with a look forward to 1935—in an early issue.

California Income Tax Seen Looming

SACRAMENTO, Jan. 7.—What the present session of the Legislature will attempt in the way of laws affecting the industry will be known here in a March Will See New Warner Program Set

CHICAGO, Jan. 7.—Warners will set their program for 1935-36 in New York in March, according to S. Charles Einfeld who passed through.

Up Next Week

Washington, Jan. 7.—Review of the Tri-Ergon case today was placed on the calendar of the U. S. Supreme Court for hearing about the middle of next week.

On time film delivery assured by members of National Film Carriers, Inc.—Adv.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

NEW YORK, TUESDAY, JANUARY 8, 1935

TEN CENTS

See St. Louis Probe As Test If Trust Laws Live

Probe Cloaked in Secrecy; Testimony Given Privately

Sr. Louis, Jan. 7.—With the utmost secrecy which always surrounds its proceedings, the Federal grand jury for the Eastern District of Missouri this morning opened its investigation to determine whether there has been any violation of Federal laws in connection with the sale and distribution of films in this territory.

It is anticipated from the number of witnesses called locally and from out-of-town points, including a representative

(Continued on page 8)

Erpi Exhibit Shows Newest Sound Gadgets

By J. M. JERAULD

There's more to sound than meets the eye and there's more to gadgets that look like automobile dashboards than meets the eye. Plenty more.

The problem in telling about it is to translate decibels, kilocycles, octave ratings, amperes, frequencies and other mysterious terms into simplified English.

When more engineers become showmen

(Continued on page 11)

Continuation Of Admission Tax Is Urged

By BERTRAM F. LINZ

Washington, Jan. 7.—Continuation of the admission tax at its present level until at least June 30, 1936, was today asked of Congress by President Roosevelt in his annual budget message.

Revealing that appropriations of $8,520,413,609, of which $4,582,011,475 will be for recovery and relief activities, will be required for operations

(Continued on page 11)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

“David Copperfield”

(M-G-M)

By VICTOR M. SHAPIRO

Hollywood, Jan. 7.—Dickens painted pictures with words—too many words say the less reverent of his critics but the pictures were complete nevertheless. Tender when need be, emotionally varied, satirical at times, even caricatured when need be for emphasis, he created things that gained in importance as classics.

Putting them into picture form requires an understanding of Dickens

(Continued on page 10)

Alert, Intelligent and Faithful Service to the Industry in All Branches

Films, Sounding Board From Which General Moves May Spring

WASHINGTON, Jan. 7.—Fortified by President Roosevelt's support, the Department of Justice is out to show industry and the nation at large that the anti-trust laws have survived the New Deal and is using the film business as a sounding board.

Before a Federal grand jury in St. Louis, the Department today began the presentation of charges which Justice officials confidently believe will lead to indictments against leading distributors. Using the complaint made by St. Louis independents as the basis for its presentation, the Department, in fact, is about to bring before the courts the charges made by witnesses appearing last year before the Darrow National Recovery Board of Review.

Officials are saying little or nothing about the case, but it is understood Attorney General Cummings authorized initiation of proceedings only after he had conferred with the President and received White House approval of his course.

Indications are that, if the prosecution is successful, the government may embark upon a “trust busting” campaign on a scale unequal to the days of the first President Roosevelt.

(Continued on page 8)

Urges Skeletonized Formula for Codes

WASHINGTON, Jan. 7.—Skeletonization of many of the Recovery codes was today suggested by the Commissioner's Advisory Board of the NRA.

Submitting a lengthy report on its views on codes, the board charged that "special interests" had dictated the writing of many of the agreements

(Continued on page 10)

“Ectacy” Banned

WASHINGTON, Jan. 7.—The Treasury Dept today refused to permit importation of "Ectacy." Federal officials who saw the drug agreed it was "highly interesting," but hardly suitable for general showing.
“U” Half Way Along; Active on Big Ones

Hollywood, Jan. 7.—Universal has reached the half-way mark in production of “Here Comes Mr. Jordan,” for which Carl Hevesi, Paramount’s producer, expects to complete the bulk of its major product for the current season. With executive changes, chief among which was the appointment of Alvin Johnston, Jr., as an associate producer, effected, the studio feels it is now set to go.

Lily Damita is being considered for the role of Anna Held in “The Great Ziegfeld” in which Powell will star. Upon his return from New York, John M. Stahl will start on “Magnificent Obsession” while others advancing in blue print are “Diamond Jim” with Edward Arnold; “Moon Mullins,” directed by Robert Vignola; “The Great Impersonation,” “Sing Me a Love Song,” Irene Dunne in “Showboat,” “Wayne’s Gold” and “The Raven.”

Lane Sails Soon

Fred W. Lange, Continental general manager for Paramount, has set back his schedule to sail on the “Champion” Jan. 16 when he leaves on the Washington.
NEWS FLASH!

LOEW'S THEATRES FROM COAST TO COAST ARE THE FIRST TO SIGN UP FOR THE MARCH OF TIME

Loew's Theatres, the Poli Theatres in New England and the Capitol Theatre in New York will have the WORLD PREMIÈRE FEBRUARY FIRST

Distributed by FIRST DIVISION

HARRY H. THOMAS, PRES. • ROCKEFELLER CENTER, NEW YORK CITY

“THE NEW MAJOR MARCHES ON!”
A REVIEW AND AN AD!

Put the review in your lobby!
BACHELOR GIRL TELLS ALL!

SENSATIONAL revelations of "kiss and tell" bachelor girl forecast boom in railway traffic as former Don Juans prepare to leave town! Every new romance a new chapter in her diary!—one man daring her to print it while a dozen beg her not to! Screen story supplies final chapter!

TOGETHER again for the first time since "When Ladies Meet"—ANN HARDING and ROBERT MONTGOMERY—in a delightfully audacious and merry screen presentation of the Theatre Guild stage success that rocked Broadway with laughter for eight months!

ANN HARDING
ROBERT MONTGOMERY

"BIOGRAPHY of a BACHELOR GIRL"

with EDWARD EVERETT HORTON • EDWARD ARNOLD • UNA MERKEL
Directed by Edward H. Griffith
A Metro-Goldwyn-Mayer Picture

YOU CAN'T PRINT THAT! Publication of biography threatens rift in Horton-Merkel engagement. Publisher Montgomery dangles fortune for serial rights.

Put the ad in your local newspaper!

AND YOU'LL THANK LEO WHEN THE CROWDS FLOCK IN!
60,000,000 people will read the full-page ads soon to appear in scores of national magazines on this greatest of 20th century pictures.
U.K. Perking Up; Forecast For '35 Good

(Continued from page 1)

Europe a knowledge that they have to be kept in mind, but offer no reason at the present moment for adopting other than a generally optimistic outlook. The way ahead will have a bigger and a more prosperous public than in 1934, and the real problem will be to consider whether to be political rather than commercial, it is anticipated.

And now to the main by a mere statement of the major questions facing the industry. They are three in number:

1. Entertainment tax.
3. Overbuilding.

The first two affect every section of the industry, and there are major or committees which more immediately concerns American and other importers and may therefore be important effects on their activities.

The tax problem dates back to war years, but it will have a special significance in 1935, for the first time since it began its campaign for relief, the industry waits the budget with the knowledge that the chairman of the committee is exhorted to be ready for a reduction of the tax, if revenue permitted.

Every exhibitor has a hand in this—since there are exhibitors who hope that the cheaper seats will be freed.

The present tax represents a levy on receipts of approximately 16 per cent. Complete repeal would restore the tax position of the industry, and there is some hope that the public due to better trade conditions, may well result in the increase of the business possibilities of the country by from five to seven per cent.

Overbuilding Trade Problem

Overbuilding is a matter with which the trade itself must cope and the past year has seen the adoption of a definite program of elimination of the erection of new theatres in adequately seated areas. Some notable successes have been achieved, but the problem of some ornamental—since the C. E. A. took this matter up.

The real problem of 1935. The activities of the House of Commons in the first few months of the year are likely to have a bigger influence on the distribution of American films than any single activity within the trade itself. So far as one can judge, the major or committees as a whole are either blind to this possibility, or indifferent to it, although they may soon find themselves facing with a situation which may force a complete re-budgeting of their British business and which will certainly influence the producers to a new attitude to British production.

It is a distinct possibility that the Quota Act will be amended to secure that every registered British film is of a standard suitable for exhibition. This means that, as the Hollywood was warned six months ago, the $25,000 "quickie" is doomed. Whether by means of a minimum cost clause, or by a quality test, the producers will probably be compelled to spend more on their British films. An expert opinion is that a good second feature can be made short (roughly $75) a foot, but in practice it seems probable that the quota film minimum will be increased.

To put this type of film on the shelf, even if the amended act allows of such action, must be kept in business at the present time and it must be remembered that from April next distributors must carry an increased quota of 20 per cent.

From April, therefore, the American distributor will carry one British film, the exchange is for every four American films. This will increase the cost of each of the latter by at least $12,500 by maintaining his present policy of carrying his British films as a bad debt—"If it is allowed to do so.

It seems, therefore, that British conditions in 1935 will provide a strong program and production distribution problem and that some concerns may decide at last to include British-made films in their general schedule, on lines already followed by United Artists.

California Income

Tax Seen Looming

(Continued from page 1)

A few days. The session opened this morning.

An income tax appears certain. Senator Calvert Olson, chairman of the Democratic state central committee, who seems to have wrested control of the Episc forces from Upton Sinclair, is in favor of it.

He also wants a tax on "surplus net earnings" of corporations, but isn't very clear as to what he means by the phrase. When asked to define it he said he meant "exorbitant earnings."

Governor Merrian is friendly towards the industry, but he, too, wants an income tax to help reduce the state's $60,000,000 deficit.

A five-day week might be the production-for-case is in the air.

Mine Host—U. A.

United Artists yesterday tendered a party to the press at the Music Hall, where "The Tortoise and the Hare" in New York, and the latest Silly Symphony. In the absence of Hal Horne, Monroe Greenholt played the part of the host.

U. A. Behind "De Luxe"

Reports that 20th Century was financing "De Luxe," new Chester Erskine show which opens Feb. 20 in New York, and others of the best, has been denied today by an executive of the company.

Mannix Under Knife

Hollywood, Jan. 7—Eddie Mannix is no longer in charge of the studio today to undergo a minor operation.

Set for Capital

"David Copperfield" is definitely set to open at the Capital on Jan. 18.

See St. Louis Probe of Test Laws

(Continued from page 1)

In presenting its lawsuit to St. Louis, the Department, it is said, will revive the testimony the before the Darrow board that has been used in the current correction of the evils then complained of. The case brings again into the limelight Russell Hardy, special assistant, who attacked the film code last year during the board hearings.

Washington, Jan. 7—While Department of Justice officials are maintaining their universality of silence on impending activities in their branch of the Federal government, it is reported that they were to head off the St. Louis probe which started in that city today to the extent of industry representatives visiting the White House. Who they were cannot be learned.

Last Wednesday, major distributors were summoned to appear before the Federal Grand Jury today for the investigation Home office legal representatives and several executive sales personnel arrived here over the week-end.

Records as far back as 1931 were subpoenaed for 10 years, and declared it was unable to get first run product with the exception of Columbia, Fox and Universal.

California Income Tax Seen Looming

(Continued from page 1)

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March Will See New Warner Program Set

(Continued from page 1)

here this morning en route from Hol-

lopg process by local officials by the accompany Harry M. Warner.

Preliminary discussions have been held on the idea of Jack L. Warner will come east in about two weeks with the line-up in rough form. Already determined is the policy of handling next season of "Midsummer Night's Dream" and "Anthony Adverse," although final choice for the latter has not yet been selected. It appears Gradwell Sears' trip to Hawaii is not entire for vacation purposes and that he has a circuit deal pending there.

"Clive" Plug Growing

Thirteen additional magazines have been added to those which will participate in the national campaign planned by United Artists on "Clive of India." This makes a total of 33 magazines.
SENSATIONAL SPECIAL RELEASE
BY ARRANGEMENT WITH GUARDIANS AND AUTHORITIES

ONE FULL REEL
LATEST EXCLUSIVE PICTURES OF
A DAY IN THE LIVES OF THE
DIONNE QUINTUPLETS

SEE THEM FROM DAWN TO BEDTIME
Feeding .. sleeping .. bathing .. laughing .. their
home .. their parents .. their doctor .. nurses
.. special hospital .. and their washline!

ONE THOUSAND FEET OF HUMAN INTEREST
THAT NO HUMAN BEING WILL WANT TO MISS

Presented by PATHE NEWS . . . Distributed by
RKO-RADIO PICTURES
Charging that the Los Angeles grievance board was "biased, prejudiced and partial," William Powers, attorney for Motion Picture Daily, yesterday asked an appeal committee comprising Roy L. Haines of Warners and Laurence Bolinomo of Tribune-Columbian to solidify to throw out two bank night decisions against the circuit in Santa Paula and Los Angeles.

In the Case against Mission, Ventura, against the Glen City, Santa Paula, Powers said the houses are 15 miles apart, a distance he said makes it impossible. He said that the clearance schedule for Los Angeles has never been adopted and hence has never been clearly established competition exists between the two theatres.

In the second case, that of the York against the Highland, Powers stated that the complainant asked to withdraw the case, but the board refused and handed down a decision with neither of the litigants testifying.

There were 12 other bank night cases in one form or another acted upon by the board and they are:

Granada, Alhambra, Cal., against Mission, San Gabriel; Palomar, Oceanamide, against Falco, Los Angeles; Cahuenga, Hollywood Lake, Ia., against Empire, same city; Mission, Ventura, against Ozark, Oxnard, Cal.; Capitol, 50th City, against Rialto, same city; Western, against Republic, Los Angeles, Cal.; and Majestic, Milwaukee, I., against Lincoln. Hollywood and Little, Watertown, III.; Lisbon Opera House, against Rex, Lisbon, O.; and Capitol, 540, Ky., against Rialto, same city.

Jan. 22 Set to Air Campi Assessments
WASHINGTON, Jan. 7.—Financial requirements of Campi and assessments to be imposed upon members of the industry for the current year will be discussed at a general meeting called for Jan. 26 by Depair that is headed by William P. Farnsworth. The hearing is expected to bring out the results of the preliminary studies during which the 1934 approved last November, in which it was promised that if the independent contributed more than $18,000 on a per capita basis, the credit rating on their obligation for the current year.

As yet, it was said, accountants have not anticipated a full report will be available by the time of the hearing, which will also develop whether, as claimed, the independent's contributions were so heavy as to more than cover the 1935 requirements, in which event it is promised the excess would be refunded.

Duels, Gift Nights Up for Action Soon
MILWAUKEE, Jan. 7.—With organization plans for the Milwaukee Independent Theatre Protective Association of Wisconsin and Upper Michigan completed, the newly elected board of directors is expected to call a meeting soon to consider dual features, gift nights and other practices which are still factious in both the independent and the state. It will also select quaters and name a business manager.

The conference which last week was concerned chiefly with shaping and adopting by-laws drawn from the former M.P.T.O. of Wisconsin and Upper Michigan and the Allied Independent Theatre Owners of Wisconsin associations.

Motion Picture Daily
CHARGES BIAS, WANTS DECISIONS REVISED

Motion Picture Daily's Hollywood Preview

As well as film technique, a group of M-G-M men have shown they know both in "David Copperfield." They have created something for women to weep over and for men to enjoy.

Howard Estabrook did the scenario, George Cukor directed and David Warfield has some judicious trimming their work should stand as a faithful transcription of Dickens and real entertainment.

Visualizing the life path of sensitive David, after the death of his kind hearted stepfather, reveals his buffetings in a workaday world, his haven with the jolly Micawber, his home with the eccentric Aunt Betsey Trotwood, his contacts with the strange Uriah Heep, his affection for Mr. Wickfield and Agnes, and his disillusionment resulting from his friend's marriage to the im- pragmatic f.d. are held today between him and Agnes.

The cast has been chosen with meticulous care. Characters, likened like Crickshank sketches, are endowed with warmth. They are delineated with fine detail where necessary and caricatured when needed.

No finer performance has been done on the screen than that of Freddie Bartholomew as the young David—lender, sensitive and curious. He engraves an image that wrings the heart.

W. C. Fields' Micawber is a picture broadly painted, but with lovable and laughable. Edna May Oliver's cantankerous Aunt Betsey tops all her previous achievements. Roland Young's Uriah Heep is superbly created and perfectly fitted by the Dick combines lunacy and wisdom with truly Dickensian versatility.

Lionel Barrymore's Dan Peggotty, Madge Evans' Agnes, Lewis Stone's Mr. Wickfield, Frank Lawton's grownup David, Elizabeth Allan's Mrs. Copperfield, Maureen O'Sullivan's Dora, Basil Rathbone's Murdstone, Jean Cragg's Little Ralphie's Nurse Peggotty; Violet Kemble Cooper's Jane Murdstone, Una O'Connor's Mrs. Gummirle, Hugh Williams' Steerforth, Herbert Mundin's Barkis and Hugh Walpole's Vicar are presented deftly, earnestly and sympathetically.

Cukor's direction and Estabrook's screen play rate palms. Good, too, is Oliver Marsh's photography and Herbert Stothart's musical score.

Production values are evident. It is obvious that money was spent lavishly. M-G-M has produced prestige-building entertainment—something for the d. for the future.

Production Code Seal No. 520. Running time, 2 hours and 13 minutes. "G."

Motion Picture Daily

Farnsworth Time Shy Of Actors' Plurals

WASHINGTON, Jan. 7.—Sharp criticisms of producers, voiced in a report made by the actor contingent of the American Federation of Musicians, which for several months has been deadlocked over the recommendations to be made for the new code, reached Deputy Administrator William P. Farnsworth from Hollywood today. Confronted by other important matters, the latter said he would give opportunity to give them consideration.

Refusing to comment on published reports, Farnsworth opportunity to read the original document, which is voluminous, Farnsworth explained he was not completely ac-

Farnsworth, who conducted the negoti-

actors in Hollywood, has been so pressed by his duties as compliance director that there has been little time to discuss the matter.

The actors' five-five report bitterly attacks industry leaders for drawing long time for action and, according to the report, by the basis of the report's computation, "only one and 3/5 cents a dollar which came into the box-office."

With the report says that "we have been tricked, hamstrung and lied to," the audience of M. P. Arts & Sciences "is and always has been a company union, dominated by the Academy of Motion Picture Arts & Sciences, which has refused to acknowledge that this report was drawn up by the actor members of the five-five, who are Robert Montgomery, Claude King, Ray Milland, Kenneth Thomson and Richard Tucker.

Mourn the Death of Theodore C. Deitrich

Film veterans voiced regret yester-

In the passing of Theodore C. Deitrich, long connected with the Hearst Metrotone News and Cosmo-

Die in Chicago in 1915, when he entered the employ of the Hearst picture enterprises.

West Burial Here
HOLLYWOOD, Jan. 7.—Jack West, father of Mae West, who died at Oakland Sunday, will be buried at his wife's side in a vault at Cypress Abbey in Brooklyn, N. Y. He died of a heart attack and was 65.
MOTION PICTURE DAILY

Tuesday, January 8, 1935

Erpi Exhibit Shows Newest Sound Gadgets

(Continued from page 1)

Men the story of sound's latest electrical developments will become dramatic. What has happened since 1927 will seem less so when you know what is to come will be a subject to stir the curiosity of producers and distributors.

Even sound men—Erpi, Western Electric and Bell men, who work practically every day with equipment they haven't been able to keep in touch with each other's progress, it seems, so they have been holding a show up in the old Edison studios somewhere north of Fordham Road near where Jasio lives.

It's a bit bewildering for a layman at first. He's apt to think decals is the engineer's girl friend, but gradually it becomes apparent that future theatre sound installations are going to have only a fraction of the apparatus they used to have; they're going to be much cheaper to operate, going to be cheaper, and where it used to take from 24 hours to three days to install them, we're going to take only about three or four hours.

Where a one and one-half ton truck used to be necessary to transport a new farewell recording apparatus around, two men can handle the new layout without unbolting their rests on a board in fifteen minutes. While the whole equipment, including camera, weighs only 180 pounds. The weight of the sound equipment alone is half that.

Same True of Studio Apparatus

The same is true of studio apparatus. When a director gets ready to start the picture, he can roll the whole equipment in on a truck not much larger than one of those modern model tax wagons. Gone are the days of the sound-proof rooms with mixing panels, the elaborate switchboard which controlled the various houses. The mixer sits near the cameras after plugging into the nearest socket. If the company goes on location, the whole apparatus goes along, the only difference being that he plugs into a set of batteries for power.

They're not in general use yet, but an engineer who explained the gadgets said the price would be a fraction of the cost of the old equipment.

In this show they divided into groups which took them to work to different displays where each engineer explained his pet development. One new projector and reproducer combination designed for houses seating 600 persons or less has been put into about a dozen houses. Ten thousand of this sort may be installed this year.

Mayer Stays On

Negotiations between the new lessors of the RKO and Mayer Bar have the latter to give up the house in the spring are off and Mayer will continue to operate until Nov. 1, when lessor comes in.

Mayer asked for $100,000 to step out before the termination of his lease. Since then nothing has been heard from the lessee, who plans to build a new 1,000-seat house on the site.

March of Time Leases

March of Time, Inc., has leased space on the 21st floor of the RKO Building in Radio City for executive offices. Officers of the company are Roy E. Larsen, president; John S. Martin and Louis de Rochemont, vice-presidents; and William F. Reiley, assistant secretary and treasurer.

M-G-M Auditors Meet

M-G-M auditors on Saturday put up a three-day sales promotion at the Edison. Sales executives also attended the meet.

Wall Street

Most Down on Big Board

High Low Close Change Net

Columbia (CI) 91 86 874 1 244 1 1
Consolidated 246 246 246 3 3
OSV 7 7 7 10 0 1 0 0 0 0
Eastman, pd 66 142 142 11 11
Loew's 18s 33 33 33 0 0 0 0
1061 104 104 104 0 0 0 0
Paramount cnts 3 3 3 1 0 0 0 0 0 0
Paramount Muni 7 7 7 0 0 0 0 0 0 0
Frisa "A" 105 105 105 0 0 0 0 0 0 0
Warner 5 4 4 0 0 0 0 0 0 0
Warner Muni 315 315 315 0 0 0 0 0 0 0

Trans-Lux Up 1 1/4 on Curb

High Low Close Change Net

Technicolor 7 6 6 1 0 0 0 0 0 0
Paramount F. L. Bonds Off 3/4
High Low Close Change Net

General Theatre, Inc., 40c 85 85 85 0 0 0 0 0 0
General Theatre, Inc., 1 c 9 9 9 0 0 0 0 0 0
Keith, ea., 40c 73 73 73 0 0 0 0 0 0
New York, ea., 40c 105 105 105 0 0 0 0 0 0
New York, ea., 1 c 43 43 43 0 0 0 0 0 0
Paramount F. L., 40c 61 61 61 0 0 0 0 0 0
Paramount F. L., 1 c 43 43 43 0 0 0 0 0 0
Paramount, 50% 65 65 65 0 0 0 0 0 0
Paramount, 50% 61 61 61 0 0 0 0 0 0
Paramount, 50% 65 65 65 0 0 0 0 0 0

(Quotations at close of Jan. 7)

Continuation of Admission Tax Is Urged

(Continued from page 1)

tion of the government during the fiscal year which begins July 1, next, the President made it clear that the deficits could be kept down to the anticipated figure of $4,528,508,970 only by continuation of all taxes now in effect and the three-cent postcard tax.

Reviving business is expected to increase tax and customs collections, so that total revenues for the coming fiscal year will be $3,991,904,629 against expected receipts of $3,711,650,685 for the current year. This in- crease, together with the lopping of $677,000,000 from the fund for recovery and relief, is expected to make a deficit of $380,000,000 or less than the anticipated $4,869,418,338 for the present year.

While I do not consider it advisable at this time to propose any new or additional taxes for the fiscal year 1936," the President said in his message, "I do recommend that the Congress take steps by suitable legislation to extend the miscellaneous internal revenue taxes which under existing law will expire on June 30 next, and also to maintain the current rates of these taxes which will be reduced substantially on July 1.

$14,613,414 Total for Year

Receipts from the admission tax, which during the fiscal year ending June 30, last, amounted to $14,613,414, will be placed in a fund to amount to $15,000,000 for the current fiscal year and, if the present rate, which is due to expire June 30, next, is continued, to reach the $16,500,000 for the fiscal year 1936.

The budget discloses that a slight increase in the taxes on imports and that for motion picture work of the extension service of the Department of Agriculture, fiscal 1936, is provided against $64,420,000.

A small increase is also given the specialties and motion pictures divi- sion on account of its work for the Motion Picture Alliance forthe Defense and Freedom which will get $23,756 against $22,841.

In both instances, the increase is of little importance, being provided chiefly to permit the restoration of full pre-depression salary scales on July 1, next.

The office of education in the Interior Department, which has been interested in motion pictures, is given a total of $2,670,220 compared with $2,783,000 for this year.

An increase of $10,800 in the fund for the purchase of maps and of films is given the bureau of navigation of the Navy Department, which is to receive $9,850,800 as compared with $8,850,000 this year.

Upstate House Burns

POUGHKEEPSIE, N. Y., Jan. 7—Fire yesterday here, completely destroyed the balcony and a large section of the orchestra. Repairs were started today and Ben- jamin W. Rice, manager of the theatre, expects to reopen shortly.

M-G-M Title Shift

Title of "Only Eight Hours" has been changed to "Society Doctor" by M-G-M.
ALONGSIDE of LEO ANY GENERAL WOULD LOOK NAKED—

Medals For Everything in Films

and of course, Film Daily's 424 critics poll gives M-G-M 4 out of 10 best and 9 honorable mention.

Not only smash hits but top average

METRO-GOLDWYN-MAYER

Year in Year out. Coming!

"DAVID COPPERFIELD", "SEQUOIA" and many more!
Monopoly Via Codes Headed Toward Probe
Proposed in Move to Study Entire NRA

WASHINGTON, Jan. 8.—First steps toward an investigation of alleged or real monopolistic practices under recovery codes have been taken by Senator King (Utah), who has pending before the judiciary committee a resolution calling for a full study of the effect of the Industrial Recovery Act.

Purposes of the probe would be to determine:
(1) Whether the Recovery Act has encouraged or promoted monopolistic practices.
(2) Whether codes have tended to nullify the anti-trust laws.
(3) Whether legislation is needed to restore those laws to their former position, and
(4) Whether the anti-trust laws are adequate for the control of monopolistic practices.
Administration officials today were studying the effect of the ruling on (Continued on page 14)

Harry Arthur Star In St. Louis Probe
St. Louis, Jan. 8—Harry Arthur, vice-president of Fanchon and Marco, is star witness in the Federal grand jury investigation into the local product situation as the inquiry went into its second day.

Many other members of the industry in this city and other parts of (Continued on page 14)

Frels Monopoly Suit Comes Up Next May
Rubin Frels' suit against the Jefferson Amusement Co. of Beaumont, Tex., seeking $250,000 damages for alleged monopolistic practices is expected to come up in the U. S. District Court in Victoria, Tex., the latter part of April or early May, Frels stated yesterday.

Frels, who is in New York on an overbuying appeal against the same (Continued on page 14)

Decision Reserved On Para-Tobis Deal
Special Master John E. Joyce reserved decision yesterday on a proposal for settlement of claims filed (Continued on page 13)

Bank Nights May Not Figure In NRA Code Hearings Today
WASHINGTON, Jan. 8.—No discussion of bank nights over which opinion ranges pro and con in many sections of the country may come before the NRA fact-finding committee during the hearings on price provisions of all codes which will open Wednesday and last ten days, according to the study today of any application for time to speak, on that subject.

Intimations that the board was to be asked to approve bank nights led to consideration in Washington of the question whether they constitute a 'monopoly,' as has been held by the Campi in New York. It is pointed out that the Federal Trade Commission has consistently prosecuted monopoly cases in other industries, that the post office department prohibits the transmission (Continued on page 14)

New Haven's Board Keeps at Clearance
NEW HAVEN, Jan. 8.—Protests by second run exhibitors against the local clearance and zoning schedule were discussed today by the board, indicating that efforts to complete a plan for this territory will be furthered until Campi orders it dropped.

John C. Flinn conferred with the board yesterday and urged members to try to clean up clearance matters locally. He left for New York after the session.

BOSTON, Jan. 8.—Although there are minor disputes over clearance in (Continued on page 14)

Jersey Houses Not In Basic Wage Pact
New Jersey theaters are not involved in the basic wage scale tenta-
tively agreed upon by the NRA fact-finding committee, Deputy Adminis-
trator William P. Farriswth yesterday adjourned Sidney Samchon, presi-
dent of Allied of New Jersey. The scale is only for metropolitan New York houses, Farriswth stated.

The fact-finding committee met yesterday further to discuss the scale, the session having been called by Leslie E. Thompson, chairman.

Publisher in Omaha Agrees to End Show
OMAHA, Jan. 8.—Henry Doody, publisher of the World-Herald, has assured a committee of Omaha exhibitors that he and his newspaper will not compete with theaters. However, the "Monte Carlo Ballet Russe," (Continued on page 14)

Roxy Theatre-Fox Suit Set Jan. 21
Trial of a suit which seeks to recover from William Fox defaulted Roxy Theatre stock payments of $1, 000,000 is scheduled to get under way in state supreme court here on Jan. 21, it was learned yesterday.

The suit is brought by the Chicago Title & Trust Co., as assignee for Herbert Lulab. The suit contends that Fox issued written guarantees covering the payments on the stock purchases at the time of the sale of (Continued on page 12)

Production Spurts With '35's Advent
HOLLYWOOD, Jan. 8.—Production activity for the week ending Jan. 5 has started the new year with a spurt that, according to a report of 41 features and three shorts in work as compared to 36 and one for the preceding week. Paramount leads with eight features before the cameras, one preparing and (Continued on page 12)

Conservatives Win California House
SAN FRANCISCO, Jan. 8.—Forces favorable to the industry demonstrated their control over the House at its opening session today by electing their candidate for speaker, Edward Craig, by a two-to-one vote.

Craig, a Republican from Orange county, had 52 votes against 25 for (Continued on page 12)

Radio Men Jolted In the Ascap Suit
The Pennsylvania Broadcasting Company's anti-trust suit seeking the dissolution of the American Society of Composers, Authors & Publishers received a setback yesterday when the complaining radio company won its (Continued on page 14)

Jersey Allied Unit Approves IBPA Deal
Both Allied of New Jersey and the I.E.P.A. of Philadelphia yesterday ratified a cooperative plan between the units whereby southern New Jersey (Continued on page 12)

Decision Withheld In FWC Litigation
SAN FRANCISCO, Jan. 8—Decision as to whether the Marshall Square Theatre Corp. of this city and Harry (Continued on page 14)

Manton for Joining Met, Theatres Litigation
The combining of Fox Theatres' reorganization with that of Fox Metropolitan Playhouses was urged again yesterday by Federal Judge Martin T. Manton at a hearing on which he continued the Fox Theatres receivership for another six months with Milton E. Weisman as receiver.

Judge Manton has repeatedly advocated a merger of the two reorganiza-
tions but the move has been opposed by Fox Met bondholders who contend that Fox Theatres can have no participation except in the considerable assets of Fox Met which are not pledged as security for the latter's bonds.

Weisman, however, is preparing a plan of reorganization for Fox Met, all of the common stock of which is owned by Fox Theatres, which will provide for Fox Theatres' participation on a larger scale.

The report of the Fox Theatres' receiver for the six months ended Dec. 31, 1934, showed a profit of $283,409, after disbursements of $13,439 for the period. Other assets of the company disclosed in the report include the Edublocke and Audrey, under lease to Fox Met; the Academy of Music, under lease to Skorahs at $175,000 annually, and the Nelson at (Continued on page 14)
Insiders’ Outlook

F the mystery, surprise, and—at times—comedy, go to make up the elements of entertainment—and most people agree that they do. Erpi, William Electric and Bell engineers have material on hand for a first class series of shorts. Most people can listen to a talk on decimals, wave lengths, cycles, and whatnot for an hour, and then, yawn, but give them a look at the fascinating journey of a sound wave from somebody’s throat or violin string into a mixing panel, onto a wax plate, through a few tanks of acid to a gold platter, before a queering light beam hits a piece of film and finally around back of a screen into a theatre, and they’ve seen something. It’s a cross-country chase, but loaded with excitement. ▼

All of this suggests itself gratuitously advanced with no retainer sought for the idea offered, as a result of the one-night stand preview of John Ford’s film, Erpi in the Bronx, Monday afternoon. Some of the devices on display kept a curious crowd of reporters walking its legs off and straining the eardrums not to miss anything. After all, a photographic record of all of the complications, which are more than you might imagine, of an egg breaking or of a flame doing its combustion stunt in an automobile cylinder, dramatized by authentic sound, can be just as interesting as an ant crawling into a hole or getting passed by a grasshopper. A smart short subject producer, turned loose in the Bell labs of one of the companies, might be found in injecting emotion into the souls of those stale Massachusett Tech men and walk out with a series of adventure pictures de luxe for himself. ▼

Kentucky colonels who shed modesty for bragging may revert to the saucer of the two virtues when they learn Governor Laffoon of the Bluegrass State commissioned 2,368 honorary aides in 1934, a chosen few rating admirals, captains, and one a skipper ship. Statistical research shows miscellaneous aides appointed in the last two decades in that state total 5,500. A select company on the list of press dispatch from Hollywood, at several years old, which told of the party Vic McLaglen gave at his Hollywood estate with 200 of his “intimate friends” attending. ▼

The open season for craze-plot legislation has arrived. Yesterday an obscurer Washington named Wesley Lloyd offered the House of Representatives a bill restricting salaries and bonuses to $25,000 a year with nothing beyond that which will have the support of a majority of stockholders. If Congressman Lloyd keeps that up, the circuits will take away his theatre passes. . . .

The most expensive lion’s roar on record: Leo’s column which runs in the New York dailies once a week. Cost to Metro about $1,000 per flash. . . . What causes high blood pressure in Brooklyn: Final check-up of 1934 business over the Random (Frizfish and Rinzler) circuit of 40 odd theatres showed paper worth $80,000 had been issued during the year. . . .

"London Ponders Great Garbo Mystery" headlines the gullible Evening Post here which then reports expectation over the new poser of the year: Did Garbo really appear in "The Painted Veil" or was it a double? Don’t blame it on Si Seadler, he’s in Hollywood renewing acquaintance with Stolly Joe’s. . . . There are those who subscribe to the idea that the way for films to meet the radio question is to romance with it. Perhaps this explains why Metro and Columbia Broadcasting are does-eyed about each other these days. ▼

Sees British Gains Aid to Trade Here

James A. FitzPatrick sees in British production improvement a stimulus for the entire industry, here and abroad. "Hollywood needs competition and believe the improved product of British films released here, will help relieve the factory strain in Hollywood so that more time can be spent in exporting. I think it should be a movement of American product," he says.

"Production has been developing physically at a pace too rapid for mental digestion."

Sequoia" to Start M. P. Club Showings

First of a series of special previews will be given at the M. P. Club Sunday night. "Sequoia" will be shown without charge, and copies are reserved for those invited is Dr. Raymond L. Dittmars. "Sequoia" is the film that has stirred widespread comment because much of the release is supplied by it. It was produced for M-G-M by Chester Franklin.

Allied Board to Elect

Election of Allied officers will be held at the annual board of directors’ meeting in Washington either Jan. 24 or Jan. 25.

FLOYD ST. JOHN, Monogram franchise holder in Los Angeles and San Francisco, is in town conferences with New York office on a deal closed with the Hong Kong Co. of China. He’ll be here for about three weeks.

Compliance Director Sot. A. Rosen- blatt has been fogbound on the Embassy of Britain for the past two weeks. These elements are conspiring to delay Rosenblatt until tomorrow when Campi meets.

CHARLIE EISFIELD hit the town from Hollywood where he was given the first order of business at war, and a conference. They’re serious things in Eisfield’s life, these conferences.

FRED McCONNELL was in constant touch with the weather bureau yesterday. He’s waiting to hop a Jack- sonville-bound plane to close a deal with Ed Sparks on the “March of Time.”

SAM DEMROW is that proud. After years of marital bliss, undisturbed by offspring, the family is now three. The addition is a girl born at the Doctors’ Hospital this morning. Weight: 7 lbs. 10 oz.

HAL HORNE is going guns on the national campaign for “Clive of India.” He’s bouncing couple all over the country, preparatory to that January 25 release date.

RUBUS WELLS, Victoria, Texas, leaves for home today after a two-day visit. He attended the Allied of N.J. meeting yesterday.

M. C. HENK, whose favorite raw stock is Du Pont, shows off for California—about eight weeks of it—in a couple of days.

JULIUS CIRKOV, vice-president of Allied of N.J., is mourning the loss of his mother, killed in an auto crash Monday.

WILLIAM STERRBINS failed to make yesterday’s Century, but is committed and pledged to start his dash toward California sunshine tomorrow.

andum was returned from London yesterday, Bruce Carbot, who returned three weeks ago, met her at the boat. They’re married.

SAM BENENS, was dusted from the coast yesterday via plane, but was forced to take a train at Albuquerque because of bad weather.

HERMAN ROBBINS spent most of his two weeks’ cruise in warm waters in bed parting himself from a cold.

DOUGLAS SHEARE and TRILL CARR are down at the Warner, but not together.

JOE RIVIK is due back from the coast next week. Later in the month Harry Wanger will come on.


JAMES DRAKE sat at the head of an Erpi table at Schratt’s 57th St. yesterday.

TERRY TURKER is in New Orleans and Antonio Traverse in Portland, La., dishing out Quaker Oats tie-ups.

AL LIGHTMAN will return to this city from Los Angeles on Monday.

PAUL LABARUS returned from Hol- lywood yesterday.
Telegraphic News

of a Happy Hit!

Broadway Bill Broke House Record Tonight
Ed. Collins, Houston, Texo

Swell Business Overcoming Strong Opposition
L. Roy Smith, Huntington, W. Va.

House Howling Enthusiastically Looks Like Holdover
Howard Ralston, San Bernardino, Cali

Biggest Business Theatre Has Ever Done Cinch For Indefinite Run
Jo Huff, Stockton, Cali

Broadway Bill Great As Any Opening I Have Ever Seen
Carl J. Walker, Santa Barbara, Cali

Delighted Audience Filling House Again and Again
C. L. Yearsley, Parkersburg, W. Va.

Broadway Bill Receipts Set All Time Boxoffice Record
Kerasotes Bros., Springfield, Ill

It's the Prize Winner of Nineteen Thirty-Five
Chas. Hayman, Buffalo, N. Y

Broadway Bill Opening Even Bigger Than Happened One Night
Geo. E. Landers, Hartford, Conn

Will Beat Night of Love By Eighty Percent
Bob O'Donnell, Dallas, Texas

Exceeded Opening Day of Happened One Night
Frank V. Merritt, Birmingham, Ala

Broadway Bill Grand Show Tremendous Business
Mrs. June Dodge, Ventura, Calif

Broadway Bill Biggest Business in Past Two Years
James Olson, Clare, Mich.
SALUTE!

The greatest barrage of advertising ever given a picture since the industry started!

DAVID COPPERFIELD
# Paving the Way to M-G-M’s Mightiest Hit

**“David Copperfield”**

Retain this list of 40 national magazines containing full page ads reaching 34,048,736 families.

<table>
<thead>
<tr>
<th>Magazine</th>
<th>Date of Issue</th>
<th>Out Date</th>
<th>Circulation</th>
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<td>Jan. 11</td>
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<td>Jan. 19</td>
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<td>Open Road for Boys</td>
<td>Feb.</td>
<td>Jan. 15</td>
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Shirley Show
2d Week Hit, Philadelphia

PHILADELPHIA, Jan. 8—Some of the New Year's week grosses were remarkable. At the Fox "Bright Eyes," in its second week, with two days of copying, grossed $7,200, more than doubled the normal take, going $15,000 over average for a gross of $27,300.

Roxy got into his stride for the second week at the Mastbaum, with "Here Is My Heart," on the screen, and achieved a $16,000 gross. This tops the estimated average by $10,000, in its second week at the Aldine. The Mighty Barnum" realized $12,000, over par by $5,000, and "The Secret Bride" at the Earl, helped by a stage show billed, grossed $17,000, with Gilbert Grov, piled up $18,000, up by $6,000.

Total downtown business was $156,700. Average is $117,000.

Estimated takings for the week ending Jan. 3:

"THE MIGHTY BARNUM" (U.A.)
- $12,000, over par by $5,000, 6 days.
- Gross: $12,000. (Average, $2,000).

"EVELYN PRESTON" (M-G-M)
- $18,000, (Second Run)
- Gross: $18,000. (Average, $12,000).

"SECRET BRIDE" (Warner's)
- EALRE-(2,500), 26c-55c, 6 days.
- Stage: George Grov, Elson Boys, Do-Re-Mi.
- Gross: $18,000. (Average, $3,000).

"BRIGHT EYES" (Fox)
- FOX-(2,700), 26c-55c, 6 days, week 6.
- Stage: Singer's Midlits. (Two days of Guy's "Skippy," Revi. Rev.)
- Gross: $27,000. (Average, $4,500).

"ANNE OF GREEN GABLES" (Radio)
- KARLTON-(1,200), 26c-55c, 6 days.
- Gross: $5,500. (Average, $917).

"SWEET ADELINE" (Warner's)
- KEITH'S-(2,000), 30c-40c-50c, 3 days.
- Gross: $2,000. (Plus New Year's Eve, Gross: $1,500).

"MY HEART IS CALLING" (Gaumont British)
- LOCUST-(1,200), 30c-40c-50c, 10 days.
- Gross: $5,000. (Average, $500).

"HERE IS MY HEART" (Para)
- ROXY-MASTRAUM-(4,200), 30c-50c-55c, 6 days.
- Stage: Show (Rough). (Gross: $4,000.
- Average, $667).

"BRO-DAY BILL" (Col)
- STANLEY-(1,200), 26c-55c, 6 days.
- Gross: $2,000. (Average, for 6 days, $333).

"LIMEHOUSE BLUES" (Para)
- STANLEY-(1,200), 26c-55c, 6 days.
- Gross: $3,000. (Average, $500).

"Bright Eyes" Big
Indianapolis Draw

INDIANAPOLIS, Jan. 8—Most houses made some quick shifts for the New Year, midnight shows, but the Apollo handled "Bright Eyes" for 10 days and made a cleanup. The $7,000 take was $4,200 over average billing days.

"The Great Minister" pulled a neat $3,500 in four days, and "Forsaking All Others" got off to a flying start in five days with a take of $3,500 more.

Total first run business was $22,500. Average is $25,000.

Estimated takings:

Dec. 25 to Jan. 3:

"Bright Eyes" (Fox)
- APOLLO-(1,150), 26c-55c, 7 days.
- Gross: $7,200. (Average for 7 days, $1,029).

(Continued on page 10)
They sell one of the most suspenseful thrillers it was ever your pleasure to play!

Illustrated above are ads number 1E, 2C and 2G from the FOX press book.
Get Set for 20th Century's First Million-Dollar Production!

Backed up with full-page ads in national magazines reaching 60,000,000 readers!

Released thru United Artists
**Forsaking**

Leads Heavy Loop Pickup

CHICAGO, Jan. 8.—Aided by extra New Year's shows at advanced scales, Loop houses got off to a fine 1935 start. "Forsaking All Others" hit a two-year career at the bungalow by taking $27,000, which is just $16,000 over average. "Imitation of Life" was also in the big money, getting $40,000, over face line by $11,400, at the Chicago. "Big Hearted Herbert" was $10,000 up on a $25,000 gross at the Orpheum. Total first run business was $173,000. Average is $14,000.

Estimated takings:

Week Ending Jan. 1:

"POWER" (Gaumont British) MEHANICS—(2,694), 25c-50c, 7 days. Gross: $9,000. (Average, $1,286)

"Imitation of Life" (Univ.) CHICAGO—(4,900), 25c-50c-60c, 7 days. Stage: K. K. productions and Jean Hutton. Gross: $46,000. (Average, $6,571)

"BIG HEARTED HERBERT" (Warners) ORIENTAL—(2,650), 25c-40c, 7 days. Stage: Duke Ellington & Band and band-stand. Gross: $3,000. (Average, $428)

"ROMANCE IN MANHATTAN" (Radio) PALACE—(3,133), 25c-35c-50c, 7 days. Stage: Milton Berle, Dorothy Lee, Sid Garty. Gross: $8,000. (Average, $1,143)

"THE MILLIONS" (U.A.) UNITED ARTISTS—(1,700), 30c-40c-60c, 4th week. Days: Gross: $5,000. (Average, $1,500)

"BRIGHT EYES" (Fox) GARRISON—(900), 25c-50c, 7 days. Gross: $3,000. (Average, $428)

"JOE" (Param.) APOLOGI—(1,460), 25c-35c-50c, 7 days. Gross: $2,000. (Average, $286)

"FORSaking all Others" (M-G-M) ROOSEVELT—(1,951), 25c-35c-50c, 7 days. Gross: $7,000. (Average, $1,000)

Week Ending Jan. 5:

"BY YOUR LEAVE" (Radio) STAGE—(2,723), 25c-40c-60c, 7 days. Stage: Gene Austin. Medley & Depper. Vaudeville. Gross: $3,250. (Average, $464)

"FORSaking all Others" (M-G-M) PALACE—(2,425), 25c-40c, 5 days. Gross: $4,500. (Average for 7 days, $643)

First to Hold Over

PITTSBURGH, Jan. 8.—"Forsaking All Others" is the first picture in the Peck's Bad Boy series given a second week. Takeovers were so much above the house's recent grosses that a holdover was decided upon.

John M. Guthrie Dead

GROVE CITY, Pa., Jan. 8.—John M. Guthrie, for more than 25 years an exhibitor here, is dead at his home at the age of 60. His widow survives regarded as purely juvenile fare. The acting for the most part does little to help matters.

"Forsaking"

Washington's $25,000 Hit

WASHINGTON, Jan. 8.—"Forsaking All Others" did smash business at Lee's Coliseum and the Hoyt for a gross of $25,000 in seven days. It was the outstanding feature of the poor sports which followed the season's opening. Babes in Toyland was also a heavy grosser. It reached $7,000, over the line by $3,900, at Lee's Columbia-

"Forsaking"

Looking 'Em Over

(Continued from page 6)

"ST. LOUIS WOMAN"

(Showmen's Picture)

Cut out of cloth, this production is mediocre stuff that may stand a chance in small houses. The acting is no better than the material.

The hero of the story is John Mack Brown, studying to be a doctor. Expelled from college, where he is the star of the football team, as a result of a rumpus in a night spot, he finds himself impossible to find work. Through the intervention of Jeanette Loff, an entertainer at the club with whom he is in love, and who is the sweetheart of Earl Foxe, who runs the joint, Brown gets a place on a professional team in which Foxe has an interest.

Foxe, jealous, tries to break Brown, but is foiled when Miss Loff tells the hero's team-mates they are a pack of double-crossers and spurs them on to cooperate with Brown in bringing victory to the team. In the end, realizing Brown's life will be ruined if he is not reinstated at college, she turns sacrificial and calls it quits, going back to Foxe.

The film is for the most part hack work. The football sequences may help sell the picture. It was produced by Screencraft Prod. Albert Ray directed. No code seal. Running time, 73 minutes. "G."

"The White Cockatoof"

(WARNERS)

Three murders, two attempted murders and one man left unconscious from a blow on the head sustain the mystery and suspense, but leave little time for romance. A mystery serial at this rate would leave only the director for the final clinic with the heroine. It is designed to keep audiences balanced out on the edges of seats, and, no doubt, it will.

The scene of "The White Cockatoof" is laid entirely in a French hotel near the Pyrenees where Jean Muir is stopping awaiting the time when she can prove she is the heiress to half an American fortune. Her brother has the other half.

Foxe figures in the plot by finding a man murdered on the balcony of his room the night of his arrival. A young man of all work is trying to tell him something about the hotel's mysteries when he, too, is shot. Then a mysterious figure called Dr. Roberts appears and is found dead in a piano. Cortez is attacked twice. It develops that Miss Muir has a double, Noel Frances. Minna Gombell and Walter Kingsford are found to be in a plot aimed at taking the inheritance away from Miss Muir. A white cockatoof finally helps solve the crimes by squawking at the perpetrator. Mystery story fans will like it; children won't sleep after they see it. Alan Crossland directed. Production Code Seal No. 497. Running time, 70 minutes. "G."

"Mills of the Gods"

(COLUMBIA)

In this one the names of Fay Wray, Victor Jory and, particularly, May Robson, should attract customers into theatres, but once inside, audiences will be disappointed and then sent out without satisfaction. This redeeming feature is the stellar performances rendered by Miss Robson, as a big business woman, and Raymond Walburn, as her foppish son. Victor Jory handles his role capably, but Miss Wray plays her part with her usual coldness and haughtiness and sagacity. She spends a greater part of the picture making facial contortions at the camera, attempting to register sophistication and boredom.

The yarn has Miss Robson at the head of large mills, carrying on in the place of her dead husband and with no one to take charge after her. (Continued on page 12)
JOIN THE PARADE

DAVID L. LOEW, in a letter to Roy E. Larson, President of THE MARCH OF TIME, says:

"We were glad to be able to complete arrangements today for the showing in Loew’s theaters throughout the country of THE MARCH OF TIME. We are anticipating a fine box office response to this new and unique screen feature."

Thus into Loew’s Theaters goes THE MARCH OF TIME with its world premier on Friday, February 1st.

Also into Broadway’s Embassy, whose Managing Director, Francis Carter Wood, Jr., says:

"Never had so many requests for a picture before showing. It's all new to me. I simply had to book it."

goes this new feature on February 22nd.

Talk to your FIRST DIVISION exchange about THE MARCH OF TIME. Don’t overlook one of 1935’s biggest box office assets.

Distributed by FIRST DIVISION

HARRY H. THOMAS, PRES., ROCKEFELLER CENTER, NEW YORK CITY
Conservatives Win California House

(Continued from page 1)

William Moseley Jones, Democrat. Jones' victory was a little surprise in a campaign in which the vote is taken as an indication of the strength of Moseley Sinclair's influence.

The so-called Liberal Democrats captured the pro-tenancy stronghold by electing John O'Donnell of Woodside, with 44 votes against 34 for Clifford Kallam of Watsonville, a conservative Democrat.

Among the film people present were W. H. Lollier of Fox West Coast, Los Angeles; H. B. McGinnis, and J. C. Bryson of the Hays office.

Roxy Theatre-Fox
Suit Set Jan. 21

(Continued from page 1)

the Roxy stock to Fox Theatres Corp. for approximately $4,000,000. Of this amount $3,000,000 had been paid by the theatre company up to the time of the default in 1922. Basil O'Connor, attorney for President Roosevelt, will represent Fox Theatres in the trial. Fox Film, also involved, will be represented by Max D. Sieker. The trial is expected to last a month or six weeks.

Clemons Adds New Theatre in Texas

With the opening recently of the Texas Theatre in Fort Worth, Tex., the Jefferson Amusement Co. and East Texas Theatres now operate a total of 30 in Texas, C. C. Clemons, president of the first named circuit, stated yesterday upon his arrival from Beaumont. He is here with Sol E. Gordon, head of the East Texas circuit, and both plan to spend about 10 days in New York on business.

Conditions in Texas are very satisfactory, Clemons said.

Won't Face Witnesses

Boston, Jan. 8—Herbert Logan, Connecticut actor, held here in $10,000 bail on his alleged admission he was hit by McLaglen, who died, refuses to see witnesses for his possible identification as the person responsible for a $12,000 fire in New Haven last August in which a warrant of arrest was issued. E. M. Loew, several of whose houses were bombed recently, said: "I have ordered my night watchmen to shoot to kill any prowlers they find in any of my theatres."

Bernard Back Shortly

London, Jan. 8—Jeffrey Bernard arrives in New York Jan. 13 on the Olympic. Length of stay is uncertain. He says it depends on conditions as he finds them in the States.

Mark O斯特er remains here.

To Succeed McGinnis

Boston, Jan. 8—Joseph Brennan, manager of the Strand, who recently was named executive secretary of Allied Theatres of Massachusetts, succeeding M.C. McGinnis, who died recently, Anna Hughes will continue as secretary, according to indications.

Production Spurts With '35's Advent

(Continued from page 1)

two editors, M-C and M have five, two and six; Fox five, three and two; Radio six, three and one; Warners four, three and five; Universal four, zero, three and eight; Columbia two, and two while the independent group shows four, two and six.

In the short subject division, the independents show three before the combined and five editorials. M-G-M zero, five and four; Universal zero, one and Columbia, zero, two and Radio zero, zero and five.

Jersey Allied Unit
Approves IEPA Deal

(Continued from page 1)

exhibitors, in addition to being members of the New Jersey organization, can benefit by the activities of the Philadelphia association.

A statement by chairman of the session and Louis Gold will yield the gavel next Tuesday.

A committee has been appointed to check the list of exhibitors and locally. Members of the unit claim they cannot get prints from all major exchanges and those available are always in demand.

Reports were made by committees on the following subjects: release dates, a cooperative program which will be announced at the next meeting, and paving plans to publish weekly, finance, executive, film survey, substitutions, code, supply buying, plan entertainment. A supper and card party will be given on Jan. 10 for members at Harry Hecht's Ritz restaurant.

The agreement between the two associations will be put in writing after minor modifications have been made.

Philadelphia, Jan. 8—The I. E. P. A., at its meeting today ratified an agreement on dual membership with Allied of New Jersey, which will bring 48 new theatres into the fold. The new exhibitors will be welcomed at next meeting, now set for Jan. 17.

According to the agreement, Allied will service the local unit with code plans and in addition to keeping the I. E. P. A. in touch with legislative problems.

The unit has been resumed to merge the I. E. P. A. and the M. P. T. O., of Eastern Pennsylvania, Southern New Jersey and Delaware, but the stumbling block, according to an I. E. P. A. spokesmen, is the affiliated members in the M. P. T. O. unit. The I. E. P. A. cannot function in the merged unit strictly independent.

The M. P. T. O. is expected to make a statement on the merger plan. At that time Lovers Piron, who was elected president last week, will be installed.

Constitution Defender

Washington, Jan. 8—The industry today was given a part in the matter of future development and defense of the constitution with the appointment by the American Liberty League of Hal Roach as a member of its advisory committee.

George Roberts Gaining

Cleveland, Jan. 8—George Roberts, Fox district manager, who has been ill with pneumonia, is in Atlantic City and expects to be back on his job shortly.

MOTION PICTURE DAILY

Looking 'Em Over

Her children and grandchildren are interested in having a good time and not in work. Comes 1929 and a crisis. The workers of the mill must be protected and Miss Rosson goes on their side, winning out in the end and saving the company. A romance develops between the Miss Wray and Jory in the meantime, and the finish of this affair falls when the lovers are not united.

Roy William Neill directed and got the most out of the story. Al Siegel's photography is exceptionally good. Production Code Seal No. 465. Running time, 67 minutes. "G."

“Within the Rock" (Hollywood)

There's no telling, they say, what love will drive men to.

Take Creighton Chaney in this Showmen's Pictures production. A mountaineer with an ambition to sit in the state legislature as the champion of the unprivileged mountain folk, he wants Lila Lee badly. To get her he threatens her father, a wealthy judge a bit crooked, he'll tell the authorities he saw the old fellow laid a whiff over a cliff during a fight over the honor of a younger daughter.

Miss Lee marries the youth to save dul. Her loathing for Chaney does not subside until the last few weeks, when, offered her release by her husband, she goes back to him. Meanwhile, she has made it possible for Chaney to improve his knowledge and run for state representative.

The film has its unbelievable moments, but on the whole is fairly energetic and lively, and atmospheric treatment commendable. Lafe McKee, Francis McDonald, Edmund Breese, Fern Emmett, Audrey Ferris, Vic Potel and Tommy Bond are other players. Albert Ray directed.

No code seal. Running time, 65 minutes. "G."

MOTION PICTURE DAILY'S
Hollywood Preview

“Man Lock" (Fox)

Hollywood, Jan. 8.—This picture is punctuated with thrills as its entertainment strength. It is an original story by Borden Chase and Edward J. Doherty and is a vivid, realistic cross-section view of sand hogs building a tunnel under New York's East River.

The yarn deals primarily with two tunnel construction gangs, one headed by Victor McLaglen and the other by Charles Bickford, racing their halves of the job to the middle under the river. Following exciting sequences picturing fire and flood in McLaglen's portion of the tunnel, he wins the race. Edmund Lowe, as McLaglen's wisecracking pal, gives a splendid performance. McLaglen contributes a fine por-

Dog Film, Roadshow

Hollywood, Jan. 8.—“Life Returns" with Moe and Curly, produced as a roadshow by its producer, Dr. Eugene Frenke, and not by Universal which is considering it, is in the picture which deals with Dr. Robert Cornish's congregation of dead dog back to life.

Hold Herbert Marshall

Hollywood, Jan. 8.—Herbert Marshall has signed a new Paramount contract which calls for three pictures in 1935 and one in 1936. The first will be "Morning, Noon and Night," an unproduced play by Marcella Burke, Sylvia Sidney will have the feminine lead.

Promises a Fight

J. A. Koerperl of Eurekla Prod., which planned to market "Ecstasy" in this country, declared yesterday his company would serve notice of an appeal from the ban placed on the film by the Tax Reform Dept. This, he added, will be followed by a suit in Federal court.

See A.T. & T. Net $575

Advance estimates indicate that the American Telephone & Telegraph Co. system in 1934 will show earnings of $5.75 a share on 18,682,275 shares. This will provide for absorption of another substantial deficit of Western Electric and would compare with $5.38 a share in 1933 and $5.96 in 1932.
Hays Wants Coast's Wonders Played Up

Los Angeles, Jan. 8.—Will Hays, called upon the members of the Los Angeles Realty Board at their annual dinner tonight at the Roosevelt Hotel to revive a little of that old-time cheering about the wonders of sunny California.

"In the years I've been coming to California the motion picture has found its voice and you people have lost yours," he chided. "The film industry found its voice through tremendous struggle and labor. You seem to have become silent without a struggle."

Group Like Amva to Be Started on Coast

Hollywood, Jan. 8.—At a meeting of studio publicity men at Levy's Tavern today a movement was launched to organize an organization of the type that has proved so successful after the Amva for the purpose of developing confidence between studios and press.

Tom Baily of Paramount was named as temporary president and Al Parmenter of Fox as secretary.

Membership is being confined to studio staffs. All in attendance favored the idea unanimously.

West Body Starts East

Los Angeles, Jan. 8.—Funeral services for Jack West, father of Mae West, were held today at the Church of Christ the King. Tonight the body was on its way to New York, escorted by West's son, Jack, Jr., and a daughter, Mrs. Vladimir E. Baloff. In attendance will be there at the Cypress Abbey Cemetery near Miss West's mother.

Fred C. Dawes Passes

Los Angeles, Jan. 8.—Fred C. Dawes, 60, claimed to be the oldest projectionist in Los Angeles, died yesterday at the Hollywood Hospital after a short illness. He was former owner of the National Film Library here.

A Disney Winner

Walt Disney has another winner in his latest Silly Symphony, "The Tortoise and the Hare." Three sequences are outstanding. They are the ones where the hare pulls a William Tell, plays a tennis game and a baseball game all by himself.

Hollywood, Jan. 8.—The Tabloid Syndicate and associates for royalties up to March 13, 1933, on the basis of the 1930 Paris agreement on sound patents.

The proposal calls for settlement of the claims by payment to Tobis $9,000, and to Warners, as assignee of the claims owing Tobis up to Dec. 31, 1932, of $25,700. Provision is also made for payment of royalties from March 13, 1933, to Tobis by Paramount-Fox, or Paramount International.

Decision Reserved On Para-Tobis Deal

(Continued from page 1)

Milwaukee House to Stettes for $250,000

Milwaukee, Jan. 8.—Al Stetts' Peoples Theatre Co. today bought the Shubert here for $250,000 cash and trade. The company, which operates seven houses, will spend $60,000 within the next six weeks refurbishing the theatre. No policy has been announced.

Built in 1909, the Shubert was used for many years by A. G. Bainbridge, now mayor, as a stock house.

Kent Spikes Rumors Al Rockett May Quit

Hollywood, Jan. 8.—Sidney Kent today met reports that Al Rockett was bowing out of Fox with the statement that the producer's status remains unchanged at the studio. The Fox president said a new contract may come up for consideration in a week or so. At present Rockett is vacationing.

Cleveland Scales Cut

Cleveland, Jan. 8.—Downtown first runs which have been charging 44c top under the 10 per cent state admission tax, have cut to 42c on the present emergency tax law which substitutes a three per cent gross receipt tax.

Breithart Bill Up Again

Albany, Jan. 8.—Charles H. Breithart, Brooklyn Democrat, today reintroduced in the Assembly the bill he filed at the midsummer session providing for special censorship of films intended for children.

Wall Street

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Two Managers Tied For December Award

It was a tie. The Quigley Award judges couldn't agree on a December winner, so they picked two of them—William Hendricks, Warner manager in Memphis, and Morris Rosenthal, Majestic, Bridgeport.

The judges were Jack Cohn, Oscar A. Dodd and Leon J. Bamberger. Hendricks' "Six-Day Bike Rider" campaign and Rosenthal's "The Mighty Barron" entry caused the deadlock, while A. Mike Vogel, chairman of the Managers' Round Table Club of Motion Picture Herald, sat on the sidelines with his fingers crossed.

First mentions were taken by John Armstrong, publicity director, Paramount London Theatres, and Jack Lykes, Stillman manager, Cleveland.

Monopoly Via Codes Headed Toward Probe

(Continued from page 1) Monday of the Supreme Court denying the President's authority to control illegally produced oil, the most startling blow to the recovery program has yet experienced.

The court's decision will have no effect on the antitrust suit filed previously in the implication that the nation's highest tribunal will examine the Recovery Act microscopically as its very existence.

The next Recovery Act case to come before the court is expected to be one involving the lumber code and will give that body its first opportunity to rule on code activities.

Harry Arthur Star
In St. Louis Probe

(Continued from page 1) the country were in the long parade of automobile manufacturers, which was John S. Lesby, attorney for Allen Snyder, lesser of the Ambassadors, Missouri and Grand Central, generally credited with being the person responsible for bringing about the investigation to ascertain whether the anti-trust laws have been violated in the sale of films in this territory.

In addition to Abel Cary Thomas, Warner Bros. and B. S. Ford, A. W. Smith, Joseph Hazen and Joseph Bernhard are here from New York to assist of counsel, Mr. Daniels, a member of the day's session was shrouded in secrecy the same as yesterday.

Neil Agnew has joined Louis Phillippe, the head man of the last, and Paul Burger of the United Artists sales force in New York is now sitting in the head of the Rayfield of O'Brien, Driscoll and Rayfield, law firm handling United Artists matters.

Cresson Smith arrived tonight and joined Jules Levy and Robert Youngman, the latter handling legal matters at Radio's home office.

Leonard has been called here by the investigation include Moe Silver, western division manager for Western Union, formerly vice-president of Paramount-Publix; Louis Astor, assistant sales manager of Columbia, and W. J. Kupper, western division manager for Fox.

Frels Monopoly Suit Comes Up Next May

(Continued from page 1) circuit, said that the suit charged "conspiracy in violation of the antitrust laws." He added he has not been able to get product for the last two years. He has two houses in Victoria, one in El Campo and another in Yorktown. He claims that Jefferson has come into each of these towns with new theatres and has deprived him of product. He recently sold the Orpheus, Columbia, and the Moore. Patrick Russel, Dallas attorney, is representing him in this action. He also has a house in Belville.

The overbuying complaint, scheduled to be heard yesterday by a Campi committee, was put over until 10

Bank Nights May Not Figure
In NRA Code Hearings Today

A. M. today due to inability to get a board together. When the case was tried before the Dallas grievance board, its witness awarded a $50 split of all 1933-34 product, he says, and has been able to get only 32 pictures. Asked for an opinion on Frels' case, Frels stated "they are improving, but would be much better if I could get some pictures."

Radio Men Jolted
In the Ascap Suit

(Continued from page 1) motion to require Ascap to supply it with a complete list of the music titles it does not have the right to perform. Ascap states its technique, the granting, motion, ruled that, while Ascap could be required to compile the list, Penn Broadcasting would have to pay for the work of compilation. Ascap estimates that it has between 1,500,000 and 2,000,000 titles and its preparation of such a list would require the labor of six persons for six months, 10 hours daily, and would cost about $250,000. Ascap was given 10 days in which to furnish its formal cost estimate and Penn three days thereafter in which to challenge it. The only other information sought by Penn which Judge Mack ruled that Ascap could be required to furnish is the number of Ascap's radio licenses. Ascap estimates that there are approximately 600 of these licenses.

Judge Mack's ruling, it is believed, will influence the procedure of the Department of Justice which, it is understood, is preparing similar information from Ascap for the prosecution of the Federal anti-trust suit against the organization.

Decision Withheld
In FWC Litigation

(Continued from page 1) L. Hartman of San Diego will be allowed to carry an appeal against transfer of Fox West Coast assets to National Theatres Corp. to the U.S. Circuit Court of Appeals will be handed down next Monday, it is expected.

Attorneys for the two plaintiffs appeared before the court yesterday and filed their case. Briefs were ordered filed.

Publisher in Omaha Agrees to End Show

(Continued from page 1) which had already been booked before综合体. The Developing Company's policy against the publisher's activities, will play here as scheduled some time in February according to Fox.

Dooley has assured the exhibitors "it would be the last attraction to be booked in by him and he would not be interested in the future attempt further bookings or road shows."

Garner Joins 1st Div.

ATLANTA, Jan. 8 -- Ray Garner, formerly branch manager of Pathe here, has been appointed branch manager of the First Division offices.

Franklin Assigned

Hollywood, Jan. 8 -- Samuel Goldwyn has assigned direction of the new version of "The Dark Angel" to Sydney Franklin, borrowed from M-G-M. Hop spots have not been named as yet.

Put Up New Marquee

Laurence Bolognino, president of Trio-Consolidated, is putting up a new marquee at the Kingsbridge, Bronx.

Zoning Cases Discussed

Clearance and zoning and grievance cases pending before Campi were discussed yesterday by a joint committee at a session held at the M.P. Club. Attending were R. H. Godfrey, Charles L. O'Reilly, I. Levinzon, John C. Flinn and Tyrice Dillard, Jr.

Court Again Urges Merger
Of Fox Units

Springfield, Mass., under lease to Harry Arthur. In addition, the report lists as assets a claim of $3,550,000 in 1934-35 dividend, claims against William Fox aggregating more than $1,000,000 and claims against Erpi and RKO for alleged violations of the Sherman Act, involving allegedly excessive payments for servicing of Fox theatres.

Claims against Fox Theatres, now in process of hearing before Special Master Courtland Palmer, are being rapidly disposed of, Weisman reported. About $5,000,000 of the claims have been reduced to $100,000, it was stated, and of the $6,000,000 of claims against the company remaining to be heard, satisfactory adjustments are expected in most instances.

Fox Met Plan to Court

The Fox Metropolitan Playhouses plan of reorganization developed by the court will be put to a hearing on Monday. It will be presented to Federal Judge Julian W. Mack at a hearing in U. S. District Court on Monday. The plan contemplates operation of the circuit's houses by Skouras and Randorfe, but their operating contracts are cancellable by the court at the end of 1936.

Complete details of the plan were published in Motion Picture Daily of Dec. 26, 1934.

G. T. E. Nears Revamping

Reorganization of General Theatres Equipment is approaching, declared Winthrop W. Aldrich, chairman of the board of Chase National Bank, in his annual report to the annual meeting held yesterday. That portion of his report which dealt with Chase's interests in the film industry follows:

"During the past year further progress has been made in the reorganization of a portion of the bank's interests in the investment position in the motion picture industry. This investment in Fox Film Corp. is held in the amount of $200,000 of shares Class A stock at $15 a share and additional shares have been placed under option at higher prices for the period of.

The corporation itself has continued to operate practically. A "additional progress has been made in reorganizing the affairs of the Fox Film affiliated theatre chain and, while the several bankruptcy courts involved have not taken any action on this date, it is hoped that a complete reorganization of these properties will be accomplished within the next few months.

"General Theatres Equipment, Inc., is still in receivership. Its underwriters of these companies have, however, made headway during the past year and progress has been made in developing a plan of reorganization which it is hoped will be promulgated in the near future.

In the meantime, Loew's, Inc., stock acquired by the bank as a result of the foreclosures of the two-year secured gold notes of Film Securities Corp., the principal amount of approximately $5,000,000 held by the bank has been liquidated without loss."
C. H. BUCKLEY

Operates

4 theatres,

spends upward

of $350,000

annually for film.

He reads

MOTION PICTURE DAILY
MONOGRAM'S GIFT TO THE TRADE FOR 1935

MINNA GOMBEILL

in

Women

MUST DRESS

with

GAVIN GORDON
HARDIE ALBRIGHT
and ROBERT LIGHT

with the Winners in the recent National Screen Star Contest.
Directed by Reginald Barker. A Mrs. Wallace Reid Production.
Story and Screen Play by Dorothy Reid and Edmund Joseph.

A MILLION DOLLARS IN SHOWMANSHIP

Screen Star Contest
National Agfa-Ansco tie-up backed by extensive advertising campaign in leading fan magazines and newspapers.

Cooperative Campaign
Display material and accessories for dealers tying-up contest and "Women Must Dress" with Agfa-Ansco products.

Celanese Dress Tie-up
Advertising and publicity breaks with leading stores throughout country

Modern Merchandising Tie-up
Cooperative campaign with over 500 big department stores.

THESE AND MANY OTHER READY-MADE EXPLOITATION AIDS ARE AVAILABLE WITHOUT COST TO PUT OVER THIS GLAMOROUS DRAMA OF MODERN WOMANHOOD
Board Makeup Now a Hurdle To Para. Plan

Two of Creditor Groups For Industry Men

At least two important factions in the Paramount Public reorganization are insisting upon industry men as members of the new board of directors and may withhold their formal approval of the plan until such men have been elected, it was learned yesterday.

Whether these groups will carry their insistence on board representation as far as objecting to the plan itself at the resumed hearings before Federal Judge Alfred C. Coox today, could not be ascertained last night. It is recalled, however, that Nathan Burkan, counsel for the merchandise creditors' committee, advised the court immediately prior to the last adjournment, Dec. 28, that he might have "plenty to say" about the plan "later on," and at that time asked an adjournment.

(Continued on page 8)

SEC Probe of Para. Setup One of Many

WASHINGTON, Jan. 9—Investigation by the Securities and Exchange Commission of the Paramount reorganization is simply part of a general inquiry into corporate reorganizations being made under instructions from Congress, it was said today.

As part of its study the commission has sent questionnaires out to some

Loew's 12-Week Net Is Up To $2,001,308

Loew's, Inc., net for the 12 weeks ending Nov. 22 was $2,001,308 after depreciation and taxes. This is an increase of $405,700 for the same period in 1933, and is equal to $14.64 per share of preferred and $2.23 per share of the common. In 1933 for the same quarter the preferred earnings were $1.53 per share and the common earned 95 cents per share.

(Continued on page 8)

Campi to Set 1935 Budget Total Today

Campi today will approve the budget for 1935, which calls for $360,000, the same as in 1934. From March 1 to Jan. 1, expenses of Code Authority (Continued on page 8)

Dual Ruling Soon

Philadelphia, Jan. 9—Decision on the Perelman action striking at the ban of dual features through riders in contracts of major distributors may be made public prior to the return to the city of Judge George A. Welsh, Federal jurist who conducted the trial but who is now on vacation until next month.

The possibility exists that the judge will mail his decision and authorize publication while he continues on holiday.

CHARGES FOX UNITS' ASSETS WERE GUTTED

The charge that Fox Metropolitan Playhouses and Fox Theatres Corp. because insolvent only because they had been "striped of their assets and thoroughly 'gutted,'" was made before Federal Judge Julian W. Mack yesterday by Milton C. Weis, receiver of Fox Theatres.

"These properties," Weisman declared, "were all good, sound and valuable and could have met all of their obligations. There is no question but that they were 'gutted.'" Commisions amounting to $4,000,000 were

(Continued on page 8)

New York Lawyers Study Censor Bill

ALBANY, Jan. 9—Nine New York City lawyers, two upstate newspaper men, a Rochester school teacher and a assembly committee on public relations

(Continued on page 8)

Hearing on Booth Scales for New York Set Back to Jan. 18

Washington, Jan. 9—Postponement for one week of the hearing originally scheduled for Friday to discuss proposed New York booth scales was announced today by Deputy Administrator William P. Farnsworth. The hearing is now set for Jan. 18.

The understanding in New York yesterday was that proposals on booth scales to prevail in New York were not in their final form. Despite formal announcement of the detailed schedule, calling for a minimum of 75 cents per hour, made several weeks ago from Washington.
HUSTLE and bustle around The Tavern yesterday with the following contributors: Beatrice Goldie, who did the shuffling off to Buffalo act last night, and Pete Harrison very busy on a conversation all by their lonesome.

ABE MONTAGUE, JOE MCConVILLE, GEORGE BATELLER, Sr., and Henry Thomas & another party while Bateeller, Jr., sat it out with William F. BASSET of Americo.


JOE BRANDT, who has a world cruise in the offing, and BILL JAFFE chit-chatting about this and that.

DICK BIRDY, TED CURTIS, LOWELL CALVERT and MARTIN QUIEGLEY in one foursome.

IRVING LESSER waiting for Leon NEWTON and not very happy, O. H. BREGGS and ARTHUR LEE.

CHARLIE PAINE.

MARVIN KIRCH.

JIMMY CRON.

Compliance Director SoS. A. ROSENBLATT finally got out of the fog yesterday. He immediately left for Washington. Of one reports he received while fog-bound read: "Come home, all is forgiven!"

CHARLES A. MORA is now special representative for Ritchey International Corp. in Cuba. Here now, he leaves for Havana shortly under mandate of NORTON V. RITCHIE.

MARTIN DICKSTEIN is back in New York reviewing pictures for the Brooklyn Eagle again when he'd rather be where he had just come from: Miami.

DAVE FALSHREY will wade through the sea of correspondence to day that accumulated while he was in Washington for the first half of the week.

CAROLE LOMBARD is due today from Hollywood by train. The plane in which she was en route east was forced to land at Albuquerque, Kan.

AL FINEAN is leaving M-G-M to go to Arizona for his eyes. He has been having considerable trouble with his eyes for a few weeks now.

JENNIE JELIN, operator of the Opera House, New Brunswick, says she hasn't any intentions of getting married.

BEN SIEKOWICZ in Philadelphia on special promotion for "My Heart Is Calling at the Loew's. It's a G. film.

SIDNEY JUSTIN says he was ill for three days on the boat when he went to Bermuda recently. He called it the flu.

MILT KESSEL shuffled off to Buffalo yesterday and from there goes to Albany. He expects to be gone two days.

JOSEPH SIECINSKI is still in town. R. H. COCHRANE has been made a member of the M. P. Club.

B. R. ROLANO, BRO. IRM, leaves for Albany today after a two day visit.

ED KUKENABAL's train from New Orleans is due at Penn Station this a.m.

CLAUDE RAINS sailed yesterday for the Majestic last night to say "Hello" to the native England, from which he has been absent since the war. He'll be away six or seven weeks, not returning to the Universal studios before March.

RUBINOFF returns to the Paramount this week. He'll have his fiddle and orchestra as Captain T. is still in Europe. RUBINOFF says business should be okay because he hears a good picture is going in with him.

JULIUS CURLEY as advertising manager for "Varner Theatres in the Newark zone. He has been working in the Stanley, Jersey City. The appointment was made by MORRISON.

Boris Morros has presented Mayor LA GUARDIA a special newspaper covering the mayor's activities during the last two weeks. To which he and WILLIAM SMALLEY are involved.

JOSEPH HANLEY, formerly with Van Buren and Paris, has been appointed by NORTON V. RITCHIE as chief account for Ritchey International Corp., the Monogram foreign distribution company.

ACHMED ABULLAH, who worked on the script of "The Lives of a Bengal Lancer," is in town for the opening of the film at the Paramount this week.

KATHARINE HEpbURN is catching up on her film career around town. She's seeing lots of pictures, but doesn't always wear that beret.

HELEN O'DON nell, twanny-haired secretary to Bob SISK, leaves for the coast next week to resume her duties on the other coast.

WILLIAM TROY, film critic on the Nation, will talk on "The Film as an Aesthetic Form" at the Film & Photo League Sunday evening.

W. A. SCULLY of M-G-M plans to leave for Miami next month if he can get away. DAVE LEVY is now basing in Florida.

GEORGE AGAMI, of the French film firm, Les Distributeurs Francais, is in Paris with a company's trip on the Chaumont.

SAM DESMIB Hurried home from St. Louis last night to give the latest addition to his family paternal approval.

RUBE FIELDS changed his mind and went to Washington yesterday instead of Victoria, Tex., his home.

MERVYN LE ROY has gone the way of thousands of others. He became a Kentucky colonel yesterday.

PEET COOPER, ninth floor receptionist at Paramount, among the diners at the 44th St. Childers caterers.

SAM BERGER came through the door of the studios today. The swell flying trip for him.

Ed FINNEY explains the lack of color after his Bermuda jaunt as "I'm SICK."

Ben GETZ, vice-president at Consolidated, is in town from the coast.

Abe LYMAN, tunesmith, heads west shortly on assignment at Warners.

Charles REAGAN is out of town.

Taxation Problems Up at Sacramento

SACRAMENTO, Jan. 9—Taxation came to the fore at the opening of the Legislature today, but specific proposals were lacking. Governor Merriam presented his new taxes in his inaugural address, but reserved details for his budget message. Lieut.-Governor George W. Hatfield, in his message, reiterated the Republican platform promise of a 30-hour week and a more equitable distribution of the Lincoln legacy.

It was learned definitely that two bills will be introduced soon by Democrats, one providing for an increased tax on negatives, the other for censorship.

Walter G. Gouver, new senator from San Francisco, said that because his district is a theatre center he has a friendly interest in the bootleg problem.

J. G. Bryson, representing the Hayes organization, said he would remain "passive" and "philosophical." Nothing inimical to the industry is in sight by him, but many认为 that the situation for the time being is favorable.

Fred Berger,treasurer of Los Angeles said today he was preparing bills to tax all advertising and was also considering the introduction of a registration tax. Other Representatives said an admissition tax will be included in a general sales tax.

The picture was banned by an order from Dr. Paul Joseph Goebbels, Minister for Propaganda in Germany, who explained "the film does not coincide with world philosophy of the present day in Germany."

Set "Copperfield" Dates

M-G-M has decided to open "David Copperfield" in key spots as rapidly as bookings can be set and prints secured following the showing at the Capitol which starts Jan. 18. This ends tentative plans for roadshows.

U' to Tell Serial Plans

Hollywood, Jan. 9—Within a few days Universal will make a full announcement of its serial lineup for the 1935-36 season. It will mark the company's 23rd year of serial production.

Hungarian Film Here

"Cornflower," Danubia Pictures' film made from the Hungarian operetta of the same name, opens at the Toli's tomorrow.

Night Start for "Clive"

"Clive of India" will go into the Rivoli next Thursday evening. This is a deviation from the usual morning opening.
Here They Come!

PARAMOUNT'S

"BENGAL LANCERS"

Sweeping Box Office Records Before Them
"THE LIVES OF A

GARY COOPER • FRANCHOT TONE
C. AUBREY SMITH • MONTE BLUE • KATHLEEN BURKE
JOSEPH M. SCHENCK presents

CLIVE

Released thru UNITED
Six words from a woman changed a nation's destiny!

When she spoke...bugles screamed...drums roared... and Clive of India led a handful of men to victory over countless thousands of natives! Fiction can never equal the drama of Clive... who conquered all India for a nation that had exiled him in disgrace... whose sword carved out a throne for a girl he had never seen!

India

starring Ronald Colman
Loretta Young

Directed by Richard Boleslawski
Darryl F. Zanuck's Production

Backed up with full-page magazine ads reaching 60,000,000 readers!
Board Makeup Now a Hurdle To Para. Plan
(Continued from page 1)
A jorument of a month while counsel for other reorganization committees were urging haste in concluding the hearings with Barney Balaban and development of not more than a week. Burkan's committee is known to advocate industry men to the board. Although that committee recently advised its members by mail that it would not formally approve the reorganization plan until a new board had been completed to which it could give its approval, Cook has urged the necessity of a speedy reorganization and, at this point, at least, will not oppose the plan.

Among Those Proposed
These two factions have proposed George Schaefer, Paramount general manager; Frank C. Walker, vice-president of E. Commerford Circuit, and Charles E. Richardson, former Paramount trustee, for the new board. Also proposed are Barney Balaban and E. V. Richards, Paramount theatre operating partners. Conclusive developments on the election of some or all of these may occur within the next few days.

Schaefer will resume the stand to-day when the hearings on the plan reopen before Judge Coox. Counsel for the debtor expects to complete the preparation of formal proofs at today's session. Whether an additional hearing will be required depends on the amount of time which the court is prepared to grant. This position which has been confined to date to Samuel Zirn, counsel for a small bondholder's group, and Archibald Palmer, who is appearing as friend of the court. Opposition of any significance might also result in further delay. However, if the testimony is concluded today the court will take the plan under advisement and accept, reject or alter it. If accepted, it will then go to individual creditors, two-thirds of whom must approve it before it becomes effective.

SEC Probe of Para. Setup One of Many
(Continued from page 1)
1,600 corporations in process of reorga-
nization, Paramount and probably Radio among them. The information developed will be studied and a report made to Congress carrying recommendations the commission may consider desirable.

Discussing the Paramount situation official of the commission pointed out that the matter is in the courts and that, therefore, the commission does not have jurisdiction. However, this interest will not be created, it was said, unless and until the concern files a registration application for new securities.

Texas Buying Case Drags Out All Day
(Continued from page 1)
giving him a split of 1943-34 product bought by the respondents was appealed by both complainant and de-

Frels, acting on his own behalf, said that the decision of the lower board did not give him enough pic-
ture, being all his requirements. He said he hasn't been able to get any as yet and it will probably be six months before he could get a copy of the complaint before he gets a feature. Louis Nizer, representing Long, contended that Long was an innocent party, having purchased the Queen and Rita, Victoria, Tex., from Jefferson on Sept. 27, last, because he felt then in addition to operating the Victoria and Upton in Victoria, Frels also has theatres in El Campo and Yorktown in opposition to Long which were involved in the product situation. He recently sold the Orphe, Columbus, to A. Moore, whom he rep-
resented as a co-complainant.

Camp to Set 1935 Budget Total Today
(Continued from page 1)
and its agencies totaled around $240, 000. At the request of the NRA, the new fiscal year will run from Jan. 1.

While assessments from producers and distributors have generally been met, the records will show that a number of independent exchanges have been delinquent in paying. However, there is no means by which Campi can force the smaller exchanges to pay $2 and, but it is hinted that some kind of an amendment to the code regarding delinquents will be recomm-
ended.

The $240,000 operation cost for the 10-month period, was considerably under the budget figure.

Indictment Reports Stir Up St. Louis
(Continued from page 1)
and at that time aired the complaints of independents that major compa-

ties were attempting to control all radio stations.

Block booking and the code were discussed by the jurors, it is under-
stood, and this discussion is one of the angles is reported to have included affidavits from exhibitors in many cities obtained the past few months.

Some here have gone so far as to express the opinion that the investi-
gation here was intended to forestall a Congressional probe of the indus-
try and that the President was fully advised as to the Department of Justice plans.

It is understood Neil F. Agnew, sales manager of Paramount, was on the stand most of today.

Delay Federal Film Moves for St. Louis
(Continued from page 1)
that if the senator decided to act it would not take long to write such a resolu-
tion.

The New York lawyer's study censor bill will introduce last week.

The lawyers are: Christopher C. McGrath, chairman, and Doris L. Byrne, Bronx; Jacob B. Livingston and C. Thabor E., Ro. Brooklyn; Patrick H. Sullivan, Irving D. Neu-
stein, Leonard Farbstein and Francis J. McCaffery, Manhattan, and Peter F. Farrell, East Elmhurst, all Dem-
ocrats.

The teacher is Joseph Di Fede of Rochester, also a Democrat.

Both newspaper men, Harry L. Avrell of Palmyra and Wheeler Mil-
non of Canastota, and the college professor, Emerson D. Fite of Vas-
sar, are Republicans.

Sennett Sale Today
Hollywood, Jan. 9.—Sale of all oper-
ing equipment of the bankrupt Mack Sennett estate will be held to-morrow at 10. property. It is believed the bulk of the equipment will be bought by Nat Levine, new leasor of the studio property.

Leo Young in New Job
Boston, Jan. 9.—Leo Young has re-
signed as press agent for Fred E. Winfield, taking his place on the job changes in the same capacity. He is putting on radio programs with Cher-
tfield, Inevitable and Majestic prod-
uct as material.
Out today

The Inside Story

of a nationwide syndicated newspaper attack on

the motion picture industry

and Hollywood

exclusively in

Motion Picture Herald
“My Heart” Is Fricco Leader With $28,500

SAN FRANCISCO, Jan. 9—Practically all of the $28,500 New Year take got off to a fine start for the New Year, with “Here Is My Heart” making the best showing. The film, on which $28,500 tuck passed normal by $5,000.

“The Mighty Barnum” went through a second week at the United Artists screens with flying colors passing average by $5,000 for a total of $13,000. “Charme in Manhattan” was over the same amount, running on an $18,000 gross at the Golden Gate.

Total first run business was $107,500. Average is $8,500.

Estimated takings:

Week Ending Jan. 1:

“ROMANCE IN MANHATTAN” (Radio)
GOLDEN GATE—$2,000, 28c-35c-40c, 7 days. Stage: Band, Gross: $18,000. (Average, $2,571.)

Week Ending Jan. 2:

“THIS IS PLUTO” (M-G-M)
THAT’S GRATITUDE” (Col.
FOX—(4,500), 18c-35c-40c, 7 days. Gross: $11,000. (Average, $1,571.)

Week Ending Jan. 3:

“BROADWAY BILL” (UPA)
ORPHEUM—($1,000), 18c-35c-40c, 7 days. Average: $150. (Average, $21.)

“THE BUDGIE JUNIOR” (U.A.)
UNITED ARTISTS—(7,200), 18c-35c-40c, 7 days. 2nd week. Gross: $11,000. (Average, $1,571.)

Week Ending Jan. 4:

“AHAPPINESS AHEAD” (Warner)
PARAMOUNT—(2,670), 25c-35c-40c-50c, 7 days. Gross: $13,100. (Average, $1,871.)

WARFIELD—($2,900), 25c-35c-40c-50c, 7 days. Stage, Band, Gross: $18,500. (Average, $2,643.)

Friedlander Tours On Exchange Deals

At Friedlander yesterday left for Chicago to look into the local exchange situation. Friedlander will fly to New Orleans, Des Moines, Omaha, Denver, Salt Lake City, Seattle, San Francisco and Los Angeles.

When he visits these key centers he will look over sites for First Division exchanges and also negotiate “March of Time” deals. In Holly-

wood he will meet Nicholas Ludig-

ton and John Curtis where production plans at the Mack Sennett studios will be discussed. Friedlander expects to complete the entire western exchange plan in six to eight weeks.

Charles Rosenweig, general sales manager, departed last night for Buf-

falo, Cincinnati and Detroit and then to the west. Harry H. Thomas, president, leaves tomorrow for Albany and Boston for a week-end trip.

Coast Tax Case Up Soon

LOS ANGELES, Jan. 9—Action brought by Fox, Universal, M-G-M and Paramount against Los Angeles County for an injunction restraining collection of current income tax on real estate was granted adjournment of assessed property valuations was speeded up today when a hearing was set for Jan. 15 in U. S. District Court here.

The claimants allege the present assessment system is illegal and in many respects erroneous.

“Hollywood Personalites

Hollywood, Jan. 9—Nancy Carroll back from New York. . . . Ramon and Rosita dancers, signed for "Gold Diggers of 1933" at Warners.

Fox rounding up 400 hogs for Hoppy comedy, to be filmed for "Life Begins at Forty," starring Will Rogers.

Mossell Britton (Mrs. Alton Dinehart) cast as her hus-

band’s secretary in "Dante’s Inferno." At Fox on a letter addressed to "The Dark Cloud of Valdaville" was de-

livered to Bill Robinson in Hollywood over the holi-

days. Robinson was billed in that manner 25 years ago.

Wallace Ford buys a chrysanthemum ranch in Laurel Canyon.

Farina, who outgrew Our Gang comedy, has a role in "Reckless" at M-G-M.

Mrs. Frank Borzage learning badminton from Jess in the international champion.

“Millions” Pulls $10,500, Montreal

MONTREAL, Jan. 9—“Kid Millions” pulled nearly $10,500 today with the show up $10,500, or $4,500 more than average, and was held over.

The show blasts helped to keep the folks at the fireside, but "Enter Madame" and vaudeville put Loew’s over the top with $12,000. Special ad-

vertising gave the Imperial $4,500 on "Here Comes the Navy," the run being played up as the Canadian premier.

Total first run business was $47,500. Average is $4,500.

Estimated takings for the week ending Jan. 1:

“HERE IS MY HEART” (Para., Radio)
CAPITOL—(2,560), 25c-35c-40c-50c, 7 days. Gross: $9,000. (Average, $1,264.)

“HERE COMES THE NAVY” (Warner, Imperial) (1,946), 28c-35c-35c-40c, 7 days. Gross: $4,400. (Average, $628.)

“ENTER MADAME” (Para.)
LOEWS—(4,135), 25c-35c-45c-50c, 7 days. Stage: Benay Davis and his Star Dust Revue; Will and Gladys Ahern; Her-

t, Lynne and Pearl. Gross: $12,000. (Average, $1,714.)

“FATHER NIGHT EYES” (Fox)
PALACE—(2,000), 25c-35c-40c-50c, 6 days. Average: $1,000. (Average, $166.)

“KID MILLIONS” (U. A.)
PRINCESS—(2,075), 25c-35c-40c-50c, 7 days. Gross: $13,500. (Average, $1,930.)

Max Aberson on Coast

Hollywood, Jan. 9—Max Aberson, recently named Pacific coast re-
presentative of Associated, arrived here from New York today to direct Holly-

wood production activities of the over-

over. He will also line up top names in all branches to attend the film fest-

ival which will open in Moscow on Feb. 20 in celebration of the 15th anniversary of the Soviet industry.

Raft Is Hurt on Set

Hollywood, Jan. 9—George Raft injured his leg today while working on "Stolen Harmony" at Paramount. He will shoot around for at least a week.

Charges Fox Units’ Assets Were ‘Gutted’

(Continued from page 1)

paid out of Fox Theatres’ assets for acquire of Loew’s stock at prices which were twice as high as it could have been purchased for in the street. Real estate was bought by one dummy corporation for $1,000,000 to an other dummy corporation for $1,800,-

000, and then sold to Fox Theatres for $3,000,000.

Weisman’s charges were made in the course of a hearing at which the Fox Met bondholders’ committee was prepared to submit its plan of reorganiza-

tion for the circuit to the court. Weisman, who, as Fox Theatres’ re-

ceivers for the Met, objects that he had not had enough time to study points of law in-

involved in the method of submitting the plan to the bondholders’ committee’s, so Judge Mack ad-

journed the hearing until Jan. 17 and extended the time for the actual filing of the plan to Feb. 11.

The hearing next week will be on applications of the Fox Met bondhold-

ers’ committee for leave to intervene in the reorganization proceedings, for permission to send copies of the plan and acceptance forms to Fox Met creditors, and a war which would relieve all Fox Met bondhold-

ers of the necessity of filing a state-

mment detailing their trading in the company’s bonds with their accept-

Weisman, objecting to the latter ap-

lication, described it as “in effect, an at-

tempt to exempt the noteholders from the criminal and civil provisions of the Securities Act.” He asserted that he did not believe the court had the power to grant this application.

William L. Bainton, counsel for the bondholders, denied that the charge that the procedure was an attempt to evade the Securities Act provisions, pointing out that the court ruled out the over the proceed-

ings and could require the trading information when the acceptances and plan came before the court.

Du-Art Sues ‘U’ on A Laboratory Deal

(Continued from page 1)

to throw its films up with Du-

Art. The show case order granted yesterday is returnable this morning.

Efforts to reach Willard S. McKay, Universal’s laboratory department store manager, met last night failed. His telephone was reported “disconnected.”

Spitz Joins Industry

Hollywood, Jan. 9—Edward Spitz, top executive of the Philadelphia department store company, is here to become associated with Cameo Pictures.

Roxy Gets “My Wife”

Because of a product jam at the Paramount, “Behold My Wife” has been sold to the Roxy, dated for Feb. 8, and “Enter Madame” goes into the Palace tomorrow.
Films No Hazard on Ships, Report Says

WASHINGTON, Jan. 9.—Motion pictures today were given a clean bill of health by the National Bureau of Standards for use on shipboard, as far as fire hazards go.

A report on safety in marine transportation prepared by the bureau shows that since the adoption of safety recommendations more than a decade ago no instance has been found of "fire on board," a list resulting from the showing of films.

The bureau pointed out the exhibition of films is now prohibited on ships of the United States registry, but that the same types of safety film in widely used in showrooms, and the fact that the pictures are not dangerous to life or limb, are being shown aboard ship to aid in the safety programs.

The report recommended that the exhibition of safety films be allowed on ships of other nations as well as the United States, and that ships of the United States be allowed to show the American Safety Pictures on the high seas.

Warner Quaker City Moves Long in Work

PHILADELPHIA, Jan. 9.—Breakdown of the Warner circuit into three divisions is designed to facilitate handling and has been in contemplation for some time.

David E. "(Skipp)" Weather, former zone manager in Wisconsin, is left in charge of the "A" houses, the city proper and Leonard Schlessinger all of the neighborhood spots, continuing as zone manager for the entire local circuit at the same time.

A. J. Vanni, starting Monday, will operate out-of-town houses controlled from this city.

Evergreen Men Moved

SEATTLE, Jan. 9.—Herb Sobottka has been named manager of Evergreen’s Fifth Avenue, 9th Ave. W., where he has been managing the Colony for several years. He will replace Victor Miller, who is now in charge of the "A" houses in the city proper, leaving the theater for jealousy to lift some weight on the shoulders of the Evergreen men in the city by doing the same thing.

Sobottka will hold the same position at the Fifth Avenue. He will replace Ron Harrington, who will move to one of Evergreen’s houses in Bellingham or Portland as a manager.

Music in Rogers’ Next

HOLLYWOOD, Jan. 9.—The George Kelly stage comedy, "The Torch Under the Water," will appear in the city in some form or another for Will Rogers. B. G. De Sylva will produce, and several songs will be inserted in the picture.

Oscar Morgan at Sea

NEW ORLEANS, Jan. 9.—Oscar Morgan, district manager for Paramount, was recently in that Big Easy for Will Rogers. B. G. De Sylva will produce, and several songs will be inserted in the picture.

"Minister" Gets $5,000

"Little Minister" closed its second week at the Music Hall last night with a take of $5,000.

"Notorious Gentleman"

(Hollywood, Jan. 9. — This is a gripping murder mystery melodrama, at times druggy and complicated. Expert editing will probably eliminate the longest running of the quartet who killed who.

The yarn, taken from Florence Ryerson and Colin Clennam’s original "I Murdered A Man," features Charles Bickford, Helen Vinson, Onslow Stevens, Dudley Digges, Sidney Blackmer and John Darrow. It comes as a wave of incriminating circumstances brought about by Bickford, a criminal lawyer, murdering his worst enemy and suitor for his girl (Miss Vinson). The fight from them then takes place in the courtroom, where Bickford, believing he has committed the perfect crime, outwits the district attorney to the point where the jury dissagrees. But the district attorney investigates further and through clever detective work traps Bickford and wins the girl. Cunning and tricky situations sustain suspense from the beginning, yet, in the interval several complications appear that may overtax the patience of the audience.

Edward Laemmle delivered a good piece of direction with the entire cast growing adequately in portraying the story.

Production Code Seal No. 511. Running time, 75 minutes. "G."

"Winning Ticket"

(M-G-M)

HOLLYWOOD, Jan. 9.—Centering its entertainment around the human interest of changing an Irish Sweepstakes ticket, an amusing film is concocted here.

Ted Healy opportunes his barber brother-in-law (Leo Carrillo) to try a ticket against the vehement protest of Louise Fazenda, Carrillo’s wife, opposed to gambling. When the ticket wins the family indulges in a spending orgy on borrowed money but catches up with itself when it is discovered the prize ticket is lost. The searching for and finding of the ticket winds up the action.

While the production is robbed of suspense by the audience’s knowing the location of the lost ticket, the show has a down-to-earth element of family love, greed and human interest with top comedy supplied by Healy, who is a howl with his stogies. Carrillo, Miss Fazenda, Healy and Louis Alvernicht highlight the cast in effective roles.

All in one mood, tempo and treatment of idea without variegated gags keep this film from attaining its utmost possibilities. Charles Reisner directed from the screen play by Ralph Spence and Richard Schayer. Charles Clarke photographed. An average one from Leo. Previewed without production code seal. Running time, 74 minutes. "G."

"Lives of a Bengal Lancer," which opens at the Paramount tomorrow was covered by wire from Hollywood on Dec. 26.

"The Night Is Young," new picture at the Capitol beginning tomorrow, was also reviewed from Hollywood on Dec. 22.

"Unfinished Symphony," which will be previewed at the Roxy tonight was reviewed from London on Sept. 12.

Illness Hits Coast Stars

HOLLYWOOD, Jan. 9.—The hospital list here is increasing daily and the first to be hit by various ailments are Dolores Del Rio, Archie Mayo and Thomas Meighan. Miss Del Rio is down with tonsillitis, Mayo is in St. Vincent’s Hospital with what doctors call a dangerous case of the flu, and Meighan has pleurisy. Walter Futter, Al Santell and Charlie Chaplin are others down with the flu.

A. H. Blank to Bermuda

DES MOINES, Jan. 9.—A. H. Blank, who was recently in Alaska for seven days, will take a vacation trip to Bermuda this month. He and Mrs. Blank leave for New York last the week.

Lincoln Kiva to Close

LINCOLN, Jan. 9.—The Kiva, a Dent house, will close Jan. 19 or so.

Saenger in N. O. Court

NEW ORLEANS, Jan. 9.—Saenger theaters bondholders’ committees today filed a petition in Federal court here for approval of the certificates of deposit issued by them to note holders. The move is preliminary to submission of the Saenger plan of reorganization, already approved by the Federal court in New York, to the district court here.

Folies Bergere’s Resumes

HOLLYWOOD, Jan. 9.—According to "Folies Bergere" has been resumed by its owner R. D. Marston after a five-day suspension due to the illness of Roy Del Ruth, director.

Ross, Marston Join G. B.

BOSTON, Jan. 9.—R. D. Marston and Ross have joined the Gaumont British sales staff.

Ampa Resumes with Forks Again Today

AMPARO, Jan. 9.—Ampa’s luncheon resume today at the M. P. Club after the holiday season. The March of Time program will be the next to be dramatized. The 13 best pictures of the year as selected by Film Daily’s poll will be reedited. The usual array of guest talent will appear at the next event, for a center cast, Al Frank, Marshall, chess champion, who is expected to give a demonstration of his skill, will be the center of attention and pawns as the Ampa-ites follow him, using table utensils for chessmen.

The list of guests includes Pauline Stark, Martha Siegel, Al Shah, Raggins, Biferno & Lyons, Dorothy Hall, Janis & Whalen and Mrs. Curtis B. Raikes.

Celler Is Asked to Address MPTO Unit

WASHINGTON, Jan. 9.—Representative Emanuel Celler (Republican, New York), author of the current anti-monopoly bill, has been invited to speak before the M. P. T. O. of the District of Columbia, Feb. 4.

Local exhibitors have consistently opposed similar legislation in earlier congresses.

A. Julian Blyawsky, president, will head the delegates to the annual convention of the M. P. T. O. A. in New Orleans, Feb. 13.

Herb Stern, Nathan Stiefel, Louis Bernstein and Sidney B. Lust also have been named as delegates.

Floyd St. John Here For Monogram Talks

Floyd St. John, Monogram franchise holder in the California territory, is in town for conferences with Norton V. Ritchie, head of Ritchie International Corp., Monogram’s foreign distributor.

St. John has just returned from a three-month visit to Japan, China and the Philippines in the interests of Monogram. While in China he closed with the China American, Co. for 100 pictures, 20 of which have already been shipped.

St. John is due to return to the coast in about two weeks.

Seattle Liberty to Duals

SEATTLE, Jan. 9.—Jensen-Von Herberg’s Liberty will reduce its scales and revert to a dual feature policy next week, says Leroy V. Johnson, general manager of the circuit. A scale of 10 cents until 1:00 P.M., 15 cents until 6:00 P.M. and 25 cents thereafter will be inaugurated, replacing a former 15-25-50 scale. Liberty has been running single features for the last three months, with Columbia producing espionage pictures. It will be Seattle’s only first run dual when the new policy is inaugurated.

To Talk on Film Plan

Details of a plan to enable those interested in character education to use selections from current stoplights for educational purposes will be revealed by Dr. Howard M. LeSourd, dean of the Graduate School of Education and chairman of the Committee on Social Values in Motion Pictures, in a lecture tonight before the Lower West Side M. P. Council at the School of Education of New York University.
Get ready for M-G-M’s

SEQUOIA

(pronounced See-quo-yah)
—and pronounced the most remarkable film since “Trader Horn”
U. S. GRAND JURY PROBES MAY BLANKET THE NATION

Para.'s Annual Cash Need Put At 36 Million

Annual cash requirements of Paramount film subsidiaries were estimated at $35,000,000 by George Schaefer, vice-president and general manager, testifying at the hearing on the company's reorganization plan before Federal Judge Alfred C. Cox yesterday.

Schaefer, with Y. Frank Freeman, vice-president of Paramount's Famous (Continued on page 15)

Figure Para.'s '34 Net at $6,682,000

Paramount Consolidated film subsidiaries will show an estimated net profit for 1934 of approximately $5,800,000 and theatre subsidiaries a consolidated net profit of $882,000, making an estimated net profit of $6,682,000 for the company for the year, according to testimony given at the Paramount reorganization hearing yesterday by George Schaefer, Paramount general manager, estimated that net profit of the picture group for the last (Continued on page 15)

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Dr. Short Expires Suddenly in Phila.

Dr. William H. Short, director of the M. P. Research Council since 1927, died suddenly yesterday in Philadelphia. He was returning to New York from Washington and had stopped in Philadelphia for a confer-

Reports Today

St. Louis, Jan. 10.—Findings of the Federal grand jury which has been secretly probing the product situation here are expected to be handed up on Friday. While talk today persisted that indictments had been voted, no confirmation of the rumor could be obtained.

New York film executives who had been subpoenaed for the St. Louis probe returned from that city last night.

Church Bodies Start Detroit Theatre Lists

DETROIT, Jan. 10.—The Detroit Council of Catholic Organizations has started blacklisting theatres as well as pictures and has warned the houses listed that it will send a representative to talk to managers.

Raymond R. Cameron, executive secretary of the organization, has told them:

"A representative of our organization who is affiliated with parish groups in your neighborhood will call on you in the near future to explain our stand on the movies and the purpose of the enclosed list."

Theatre are to be rated in semi-monthly bulletins. The first bulletin (Continued on page 15)

Los Angeles Follows St. Louis — Justice Department Seen Preparing to Strike For Indictments in Wholesale

By BERTRAM F. LINZ

WASHINGTON, Jan. 10.—Despite rigorous efforts of the Administration to prevent a "leak," it was learned authoritatively today that the Department of Justice is making plans to cover the country in an extension of the Federal grand jury probe in St. Louis and will present complaints against selling practices of distributors in probably every exchange center in the United States.

Los Angeles today was officially revealed as the second city in which the government will seek the prosecution of leading distributors.

Affidavits have been secured from independent exhibitors in many cities and Department officials will seek to secure indictments wherever they can. It is said that one of the intended purposes of the Justice Department is to break up block booking.

The industry, reliable reports declare, has been warned repeatedly to abandon certain of its practices but certain of its high executives appear to have placed more confidence in their political affiliations than in the government's warnings. At least, this is one of (Continued on page 18)

See Code Hearings Warding Off Probe

WASHINGTON, Jan. 10.—Investigation by the National Industrial Recovery Board of the major provisions of codes, at present confined to price-fixing clauses, is seen here as an effort of the NRA to head off a probe by Congress.

The hearings were not decided upon until shortly before the opening (Continued on page 18)

"In Our Favor," Arthur Telephones Mike Marco

Los Angeles, Jan. 10.—Fanchon and Marco, pivotal figures in the investigation of the Federal grand jury probe completed Wednesday in St. Louis, believe "everything is turning out in our favor," according to Mike Marco, who made this statement to Motion Picture Daily following a long distance telephone conversation with Harry C. Arthur this morning. Arthur is in St. Louis and made this statement to Marco, according to the latter, but at the same time pointing (Continued on page 18)

Borah Bill Would License Companies

WASHINGTON, Jan. 10.—Licensing of all corporations engaged in interstate commerce, including those in the film industry, is proposed by Senator Borah of Idaho in a bill introduced today.

Enforcement of the measure would be placed in the hands of the Federal (Continued on page 19)

Dickstein to Push "Act" in Labor Bill

WASHINGTON, Jan. 10.—Prompt action in the House on his bill to extend the contract-labor provisions of the Immigration Law to actors will be sought by Congressman Dickstein of New York.

The bill was before the Immigra- (Continued on page 15)

No Probe Word Here, Justice Dept' States

Local Department of Justice officials told Motion Picture Daily yesterday that they had no knowledge of possible extension of the Federal investigation of monopoly charges to this territory.

It was said no complaints charging monopolistic practices here had been received from any section of the (Continued on page 18)
D. C. Allied Unit Elects

WASHINGTON, Jan. 10.—Orange have been selected by the recently formed District of Columbia unit of Allied, with C. H. Olive as president. A. J. Brown is vice-president, H. Hiser, treasurer, and E. Phillips, secretary. The organization has a membership of 30 theaters.

Reports Cleveland Gain

Theatre business in Cleveland, Cincinnati and Pittsburgh is picking up, Nat Leighton, Monogram district manager covering these territories, stated yesterday. He said factories are now humming and people are visiting the shows.

Brown Signed by Fox

Hollywood, Jan. 10.—Melville Brown has been signed by Robert C. Kuhn of the “Round the Tides” written by Ben Hecht and Rose Caylor, for Fox.

Golden to Be Speaker

Edward Golden, general sales manager of Monogram, will be one of the speakers at the annual M. P. T. O. A. convention in New Orleans on Feb. 25-27.

“Romance” to Music Hall

RKO Radio’s “Romance in Manhattan” has been booked for the Music Hall for the week beginning Jan. 17.

“N O T at this time” will consolidate considered sponsoring an exchange organization for the varied assortment of independents in the financing of which the big laboratory company plays a part. Herb Yates says so and that means he knows, for the concept, if it's not consolidated, it's virtually the same as saying Yates. The understanding is these selfsame independents have approached him at various times over a period of some months to do something about it to the end that they get the break which they are not getting now but which they say should be theirs in the constant struggle for a proper place in the sun. "Not at this time," it might be said, is as permanent as was yesterday, a hectic day what with all this excitement over Federal grand jury probes thundering up in the north, south, east and west. . . .

Will Hays will address the Los Angeles Realty Board the other night and wondered aloud over the reasons why the real estate boys were crouching less than days ago in the wonders of Southern California. "In the years I've been coming to California the motion picture has found its voice and you appear to have lost yours," his favorite trade paper said of Hays' outspoken railing, adding that the loosened celluloid tooth had gotten that way "through tremendous struggle and labor." It may be tough, very tough for movie operators over the wide expanse of filmatic to get along at the current rate of their earnings. Just how tough, in one direction might be made known by many, is demonstrated by reading elsewhere today the cost of maintaining the Paramount studio payroll weekly. . . .

Over the bridge in Brooklyn where the Strand, Fox and Paramount are blood brothers in an operating pool, complications appear to be setting in to the ultimate discomfort, beyond doubt, of St Fabian. There, the Fox operates on a combination stage show and picture policy at 65 cents top. There, the Paramount yesterday went to double features, first run, with no stage show but with the identical top. You figure what's about to happen. Then add to it, the rising tide of indignation on the part of independent exhibitors in that territory over the o admitting their patrons into the cinema and you get a perfect picture of this winter's discontent on the other side of town. . . .
"When the title and credits of this picture flashed on the screen the preview audience broke into a storm of applause. 'The County Chairman' is Will Rogers at his best, funnier, more human and delightful than ever before. Rogers is the most popular personality in the film business. The general public apparently would rather miss any other attraction than a Rogers picture. Persons who attend but seldom always seem to find time for Will Rogers. He rates with both young and old. The picture calls for the kind of business-getting campaign that the importance of its star and its entertainment worth command!"

—PREVIEW REPORT FROM MOTION PICTURE HERALD

WILL ROGERS
in
The COUNTY CHAIRMAN

by GEORGE ADE with
EVELYN VENABLE • KENT TAYLOR
LOUISE DRESSER • MICKEY ROONEY
and STEPIN FETCHIT
Produced by Edward W. Butcher
Directed by John Blystone
Screen play: Sam Hellman and Gladys Lehman
BY PLANE
THEY BRAVED THE JUNGLE'S
TO BRING YOU BACK
Beyond barriers never before penetrated by man... above impassable forests and peril-fraught rivers that had baffled the bravest... deep into the forbidden kingdom of claw and fang... THEY FLEW... to witness sights that astounded even them... and unearth the innermost secrets of the world's most mysterious continent!

MR. & MRS. MARTIN JOHNSON'S

BOONA

AN AERIAL EPIC OVER AFRICA

Supervised by Truman Talley

*Says PHIL M. DALY (Film Daily): "YOU AIN'T SEEN AN AFRICAN PIX TILL YOU LAMP THIS ONE!"
"What do you mean — hornin' in when I'm talking to a lady? It makes me sick even to look at you. I found out what I want and I'm takin' it. I'm movin' up. From now on, if you know what's good for you, stay outta this place and stay away from me."

"Listen—you! I made you rich. I put those swell clothes on your back. Now—just because you got your neck washed, you think you're a gentleman. Nobody can make you that... You're riff-raff... So am I! You belong with me... and you'll stay with me!"
JANUARY 23rd AT THE B’WAY STRAND
New York will settle the argument that’s raging among the preview critics
"WHO GIVES THE GREATEST SCREEN PERFORMANCE OF 1935?"

PAUL MUNI "BORDERTOWN"
or
BETTE DAVIS "BORDERTOWN"

The man who beat the chain gangs matched with the enchanting man-wrecker of "Of Human Bondage"—for better or for worse—with no holds barred... in

THE SECOND OF "THE BIG SHOTS" FROM WARNER BROS.

With Margaret Lindsay, Eugene Pallette and many others. Directed by Archie Mayo. Vitagraph, Inc., Distributors
"Minister" and "Eyes" Detroit High, $20,200

Detroit, Jan. 10.—For some unexplained reason the Fox split a week between two of the biggest hits of the season, "The Little Minister," and "Hell Week," Manhattan.
“My Heart” Is Hit on Coast; Gets $26,000

Los Angeles, Jan. 10.—Grosses held up well in spite of the post-holiday slump and rain early in the week. “Here Is My Heart” was in the smash hit class with $25,000, over the limit by $8,000, at the paramount.

“Every Woman Knows” took a strong second place on the Midland charts with a money-maker at the Pantages on a $4,100 gross. POWER, at the filmore, was good for $2,800.

Total first run business was $85,400. Average is $88,450.

Estimated takings for the week ending Jan. 9:

“KID MILLIONS” (U. A.)
CHICAGO—30c-55c, 7 days. Gross: $7,300. (Average, $1,042.86)

“KID MILLIONS” (U. A.)
BOSTON—30c-55c, 7 days. Gross: $4,900. (Average, $692.86)

“HUGO BROOKER” (Paramount)
PARIS—$1,950, 7 days. Stage: Pinkie Tomlin, Louise Beavers, Robe Wold and his orchestra, E. W. and M. review. Gross: $3,500. (Average, $492.86)

“THE FIRST WORLD WAR” (Fox)
“GAY BRIDE” (M-G-M)
UNITED—$5,100, 7 days. Gross: $4,400. (Average, $628.57)

“THE EIGHTH SIEGE” (Radio)
WARNER BROS.—(Hollywood)—$3,000, 7 days. Gross: $2,500. (Average, $357.14)

“MURDER IN THE CLOUDS” (Warners)
WARNER BROS. (Downtown)—$600, 25c-40c, 7 days. Stage: Six acts vaudeville. Orson Welles and his orchestra. Gross: $700. (Average, $100)

“THE OLD DUTCH LADIES ON THE SEA” (C.)
PANTAGES—30c-45c, 7 days. Gross: $4,100. (Average, $585.71)

“Flirtation” Gets $3,200 in Lincoln

Lincoln, Jan. 10.—“Flirtation” Walk at the Lincoln and “Forsaking All Others” at the Stuart stalled in good average.
HE KNOWS WHAT

No. 802 Straight-from-the-Shoulder Talk by Carl Laemmle, President of the Universal Pictures Corporation

During my association with J. R. Grainger (whose trademark seems to be "Jimmie") I have found him the hardest-to-please man I ever met in this business.

He has the job of selling pictures and he wants them to be better than good. Now and then he has bitterly criticized some of the efforts of the Universal studio.

But now he writes me the following office memorandum:

"In my opinion, Mr. Laemmle, 'The Good Fairy,' starring Margaret Sullavan and Herbert Marshall is easily the best picture Universal has produced in years. I am not only willing but eager to give my best friends among the exhibitors my personal guarantee that Miss Sullavan and Mr. Marshall give a marvelous performance in a picture full of laughs, and that they can figure on new records at their box-offices. This is putting it mildly.

"I have also just seen The Mystery of Edwin Drood' and I am delighted to find it an outstanding picture, fast moving and full of mystery, suspense and good comedy, excellently well acted."
"Moreover I have seen most of 'Transient Lady,' another splendid picture with every indication of good box-office entertainment.

"I have seen the first rushes on 'Frankenstein Lives Again' and 'Princess O'Hara' and 'It Happened In New York' and they show up even better than the scripts, which I considered great.

"With these, to be followed by 'The Great Ziegfeld' and Diamond Jim' and 'Show Boat,' all beautifully prepared, we are going to show an unheard-of improvement in our product, including bigger pictures than we promised at the beginning of the season.

"You have done a swell job. I am going to do an equally swell one and so are the real showmen of the United States and Canada."

If Mr. Grainger is willing to say that much to me, I have a sneaking suspicion that Universal's pictures from now on are going to tickle you to death!

[Signature]
His

JOSEPH M. SCHENCK
presents

DARRYL F. ZANUCK'S Mightiest Product

CLIVE
CARVED OUT A THRONE FOR A GIRL HE HAD NEVER SEEN!

At twenty-five...a $25 a year clerk...At twenty-six...the conqueror of India...with Asia's fabulous treasures to lay at the feet of a girl he loved...but had never seen! Fiction can never equal the exploits of this dramatic Man of Destiny. Surpassing "The House of Rothschild" . . . The Proudest Achievement of Twentieth Century Pictures!

of INDIA

starring RONALD COLMAN
LORETTA YOUNG

BACKED UP WITH FULL-PAGE REACHING 60,000,000 PEOPLE! ADS IN NATIONAL MAGAZINES

Released thru UNITED ARTISTS

20TH CENTURY PICTURE
Key City Grosses Go Into Nosedives Christmas Week

Grosses took a nose dive prior to Christmas in the 22 cities where weekly statistics are gathered by Motion Picture Daily, reaching a point lower than any time since last September—$1,070,800.

Dunnick Gets 3 Houses

NORFOLK, Va., Jan. 10—Robert Dunnick, recently with A. H. Blank & Tri-State Theatres, has become city manager of the three Harry Weinberg Central States Theatres. Weinberg acquired the 800-seat Granada from Ellis & Larue, who had announced the opening of the house recently, rented film and put out advertising. Before the doors opened, however, Weinberg had acquired the house and announced plans to operate it along with the Grand and Rialto. Rollin Miller formerly was city manager.

Turkish Houses Hold Up

WASHINGTON, Jan. 10—Despite unsatisfactory business, some Turkish theatres are held up. One report states it has not been until this year on the other hand and in some cases the markets have been substantially reduced. In the case of the recent Los Angeles, it is being operated successfully.

Acquires Elvira Capital

ELBIA, O., Jan. 10.—John Perlas has formally taken over the Elvira, recently turned back by Warner. This gives him complete domination of this town through his additional operation of the Rialto, Dreamland and Rivoli.

McGinley Heads New Seattle Film Club

SEATTLE, Jan. 10.—L. J. McGinley, Universal manager, has been elected president of the newly-organized Northwest Film Club. Hugh Bowen, suburban exhibitor, will be vice-president; Ed Lamb, RKO manager, secretary, and Ben Rosenblum of Evergreen State Theatres, Earl Neal of the Paramount exchange, and Joe J. F. Shearer Teatro Equipment Company.

Form Theatre Companies

ALBANY, Jan. 10.—Cousins Theatre Corp., Bronx, has been chartered with 100 shares of no par value. Joseph Wolvic, Rose Kaplan and Mollie Silver are the incorporators. Drama Holding Corp. has been chartered to operate theatres. Betty Emmons, Kate Heilbrun and Edna Schlein are directors and subscribers.

Planning a 700-Seater

Covington, O., Jan. 10—C. A. McDonald, who operates the Southland and Thurmania, has awarded a contract for a 700-seater ultra-modern neighborhood house to be known as the Arlington, work on which will be started at once. Plans call for completion in four months.

Four Loew Houses Dark

BROOKLYN, Jan. 10.—According to the E. M. Loew offices, 24 houses in the Loew circuit are open. Only four are closed—two in Rhode Island, one in Maine, and one in this state.

New House for Brazil

BRAZIL, Ind., Jan. 10.—A new downtown theatre is being completed here from a remodeled business building by a company headed by H. V. Neese. It will seat 500.
**Says Para. Subsidiaries Need $700,000 Each Week**

The Paramount film subsidiaries require $700,000 cash each week, according to George Schaefer, manager, testified yesterday at the Federal court hearing on the company’s reorganization plan.

Of this amount, Schaefer estimated Hollywood requirements were $375,000 or $400,000 a week. Paramount’s New York needs, he said, were $250,000 to $250,000 a week, for 2,700 employees, or an average of about 90 per week.

Paramount has set aside a reserve fund of $1,500,000 to $2,000,000, the testimony disclosed, as a contingency to cover its estimated liability in the event American Tri-Ergon wins an action for damage against the company over infringement issue in pictures.

Emphasizing the desirability of ready cash for production purposes, Schaefer argued that the company was frequently handicapped in properly advertising and exploiting productions because of the dependence of producers on distributors, whose policies, which tend to delay the start of new pictures until revenue begins to come in.

It was said, further, that additional pictures were frequently held up for public display and marketing attention. He pointed out that Paramount was having that problem to contend with at the moment, that it had a new film, "Lives of the Lancer," and initiated that ideal production financing should permit the company to keep even or "eight" pictures ahead of release dates.

**Three in Cleveland Resume Dual Billing**

(Continued from page 1)

now exhibiting double features are the Alhambra, Metropolitan and Garden theatres.

Victor Wolcott, who operates the Temple, has taken over the Family on Midway and plans to reopen it shortly with twin plays. The Family formerly was operated by Singer & Segal, who some time ago attempted to drop the single feature plan for duals, but were stopped by a court restraining order. Immediately after the court action, Singer & Segal gave up the theatre.

Only independent pictures are being shown at the three dual feature houses. The Alhambra competes with an unaffiliated exhibitor and the twin bill policy is expected to spread. Major distributors continue to sell with the dual restriction clause in contracts.

Independent exchange men believe that twin bills will be shown again at most unaffiliated theatres within the next few months. The plan to take court action against major distributors for violation of the twin bill policy is expected to be dropped by independent forces.

**Dickstein to Push Actor-Labor Bill**

(Continued from page 1)

In connection with the new legislation, Mr. Segal says, and that the six per cent interest rate be

- **Anything Goes** to Para. "Anything Goes," musical now on Broadway, has been acquired by Paramount.

- **Roxy to Report Soon**

Annual financial report of the Roxy is due within the next few days.

- **Church Buildings Start Detroit Theatre Lists**

(Continued from page 1)


The "offending" theatres were listed:


- **List of Warned Houses**

The houses that showed one or two Class A films were warned that "a word to the wise" is sufficient were the Fisher, Hollywood, Madison, Riviera, Ambassador, Alhambra, Arcadia, Avalon, Ballroom, Balboa, Beverly, Calypso, Cameo, Carlton, Cinderella, Commodore, Cosmopolitan, Crystal, Delite, Delrey, Dixieland, Dolores, Dragnet, Fine Arts, Flamingo, Ford Grand, Forest, Fordson, Garden, Gladwin, Gramercy, Green, Granada, Greenwood, Highland Park, Hoover, Ideal, Kalamazoo, Kelsey, Lincoln Park, Litchfield, Logan, Lynwood, New, Oakwood, Oakland, Oliver, Palace, Park, Plaza, Priscilla, Punch and Judy, Ramona, Redford, Regent, Kiel, Roxy, Royal Oak, Senate, Stanley, Theatatorium, Tuxedo, Virginia, Warfield, Whittier and Woodward Grand.

While some 25 exhibitors questioned felt that publication of the list would not affect their business any more than the Legion of Decency drive already has, most of the local protest. Hence, no exhibitor can use the substitute, "I must block book and blind book this picture."

Exhibitors' comment on this was:

- "Try and cancel 'em."

**RKO Albee 10 Years Old**

The RKO Albee in Brooklyn will celebrate its 10th anniversary starting Jan. 19. Ten acts of vaudeville will be added as an extra attraction.
The Next Months of Metro-Goldwyn-Mayer will make box-office receipts do nip-ups and handsprings and other hitherto unknown acrobatic feats. Get your play-date book ready for—

"WEST POINT OF THE AIR" with WALLACE BEERY, Robert Young, Maureen O'Sullivan, Lewis Stone, James Gleason.

Mightiest air thriller of them all. Daring drama of Uncle Sam's flying eagles who live madly, love wildly. New thrills in air, on earth, with a great cast picturing the epic story of aviation from its early beginning in this "Big Parade of the Air."

"VANESSA-HER LOVE STORY" Starring HELEN HAYES, ROBERT MONTGOMERY, Otto Kruger, May Robson, Lewis Stone.

An exquisitely beautiful story of undying love—tender and touching. Helen Hayes, America's finest actress, is superb as the lovely heroine of Hugh Walpole's world-famous novel. Robert Montgomery is in his best romantic style as a dashing and devil-may-care charmer.

"SOCIETY DOCTOR" with Chester Morris, Virginia Bruce, Billie Burke.

A mad whirlpool of human emotions centered in a metropolitan emergency hospital. Teeming with life, packed with thrills and laughs, it keeps moving every second of every minute. This dynamic story of life's beginning and end, might best be described as "the thrilling successor to 'Men In White'."

"SEQUOIA" (pronounced See-quo-yah) with JEAN PARKER

We quote Jim Tully, the well-known author, "No picture in years has given me the same emotional quality which I derived from 'SEQUOIA.' I often grow discouraged about films. 'SEQUOIA' renewed my faith. I congratulate its makers."

"DAVID COPPERFIELD" with an all-star cast of 65 players including---W.C. Fields, Lionel Barrymore, Madge Evans, Maureen O'Sullivan, Edna May Oliver, Lewis Stone, Frank Lawton, Freddie Bartholomew, Elizabeth Allan, Roland Young.

The year's most anxiously awaited production. Charles Dickens' beloved work of art comes to the screen after two years of production as a love-story for the ages. Metro-Goldwyn-Mayer proudly presents its mightiest masterpiece. Your heart will never let you forget it.

"AFTER OFFICE HOURS" with CLARK GABLE, CONSTANCE BENNETT, Stuart Erwin, Billie Burke, Harvey Stephens, Katharine Alexander.

The story of a woman-tamer who wouldn't take a fall for any girl, and a society beauty who made a habit of taking men for a joy-ride. Clark Gable and Constance Bennett are an incomparable pair of lovers, and the laughs come fast and furious in this comedy-mystery-melodrama.

"NAUGHTY MARIETTA" with JEANETTE MACDONALD, NELSON EDDY, Frank Morgan.

The heart-stirring musical romance of old New Orleans in the days when a girl had to love to live, with the screen's two handsomest song-lovers. Golden music fills the air when Jeanette MacDonald and Nelson Eddy sing the glorious melody of Victor Herbert's delightful score.

"RECKLESS" with JEAN HARLOW, WILLIAM POWELL, Franchot Tone, May Robson, Nat Pendleton, Ted Healy.

A modern musical romance with a spectacular star-spangled cast. Jean Harlow and William Powell in a tumultuous story of life on theatrical Broadway and in New York's upper social circles. Two scintillating stars in a pulse-pounding, heart-satisfying thrill-romance that will pack theatres from coast to coast.

"THE WINNING TICKET" with Leo Carrillo, Louise Fazenda, Ted Healy.

A howling sweepstakes comedy, replete with fast-moving fun, an all-star cast and happy romance. A seventy-minute laugh-diet! And a brand new idea in comedy that makes the laughs come easy. Funniest entertainment since "Caught Short."

"BIOGRAPHY OF A BACHELOR GIRL" with ANN HARDING, ROBERT MONTGOMERY, Edward Everett Horton, Una Merkel.

The gay and merry picturization of the Broadway stage success that kept blase New York audiences howling for eight capacity months. A delightfully joyous romance of a bachelor girl and the men in her life. With the two sweethearts of "When Ladies Meet."

"THE NIGHT IS YOUNG" with RAMON NOVARRO, EVELYN LAYE, Charles Butterworth, Edward Everett Horton, Una Merkel.

The musical romance of the Prince and the chorus girl. By Sigmund Romberg and Oscar Hammerstein II, world-renowned authors of "The Desert Song," "The New Moon," and other hit shows. Tunefully set to the magic melody of Romberg's haunting music. Two romantic favorites in the year's first big screen thrill.
Grand Jury Probes May Cover Nation

(Continued from page 1)

the stories circulating in quarters here usually viewed as conserva-

tive.

It was indicated again today that the entire situation has been thor-
oughly discussed with President Roosevelt by Attorney General Cum-
nings, that the latter was told to go ahead with his efforts to prose-
cute and that his course would be supported by the White House.

Reports reaching Washington today match up with the impres-
sions obtained at New York as to the grand jury findings which are ex-
pected to be handed up there on indications.

“In Our Favor,” Arthur Telephones Mike Marco

(Continued from page 1)

out that he (Arthur) was under oath to reveal what transpired behind the
locked doors.

It was Allan Snyder, St. Louis indus-

trial engineer tied in with the F. and M. theatre holdings in St. Louis, who
filed the request for the investi-
gation there with the Department of Justice.

Reports from the east that exten-
sion of the Justice Department’s ac-
tivities from the Middle West to this
city came about through a request asked of a new

FILED BY FRANK CHAMBERLAIN

E. LIZABETH BERGNER is riding
the waves, New York bound from
England. The Olympic is her boat and
she will be accompanied by her hus-
bands, actor Griffith Jones, fellow players in the British and Dominions picturizat-
ion of “Escape Me Never,” in which she will play in the Theatre Guild on

Broadway.

EDWARD GOLDEN has gone to Buf-
falo to confer with Jack Berkowitz,
who is recuperating at the hospital. There he will go to Detroit to meet
SAM SEPILOW. He is due back next
Tuesday.

SAM E. MORRIS, vice-president of
Warner’s in charge of foreign activi-
ties, is abroad the Conte di Savoia on
his way home after two months abroad. He is expected in Janu-
ary.

JOHN MCKO, assistant eastern story
head for Fox, started for Hollywood
on Monday for some conferences. He
was accompanied by Mrs. Mck. They
will be gone about 10 days.

HARRY H. THOMAS, who planned to
be in town for a 15-day stay for Albany, changed his mind yesterday and took
one of the choo-choo last night.

CHARLES ROSENZWEIG was delayed
on his way to Buffalo because of a cold, but shied off to the upstate-
center last night.

LOU BERNMAN has returned from
Hollywood.

Fox, Universal, Columbia and other
pictures.

Block Booking Inquiry
Looms, St. Louis Hears

ST. LOUIS, Jan. 10.—Designation of Los Angeles as the second key
city for a Federal grand jury probe-
ties in with what is anticipated here will be a more sweeping inquiry into
block booking practices of the exhibi-
tors in the industry. Production may
figure in as well.

The grand jury sitting here heard about 15 witnesses in three days and
thereafter excused approximately 25
others who had been waiting to tes-
tify.

If the findings, now slated to be made public on Friday, vote indict-
ments and should be based on con-
spicuity phases of the Sherman law, the
maximum punishment under the law
would be two years’ imprison-
ment a and a $10,000 fine. Under other
sections of the same Federal statute,
a misdemeanor could be held to have
been committed. This would carry a
lighter penalty.

No Probe Word Here, Justice Dept States

(Continued from page 1)

New York, Jan. 10.—It was
added, however, that an investiga-
tion such as has been carried on in
St. Louis need not be contingent upon
the submission of complaints from
those in the trade.

About two years ago, shortly after
Howard S. Cullman had been ap-
pointed receiver for the Roxy, two
Department of Justice investigators from
Washington interviewed a number
of circuit and distributor officials
in regard to a complaint made by
Cullman. At the time the receiver for
the Roxy charged that he could not
get major first run product for the
house, the investigation was referred to independ-
ents in order to keep the house open.

Several weeks after the Federal
investigators left the local scene, Cull-
man was able to buy a number of

K. C. Had Quiet Probe
There Back in 1932

KANSAS CITY, Jan. 10.—Dispatches
gave the declaration of the exhibitors
completed there on Wednesday was
an outgrowth of complaints by inde-
dependent exhibitors. Throughout the
country the day recalled the quiet inquiry by the Bureau of Investigation of the De-
partment of Justice here about three
years ago.

At the time, the secretary of the
M.P.T.A. of Kansas and various in-
dependent exhibitors were questioned
on the division of product among cir-
cuits, the situation on protection as
between circuits and independents and the
latter’s alleged inability to secure product.

The inquiry at that time was held
at the request of the attorney general
in what was described then as “pro-
gressive investigation” by the Justice
Department into the industry’s trade
practices.

Information gathered here was
forwarded to Washington to be con-
sidered along with similar data de-
veloped in other key cities as a possi-
ble basis for criminal proceedings un-
der the anti-trust laws.

FVC Is Monopoly, Cal. Tio Tells Gov’t

LOS ANGELES, Jan. 10.—Charges
that the operation of the exhibitor’s
code in Southern California is “con-
ductive to a monopoly of exhibiting
right in Fox West Coast” are con-
tained in a wire sent today to the
anti-trust division of the Department
of Justice in Washington by the I. T. O. of Southern California.

“As the matter now stands,” the
wire said, “West Coast has purchased
the output of major producers 100
per cent and dictates to local ex-
changes what runs various independ-
ent theatres shall have as well as
zonings and clearance. Many inde-
dependent exhibitors have been
forced out of business.

“Consequently herefore entered
into anti-trust proceedings against
West Coast and others have been and
are now flagrantly violated under the
guide of code regulations, when in
fact the code is not functioning except
in those parts promoting a West Coast
monopoly.

“The situation is desperate for in-
dependent conditions and are many
times worse than when your investi-
gators reported in 1932 and 1933, to
which your attention is again called.

“It is apparent that the code will
never be enforced here against West
Coast and no one will be able to
enforce consent decrees or cause the
code to function as impartial law.”

See Code Hearings
Warding Off Probe

(Continued from page 1)

of the session, when it became ap-
parent that members of Congress
would be approached by business men
with respect to a hearing on the study of
the codes and their effects. Price-fix-
ing has long been considered on the
way out as impracticable, and the
senate’s hearings on the question are
considered to be largely for the pur-
pose of making a record on which it
may rework NRA policy.

So far, the film industry has only
an academic interest in the hearings.
And, if it were, representatives of
the independents will appear in
connection with the study of the posi-

tions of smaller entities under the
codes. It is not expected that the pre-
nouncement of the NRA will be enhanced by the
Department of Justice proceeding’s attack on anti-trust prac-
tices which were supposed to be outlawed by the code, and which,
it is expected, will be seized upon by
men in other industries as proving
that codes have not eliminated
monopoly.

Pete Smith Recovers

Hollywood, Jan. 10.—Pete Smith
is back at his M-G-M desk, having
recovered sufficiently from a severe
illness from which he has been suf-
fering for several weeks.

“Conservatories thenceforward
were entered into in anti-trust proceedings against West Coast and others have been and
are now flagrantly violated under the
guide of code regulations, when in
fact the code is not functioning except
in those parts promoting a West Coast
monopoly.

“The situation is desperate for in-
dependent conditions and are many
times worse than when your investi-
gators reported in 1932 and 1933, to
which your attention is again called.

“It is apparent that the code will
never be enforced here against West
Coast and no one will be able to
enforce consent decrees or cause the
code to function as impartial law.”

100% Attractions
Play Them and Prove It

CARTOONS
Real Headline Attractions
For All Ages and All Classes

MOTION PICTURE DAILY
Friday, January 11, 1935
During 1934 BOXOFFICE recorded the largest volume of advertising in its history. At the same time it has made the largest gain over any preceding year. The increase in 1934 as compared with 1933 is approximately 50 per cent.
Wall Street

Consolidated Up on Big Board

Columbia, vte (CG) C 10 10 10
Consolidated Film. 460 5 5 5
Consolidated Film, ptd., 5c (65%) 37 37 41
Eastman, ptd. (64%) 115 116 117 118
Eastman, ptd. (64%) 145 146 147 148
Fox "A". 135 136 137 138
Lowen's, Inc. (1c) 335 336 337
Lowen's, Inc. 850 851 852 853
Trans-Lux Declines 1/4 on Curb

High Low Close Change

Technicolor 1275 1276 1277 44
Trans-Lux (86c) 3 3 3 26

Keith Bonds Lose 1/4 Points

High Low Close Change

General Theatre 64, 60 855 856 857 45
General Theatre 60, 60, 60 856 856 856 46
Keith, R. 64, 64 725 726 727 55
Paramount Bway. 434 434 434 36
Paramount, F. 2, 2, 2 635 635 635 56
Paramount Public, 635 635 635 56
Warner, 6, 39 576 576 576 57

(Quotations close of Jan. 10)

Cal. 30-Hour Bill Set

Sacramento, Jan. 10.—A bill calling for a five-day week of 30 hours is being prepared by Assemblyman Ellis Patterson of Monterey County for introduction in the Legislature. The legislator said he felt sure Gov. Merriam would issue the proclamation giving the short week constitutionally should the measure pass, since a 30-hour week was one of the promises made by the Republicans in the gubernatorial campaign. Merriam indicates he favors such a proposal and says no protests have been received by him from the industry.

U. S. To Go Quick for Al

Washington, Jan. 10.—Former Gov. Alfred E. Smith of New York, in his capacity as chairman of the Advisory Council of the Legion of Decency of the Catholic diocese of New York, sought to have the government keep out the Czech film, "Lunch," only to learn such action had already been taken. It was revealed today by Secretary of the Treasury Morgenthau.

Moeller on the Coast

Hollywood, Jan. 10.—Philip Moeller is here to direct the second film on a two-reel feature called "Radio," title of which has not yet been announced. Moeller's first was "Age of Innocence." The director will continue with the New York Theatre Guild on completing his current contract.

Writers to Aid Fund

Hollywood, Jan. 10.—In order to secure a wider representation for the M. J. E. Writer's Fund, Secretary F. X. Baur has added Robert Montgomery, Kenneth Thomson, Ralph Block and Wells Root to the advisory executive committee. This move gives both the writers and actors equal representation.

Chicago Publicists Hold First Luncheon

Chicago, Jan. 10.—The initial invitation luncheon of CAPA (Chicago Amusement Publicists Ass'n) was attended by 125 members and three exhibitors and was held at the Congress Hotel. The publicity purveyors for films, newspapers, trade papers, hotels and allied amusement interests were plainly in a frenzy. Most of the members seemed anxious to be being entertained—not entertaining.

In the course of the quips and talks, however, they were considerably relieved by the wit of Clyde Eckhardt when he said: "You fellows have certainly gone further with your organization. I have been able to do with the Variety Club." A pennant in this year's film bowling league.

Henry Friezel, M-G-M branch manager and Mrs. Langman, Universal manager in the same city, were club visitors.

Philadelphia

Philadelphia, Jan. 10.—Earl Sweigert was inducted as chief barker of Tent No. 13 recently at a dinner and dance for members and wives held at the Nob Hill Hotel.

The tent now has 100 members.

St. Louis

St. Louis, Jan. 10.—Variety Club is settled in its new quarters in the Chase Hotel.

Installation of new officers was one of the events. They are: President, Chick Evans; treasurer, GeorgeWieand; secretary, Alvin Wooll; chairman of the entertainment committee, Anthony Metzner; publicity man, Al Zimbalist.

Fred Wehrenberg will be in charge of the annual banquet and ball in February. The other members of the committee are Evans, Edward Rosen- man, Les Mace, Ziegfeld, Wooll, Charles Misch and Ben Riengold.

A hearts tournament is in the offing as a result of a heated contest won by Bert Hill, Wieand and Henry Budd.

Washington

Washington, Jan. 10.—The local Vagi smoker, with Harry E. Labey leading, has launched a three-week layoff.

Gene Ford and W. E. S. Wilson, the kings for pipe and tobacco, as well as the current chief of "dumb-bell" letters' allegedly received by the U. S. Department of the Interior.


Also featured was community sing- ing, led by Arthur Godfrey with Pete Macias at the piano.

Next week's affair will be an evening for blind flying and leading her to a safety dash—and making that situation convincing, human, even inspiring, is a dramatic feat achieved by Grant.

Starting slowly, the film builds when Grant loses his eyesight as a result of a gas stove explosion minutes prior to his takeoff for a non- stop flight to Paris. The picture then mounts in emotional content and dramatic strength. Sympathies are aroused, interest sustained and bare-knuckled pile-ups make the point.

Grant, by an intelligent, persuasive performance, rises above anything he has ever done. Miss Loy is lovely and adds to the laurels she garnered in "The Thin Man." Roscoe Karns, Hobart Cavanaugh, Dean Jagger and Bert Hanlon are splendid in support. James Flood directed with a masterful visual conception and feeling. Arthur Hornblow produced, adding another feather to his cap.

Being fine entertainment for men and women with names values, distinctively exploitative should send it soaring for real grosses. Production Code Seal No. 477. Running time, 68 minutes. "G."
The 16th Annual MOVIE BALL

HOTEL ASTOR—JAN. 12th

Dancing starts at 10:30 P.M.
MIDNIGHT SUPPER and ENTERTAINMENT
Beginning 12 Midnight Sharp!

Freddie Rich and his Columbia Broadcasting Orch.
Bama Collegians with Erskine Hawkins

Screen—Stage—Radio and Night Club Celebrities
Will all contribute to the entertainment

HARRY HERSHFIELD—Master of Ceremonies

Broadcast Starting Midnight—ABS—WMCA Network

LAST CALL!

For RESERVATIONS . . . Tel. CHickering 4-3022
Room 346—Hotel Lincoln—44-45th Street and 8th Avenue

INDEPENDENT THEATRE OWNERS ASSOCIATION
THE BEST SHORTS STORY OF THE YEARS

Nest Truex in "Gentlemen of the Bar"
"A tip Ernest Trues at his delightful best," Film Daily
"There Goes the Groom"

Joe Cook in "Mr. Widget"

Sylvia Froos in "Moon Over Manhattan"
A Young Romance Comedy
with Warren Hull

Chick York and Rose King
Doing their famous Sleigh Ride Skit in
"How Am I Doing?"
A Marriage Wow Comedy
"A pop number that will wow 'em"... Film Daily

Tom Howard and George Shelton
in a Coronet Comedy
"Easy Money"

C. S. Hammons

Educational Pictures
TWO-REEL COMEDIES
ONE-REEL NOVELTIES
for JANUARY
and FEBRUARY

Buster Keaton in "Palooka From Paducah"
with Pa, Ma, and Sister Louise Keaton
"One Run Elmer"

Mr. and Mrs. Ace (Easy Aces)
A lucky name for any marquee, in
"Dumb Luck"
A Marriage Wow Comedy

“Poodles” Hanneford
Famous Circus Trick Rider, with
Junior Coghlan, Ben Turpin,
in A Erotics of Youth Comedy
"The Little Big Top"

Frank Luther in "Gay Old Days"
Sylvia Froos in "Song Plugger"
Song Hit Stories

Distributed in U.S.A.
by Fox Film Corporation

Educational Pictures
"The Spice of the Program"
Chain Booth Cuts Figured
At $530,400

Small Houses Get Jumps In Booth Costs

Estimated annual savings of the two major local circuits under the proposed basic wage scale set up by the NRA fact-finding committee are put at $530,400. The figure is unofficial because of the various changes through which the plan is now passing.

Loew’s, it is figured, will reduce its yearly booth operation costs by about $312,000, while RKO’s saving is roughly seen as $218,400. Loew’s, the only important independent viewed as benefiting by the revised operator scale, will probably slash projectionist’s salaries of about $30,000, or $1 a week. The Loew saving works out at $8,000 weekly, while RKO is put down for $4,280.

Trio-Consolidated, Isle Theatres, Century and Prudential. (Continued on page 6)

Chicago Talks Upon Booth Pay Delayed

CITIZO, Jan. 13—Discussions of a new working agreement between exhibitors and operators are being held up since the principals are appearing daily in Federal court where the grand jury is listening to evidence in the Government’s investigation of the income tax of Tom Maloy and other union officers.

The lid is on tight as far as any news concerning names of witnesses or the nature of the testimony is concerned.

The local operators agreement expired Friday. In previous years a new schedule has usually been arrived at on the eve of expiration, but so far conferences have not even begun.

Two to Hospital in Pawtucket Bombing

Pawtucket, R. I., Jan. 13—Two persons were in a hospital here yesterday as a result of injuries suffered in a bomb explosion Friday night in the Strand, local M. & P. Publix. (Continued on page 6)

Boynton for New Kansas Sunday Law

TOPEKA, Jan. 13—The need of a more clearly defined Sunday closing law in the light of late developments involving Sunday shows was pointed out by Bruce Allan, London, Jan. 13—For the second time within 10 days, opposition to a license for a new British theatre, on the ground of “redundancy,” has been heard by the Wiltshire County Council. (Continued on page 8)

MOTION PICTURE DAILY

DEAL MIGHT EASE ST. LOUIS STRAIN

MPTOA Move On for Wide Code Changes

M.P.T.O.A. is expected to go on record at its annual convention in New Orleans next month in favor of far-reaching changes in the code, it was learned over the week-end as program committees working here scheduled the subject of improving the code as one of the first to be taken up.

Code held by the organization indicate that resolutions will probably be adopted by the convention calling for changes in the code to permit an unqualified cancellation privilege of 15 to 20 per cent and the adoption of effective machinery for establishing

Bank Nights Spread Around Kansas City

KANSAS CITY, Jan. 13—Bank night continues a sizzling issue here, and despite opposition of the grievance board and Campi it seems to be spreading.

The Dublinsy Bros. circuit has contracted for bank nights at Jefferson City, Mo., and Leavenworth, Kan., theatres. As a result of a grievance board hearing, Fox Midwest theatres in (Continued on page 6)

Circuits Hit Code Vaudeville Changes

WASHINGTON, Jan. 13—A brief in opposition to the NRA proposed amendment to the film code requiring exhibitors to assure themselves that all vaudeville performers in their houses were receiving code wages was filed today with Deputy Administrator William P. Farnsworth by four producers having theatre affiliates. The brief was signed by Loew’s, Fox, RKO and Paramount.

Huffman Wins Writ Against Exchanges

DENVER, Jan. 13—Pending a hearing, which will probably be held in Oklahoma City within three weeks, (Continued on page 6)

Consent Decree Seen as Possible If Both Sides Agree

By BERTRAM F. LINZ

WASHINGDON, Jan. 13—Having secured indictments, the future of the Government with respect to the St. Louis anti-trust suit against Warners, Paramount and RKO and some of their officers may depend largely upon the attitude of the defendants, it was indicated here over the week-end. In the numerous instances in the past concerns which have been indicted on charges of violating the anti-trust laws have conceded that they have committed the acts complained of and have negotiated an agreement with the Department of Justice to discontinue the allegedly offensive practices. That agreement has been submitted to the court for approval, and, when accepted, becomes what is known as a consent decree.

If the distributors in St. Louis adopt a similar course, the department may accept their offer, thus saving all concerned considerable time and money. On the other hand, if the department

“U” Plans Four for New Serial Program

Universal will make four serials next year and has one to go to complete its schedule for this year. Two are for "Tailspin Savage," starring Buck Jones, and done in 15 episodes; "Flash Gordon," based on the newspaper comic strip; "The Adventures of Frank Merriwell," based on the famous novels by Burt L. Stadolph, and "New Exploits of Tailspin Tommy." "Call of the Savage" is still to be completed for this year’s lineup.

File Huge Theatre Suit Against Fox

BOSTON, Jan. 13—A $750,000 suit against Fox Film was filed in Superior Court here yesterday by Adolphus M. Burroughs and Louis M. Boas to (Continued on page 6)

Montreal Worrying About New Taxation

MONTREAL, Jan. 13—Exhibitors are watching the legislative trend of the New Year. The city has a $7,000,000 deficit and the civic fathers want more (Continued on page 6)
WALTER LIPPMANN, erudite commentator on economics and the sad estate which is this world's today, dropped out of his well-established groove on Saturday and, in his usual thrice weekly space in the New York Herald-Tribune, went weighty, as well as lengthy, on the morals of films. He had much to say about our dreary celluloid lacies and its shortcomings and on that score many observers of the celluloid whirligig will find themselves in agreement. Having warmed up, on to his subject, Lippmann sounds off the censor difficulty in the first half of his say and, with approximately fifteen inches of precious Herald Tribune space in which to draw additional conclusions, goes in for reformation in the generous manner. It is a point or two, and a main point, that this column will touch briefly, steeling itself with sufficient audacity to hurl its observations against the intellectual armor in which Lippmann is right, by right, safely is protected...

From Lippmann's text:

"Effective reform depends, it seems to me, on getting the understanding of what, given the American traditions of freedom and the variety of American tastes and American moral standards, reform ought to aim at. I would rest reform of the movies on this basic principle: that audiences shall have greater freedom to choose their pictures and artistry's shall have greater freedom to make pictures."

And at another point:

"If the customers had freedom of choice, there would be no censorship at all. If artistry's shall have greater freedom to make pictures."

Producers do maintain their own theatre outlines in many situations. They do sell in blocks. The code does permit some latitude in cancellations, perhaps not as large a percentage bracket as may be desirable. But Lippmann's academic observation about public audiences and there being extended to them "great freedom to choose their pictures is amusing as all and sundry within in the industry know. It seems a week or two years ago for independent producers because of this.

The Chesterfield and Invincible productions, he continued, are up to schedule, with six completed and two set to go into work next month. 18 in all have been scheduled for this year, Batchelder said.

Insiders' Outlook

Movie Ball Attracts 1,200 at the Astor

More than 1,200 persons jammed the Astor Theatre Saturday night for the Movie Ball, which broke up in the early hours yesterday. There was more excitement after the program called for. The entire "Revenge With Music" show performed in addition to events from the stage at the Astor.

Mayor LaGuarda and Police Commisioner Lewis J. Valentine represented the city. No speeches were permitted. Three bands provided the dance music. A "Monte Carlo Nite" was held for the benefit of the L. T. A. treasury.

Purely Personal

SIR A. ROSENBLATT, SAM DESBROW, CHARLES and JOE MOSKOWITZ, CHESTER ESRIKINE, JOE VOGEL, ARE BLUMENTH, LAURIE BLOOMSTEIN, LOUIS K. SKEEY, PHIL MEYER, LOUIS NIZE, HARRY ROBBER, AL W., BESSIE HAYS, ALTON C. WITSH, HARRY BRANDT, ROBERT WOLFF, LOUIS COHEN and HENRY RAND, among the dates at the M. P. Club Saturday.

JULIUS LEXY is heading straight for Miami from St. Louis, its grand juries and its secret probes and will take two weeks to broke the memory out of his carcass. At the Roney Plaza, to be specific.

LOUIS PHILLIPS has returned unscathed from the St. Louis front. Other returned survivors report heavy firing there, but little work for the ambulances.

FREDIE BARTHOLOMEX, 10-year-old boy, who plays in the early sequences of "David Copperfield," will come to New York for the opening at the Capitol.

JAMES BLAKELEY, under contract to Columbia, returned to the coast yesterday. He's been here spending the holidays.

BEN Y. CAMMACK, RKO home office representative in South America, went sailing down to Rio Saturday on the Northern Prince.

ALICE BRADY andimeter DOUGLAS have been cast for "Die Luxe," which CHESTER ESRIKINE is producing on Broadway.

AL WILNER picks up the reins today after a recess for a South and Central American cruise.

JOE RIVKIN, talent scout for HAY ROACH, flew east over the weekend from Hollywood.

PAUL STARK, lawyer, finished "$20 Saturday," and went back home from Hollywood for a brief vacation.

JOE POLLAK left for the coast yesterday.

MILT KUSSEL returned from Buffalo and Albany on Saturday.

HARRY THOMAS is in Boston and is expected back Wednesday.

BRICK PINE airlines it back to Hollywood on Thursday.

WARNER SIGN PENNER

PITTSBURGH, Jan. 13.—Warner have signed Joe Penner for four break-in days in this territory, and he has been set to work Monday at the Cambria in Johnston town. On Tuesday he will go to the Harris-Memorial in McKeesport and on Wednesday and Thursday will play the Warner in Erie.

Lichtman Is Returning

HOLLYWOOD, Jan. 13.—Al Lichtman left for New York yesterday.
The Captain and his crew take her safely o'er the seas.

* But when she gets to port four little tugs, all pulling the same way...fit her safely and snugly into her berth...

* You buy your pictures...you date them in...then the Pride of this Industry...the National Screen Trailer...with its powerful concentrated selling-punch...pulls your picture safely into port...breaking the news of every picture you play to the thousands of people who patronize your theatre...in novel...newsy...interesting fashion...and within a footage you can afford to run.

* Service plus box-office power at a reasonable price makes NATIONAL SCREEN TRAILERS the best exploitation ever devised.

NATIONAL SCREEN SERVICE — the Pride of the Industry!
HE'S FUNNY THAT WAY!

Just when the industry's all ga-ga about Leo's record-breaking hit, CRAWFORD, GABLE, MONTGOMERY in "Forsaking All Others"—

—Leo drags out another BIG ATTRACTION that has the industry on its ear—and before you know it—

He goes on and on—

"Bless you my children." Leo remembers "When Ladies Meet" so he unites ANN HARDING and BOB MONTGOMERY again in the swell comedy "Biography of A Bachelor Girl."

Look at him! Leo has emblazoned another sensation across the nation, "Sequoia" a picture more remarkable even than "Trader Horn"—and then just when you think he can't keep it up, along comes

(see above next page)

SEQUOIA
(PRONOUNCED SEE-QUO-YAH)
BANG! Leo knows just how to time the Big Shots. WALLACE BEERY in "West Point of the Air" is his biggest hit since "Hell Divers" and it's just as SPECTACULAR! But Leo's funny that way, he goes merrily on with—

"Dear JOAN CRAWFORD, I've never had a better vehicle for you than 'No More Ladies' the great stage romance"—

—and what's Leo up to now? He's measuring CLARK GABLE. Sure, Clark is the BIGGEST MALE STAR in pictures. His next, with CONNIE BENNETT is "After Office Hours."

No, Leo's not tired yet... He's watching a scene between JEAN HARLOW BILL POWELL in "Reckless" Franchot Tone and May Robson are in it too!

—And Leo is betting that the MARX BROTHERS in "A Night at the Opera" will be their most successful comedy!

Excuse Leo for walking out, but HELEN HAYES and BOB MONTGOMERY want privacy for that scene in "Vanessa—Her Love Story." Leo can't even wait to tell you about RAMON NOVARRO, EVELYN LAYE in "The Night is Young", and a flock of others. Leo's prize packages never come singly. He's funny that way!
Deal Might Ease Strain In St. Louis

(Continued from page 1)

is desirous of impressing business generally with the fact that the anti-trust laws for these theatres (Ambassador Theatre in Chicago and Missouri), where the contract by which pictures were exhibited at the Skouras theatres was cancelled by one of the theatre owners who will release which would carry with it penalties sufficient to make business men generally think carefully before undertaking anything which might be unlawful.

Filing of a suit for triple damages may follow a verdict in favor of the Government, is was indicated here today. Under the law those adversely affected by illegal activities of individuals and corporations found guilty of anti-trust law violation may bring suit for three times actual damages.

Says Warners Will Fight Charge

St. Louis, Jan. 13—Arthur E. Simpson of Jeffries, Simpson and Plunkett (Counsel for the Government), in speaking on the Government's evidence yesterday, said that the charge by which the pictures were exhibited at the Skouras theatres was the one of anti-trust law violation.

The legality of the cancellation without the consent of mortgage holders recently was questioned by automobile attorneys for the bondholders' protective committee at a hearing before Referree in Bankruptcy. The bondholders asserted film contracts were held as part of the assets featuring the first mortgage bonds.

The defendants in the anti-trust indictments are expected to make bond in New York and the return date of the case may indicate when the case will come to trial.

It is not known who will prosecute the case as Government's instrument, but presumably Russell Hardy and Harold L. Schilt, special assistants to the U. S. Attorney-General, will play a prominent part.

Ignorant of Coast Plans

Los Angeles, Jan. 13—Local representatives of the Department of Justice stated yesterday they were unaware of plans for initiating an investigation of alleged anti-trust law violations here.

The statement was made in answer to the requests that Russell Hardy and Harold L. Schilt, assistants to the U. S. Attorney-General, who conducted the St. Louis probe, were expected here early next week for a sweeping investigation to be based on complaints filed eight months ago by Harry Shotter.

Withdraws 6 from U. A.

Hollywood, Jan. 13.—Howard Hughes will withdraw six features from the U. A. distribution for reissuing by R. M. Savini, who will release them.

The films are “Scarface,” “Hell’s Angels,” “Age of Love,” “Sky Devils,” “Cook of the Air” and “Front Page.”

MPTOA Move On for Wide Code Changes

(Continued from page 1)

acceptability of schedules of clearance and zoning. Resolutions are also expected to be adopted calling for code revision permitting local banning of double features and premiums by majority vote; compulsory arbitration of contract disputes; outlawing of designated play dates and score charges; effective protection against non-theatrical competition and enforceable provisions for arbitration of interference with leasing negotiations.

The convention will also receive reports on bills introduced at the current session of Congress and is expected to adopt an organization policy for the future on the matter of Ed Kukendall, M.P.T.O.A. president, completed preliminary convention arrangements on social phases of the Court of Appeals in New Orleans last week. He is scheduled to leave for Washington today.

Bank Nights Spread Around Kansas City

(Continued from page 1)

Pittsburg, Kan., and the Cozy, independent, have agreed to file complaints on Jan. 19 whereby both sides will drop unfair practices. J. A. Lentski, owner of the Cozy, said the Midland's charge that he ran a cash night. His defense, however, was that the Midland was operated by the Fox Colonial in the same town admitted high school students for 10 cents with a student card, had "one-cent" sales whereby two adults were admitted for 21 cents and two children for 11 cents, and on Tuesday night admitted entire family for 35 cents.

The first case to be reopened since the local board started functioning involves a bank that advertised Grand Frank H. Cassill, Rialto, St. Joseph, Mo., permission to introduce new evidence on Jan. 23 on competition with the Olive, St. Joseph, which had complained that Cassill was not complying with Campbell's order to quit showing any film by Oct. 25.

Two to Hospital in Pawtucket Bombing

(Continued from page 1)

The insurance woman, who came in with a man place a paper bag under a seat in front of the couple, who left after remaining in the theatre only a half hour.

The explosion, accompanied by fire and then smoke, occurred only a few moments after the two left, it is said. Authorities see a possible link to a row of three bomb attacks against New England theatres of recent occurrence. Labor trouble is suspected as the cause of the bombing.

Virginia’s Censors Report 334 Slashes

(Continued from page 1)

in making the report. "We have practically no trouble with the finer pictures which have been sent to us for examination."

Theaters were said to have been the subjects of more censorship than features.

The division turned in a net balance of $13,909.58, the largest sum received so far from license collections.
The parade marches on! The BALABAN AND KATZ theatres, their complete chain in greater Chicago, will show THE MARCH OF TIME, starting February first in their Chicago Theatre, the biggest in the middle west.

The parade marches on! Into the famed PUBLIX GREAT STATE THEATRES bringing this new feature to the leading cities of Illinois and Indiana.

Starting with the great LOEW'S THEATRES and New England's POLI chain, then Broadway's EMBASSY, New York's giant CAPITOL, the parade, growing fast, marches westward, gathering the foremost houses of the country.

These large theatres buy pictures that draw crowds. If you haven't joined the parade, see your FIRST DIVISION EXCHANGE today and sign for a great 1935 box-office success—THE MARCH OF TIME.

Distributed by FIRST DIVISION, Harry H. Thomas, Pres., Rockefeller Center, New York City

THE MARCH OF TIME
“Bill” Grabs $6,500 Lead, Minneapolis

MINNEAPOLIS, Jan. 13.—“Broadway Bill,” with $6,500 at the Orpheum, topped one of the biggest weeks the Twin Cities have known, and in Minneapolis, “The Mighty Barnum” trailed along a close second with $5,000 at the State.

“Goldwyn” was third for the week, with $4,000 at the Orpheum and “Forsaking All Others” grabbed a nice $3,500 at the Paramount.

Total first run business in Minneapolis was $26,500. Average is $2,300.

Total first run business in Minneapolis was $26,500. Average is $2,300.

Estimated takings:

Minneapolis: Week Ending Jan. 9;"THE PRESIDENT VANISHES" (Para.) CENTURY—(3,589); 25c-30c, 7 days. Gross: $2,598. (Average, $375.)

"THE LITTLE MITTEN" (Radio) LYRIC—(1,248); 25c-30c, 7 days. Gross: $1,290. (Average, $195.)

"WEDNESDAY’S Radio-" Goldwyn, the tyi —— 1154 $5,000 $3,700 $6,000 $6,000

"WEDNESDAY'S Radio-" Goldwyn, the tyi —— 1154 $5,000 $3,700 $6,000 $6,000

Stocks Off on Big Board

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"The House of the Seven Gables" Gross:

Boston $1,600. (1,000, 300, 300, 7 days, $3.90; 20c-25c, 20c-25c; 7 days, $1.50, $1.50, $1.50; 20c-25c, 20c-25c; 7 days, $3.90.)

"The House of the Seven Gables" Gross:

Boston $1,600. (1,000, 300, 300, 7 days, $3.90; 20c-25c, 20c-25c; 7 days, $1.50, $1.50, $1.50; 20c-25c, 20c-25c; 7 days, $3.90.)

Production Slows; 36 Features Going

(Continued from page 30)

RCA VICTOR PHOTOPHONE

High Fidelity Sound

The sound installation at the Roxy-Mastbaum, Philadelphia's largest theatre (now under the personal supervision of Roxy) is one of the biggest in the world.

Hundreds of other large and small installations all over the country are proof that RCA Victor High Fidelity Motion Picture and sound reinforcing equipment meet the most exacting requirements.

Friedlander Closes March of Time Deals

CHICAGO, Jan. 13.—Al Friedlander and Henri Eillman have closed two March of Time deals, the first with Walter Inmann of B. M. for 30 theatres and the second with Jules Rubin for 28 Publix Great States units. On Feb. 1 the show will make its debut at the B. & K. Chicago.

Friedlander, after closing the deals, left for Des Moines. He was in Denver yesterday and plans to reach the east by the end of the week.

ATLANTA, Jan. 13.—W. M. "(Snake)" Richardson, First Division district manager, has signed up the entire Sparks circuit of 60 houses for "The March of Time." Richardson closed the deal on Saturday with E. J. Sparks.

ALBANY, Jan. 13.—Harry Thomas, yesterday closed with Chris Buckley for the showing of "The March of Time" series at the Hannum-Bleecker Hall, starting Feb. 1.

Hamrick's Men Convene

SEATTLE, Jan. 13.—Executives of the John Hamrick organization have held a "new season" convention this week at the Washington Athletic Club. In attendance from Seattle were Joe Hamrick, Hal Davidson, general manager; Joe Rosenfield, advertising director; Robert Murray, George Clammer, and George Auld, managers. From Portland came Andrew Saso, Don Geddes, Edwin B. Rice, and George Auld. Tacoma was represented by Ned Ericksen, Ray Stewart, and William Connors.

Hold Alison Skipworth

Hollywood, Jan. 13.—Alison Skipworth's contract has been extended by Paramount for another year. She is working in "Caprice Espagnol."
Philadelphia Premium Ban May Be Ended

Campi Seeking Further Facts on 75% Vote

Philadelphia's ban on premiums, voted last summer by 75 per cent of the exhibitors in that territory, may be dropped by Campi. The other-way question in the Quaker City was discussed by Code Authority Thursday, but no decision was rendered. It will come up again at the next session Jan. 17. Meanwhile further facts are being sought.

A few weeks ago a number of Philadelphia exhibitors and premium men appealed the 75 per cent ban. At a hearing before a Campi appeal committee, it was brought out that during the time of the vote, one independent theatre was closed and another burned. It was further stated at the time that these theatres had voted for the ban. At the Campi discussion members were puzzled over the voting status.

Worker Insurance
Up in California

SACRAMENTO, Jan. 11.—Adoption of an unemployment insurance plan wherein film companies and other employers will contribute three per cent of payrolls and employers one per cent of wages to a general revenue fund has been recommended to the Legislature here by the Interim Committee. Benefit payments would be based.

Richey Protests to Priests of Detroit

DETROIT, Jan. 11.—H. M. Richey today mailed a nine-page letter to every priest in Detroit and to the heads of the Legion of Decency and other Catholic organizations, calling unfair the issuance of the bulletin.

Schenck Criticizes Rating for "Clive"

Joseph M. Schenck last night sharply criticized listing of "Clive of India" as adult entertainment only by the International Federation of Catholic Alumni and posed the argument that the picture "was made for..."
Looking Em Over

“The Wandering Jew” (Olympic Pictures)

A serious subject, fraught with strong possibilities of creating much discussion and even controversy.

Adapted from the well-known play by E. Temple Thurston, “The Wandering Jew” tells of the legend of the man who spat on Christ as He traveled His journey to Calvary and thereafter was doomed to wander the globe, deprived of the haven and the peace in death until Christ returns to the earth.

The film version, which was produced by Twickenham Studios of London and directed by Maurice Elvey, is divided into four parts. The first takes place in Jerusalem where the premise is established. The second is centered in Antioch in the time of the First Crusade. The third in Palermo in the 15th century, and the fourth, which is the most telling dramatically, is based upon the legend of his cardinal sin, has learned the full import of his error and, welcoming death, is accorded divine relief, not at the stake to which he is pinned, but by intercession from a higher power.

This is the picture which M-G-M purchased some months back and then dropped after rabbinical circles in New York had made urgent protest. Since that time, the understanding is the original version, admittedly anti-Semitic in certain of its content, has been edited from eleven to nine reels. The current version at the Criterion bears visible traces of the process of emasculation to which the production has been submitted.

Controversial in the extreme if for no other reason than several versions of the legend of the “Wandering Jew” are extant, this British picture strikes this reviewer as argumentative in the extreme. Whether or not it will prove, itself, a serious offering is a question which he is not prepared to determine and so urges exhibitors who contemplate booking it to see for themselves what the film has to offer.

In point of performance, Veidt stands out above all others. In the Spanish period, in particular, does he deliver his most powerful acting job. The picture of itself has been made on a lavish and colorful scale. It is replete with pageantry and the glamour of periods and times long since relegated to history. In the main, it is accurate to diagnose the dramatic values as interesting and occasionally high.

No production code seal. Running time, 83 minutes. “A.”

Vanni Silent on Shift

A. J. Vanni, who recently resigned as manager of the Poly, New Haven, to become Warner district manager handling all theatres outside of Philadel- phia, refused to comment on his new association yesterday when queried by Morris Picture Daily. He referred all questions to the Warner home office.

Vanni left for New Haven last night after a one-day stay in New York.

“Forsaking” $135,000

“Forsaking All Others” wound up a 17-day run at the Capitol with a cumulative take of $135,000. For the first three days, the take was $33,000, for the next seven, $66,000, and the last week, $36,000.

House Drops “President”

OMAHA, Jan. 11.—Complaints caused the “The President Vanishes” to be pulled at the Orpheum, Blank house, last night as preparations for its opening had been completed.

Upstage Stars Irk K. C.

(Continued from page 1)
doors in their compartments, and the reporters and cameramen leave empty-handed.

This naturally reflects on the local men, and they are burning up, as it puts them on a spot with the dailies. What they cannot understand is that while publicity departments spend large sums of money to obtain publicity, why they cannot persuade their personalities to condescend to interviews during train stops at the Union station.

Upstage Stars Irk K. C.

(Continued from page 1)

Sat., January 12, 1935

St. Louis Jury Indicts Para. Warners, RKO

(Continued from page 1)

Abel C. Cross, times, Warner secretary and general counsel; Ned Depinet, president of RKO Distributing Corp., and George Schaefer, who is listed as president of the three Paramount subsidiaries named.

The action is the result of a feud between Warners and the control of the Ambassador, Missouri and Grand Central theatres from Warner control to that of a company organized by Allen L. Snyder. Function & Marco operate the houses for this new company. Snyder was the complainant in this case. He charged a conspiracy to shut off first-run product from his houses for the benefit of the Shubert and Orpheum now operated by Warners.

Block booking did not enter into the local investigation, it has been learned, although it was probable the probe went beyond the angles of the original complaint and that its inception has caused the Department of Justice to extend its investigation to Hollywood.

Carlisle Only Film Man to Report Stock

(Continued from page 1)

to disclose that any other reports have been received from men in the film industry, although for the past six months the law has required that the holder of more than 10 per cent of the stock of any corporation, the stock of which is dealt in on any exchange, must report any changes in his holdings within a month after they occur. A fine of $10,000 or two years imprisonment is provided for violation of the law.

Worker Insurance
Up in California

(Continued from page 1)

on 65 per cent of the workers' average weekly wages was recommended. Contributions would begin Jan. 1, 1936, with benefit payments starting Jan. 1, 1937, to workers who had lost their jobs either temporarily or permanently because of business conditions. Part time employment would be exempted from payments.

Short Service Sunday

Funeral services will be held tomorrow afternoon at 3 o'clock at the Congregational Church, Amityville, L. I., for Dr. William H. Short, chairman of the school council, who died suddenly Thursday in Philadelphia. The body will be shipped to the Short home in Wisconsin for burial at an early date after the services. Dr. Short is survived by his widow, four sons, James S., Frederick, Robert D., and Douglas F. Short, and a daughter, Frances E. Short.

Kent to Return Jan. 23

S. R. Kent, president of Fox, is due back from the coast Jan. 22.
ANOTHER TOP HONOR FOR LEO!

The Motion Picture Club inaugurates a series of Sunday Night Previews. Metro-Goldwyn-Mayer's mighty production

SEQUOIA

Pronounced "SEE-QUO-YAH"

The picture that has received already more advance comment than any picture of recent years has been selected by the committee for this prize presentation!

MEMBERS ONLY
SUNDAY EVE., JAN. 13

"SEQUOIA" is to be shown to the members of the club under the auspices of Louis K. Sidney who has prepared a dazzling floor show with distinguished guest talent. The sole charge for the evening's entertainment will be the dinner. Members are requested to make immediate reservations in advance for themselves and families.

DINNER . . . 7:00 P.M.
FLOOR SHOW 8:15 P.M.
SEQUOIA . . . 9:30 P.M.
Soviet Celebrates 15th Picture Year

By BELLA KASHIN

Moscow, Jan. 11.—On the crest of a wave of high emotions concerning the future of Soviet films and marking the beginning of the eight-day jubilee celebrating the 15th anniversary of the cinema, the presi-
today carried greetings from Stalin to Shumatsky, head of the Soviet film in-
dustry, and to the Bolshoiski leaders calls on Soviet producers to reach
higher spheres of achievement and challenge foreign cinema "the most
important and widely spread of the arts in the Soviet Union."

Plans are now maturing to follow the jubilee with the 15-day Interna-
tional Moscow Cinema Festival, about the middle of next month, to
which foreign directors have been invited and at which the latest foreign and Soviet
films will be shown.

Century-RKO Case

Goes to Main Board

Because of the importance of the Century-RKO clearance protest in
Long Island, the main New York clearance board has ordered that a
hearing before the Long Island Advisory
Board be omitted and that the
main board hear the case from the
start.

Last Wednesday the L. I. com-
mittee postponed the hearing to next
Wednesday, but the protest is now
scheduled for Jan. 17 or Jan. 24.

Louis Nizer will represent RKO and
Mitchell Kuthy, Century. The case
is being handled by Hollywood
Rockville Center, against RKO’s Co-
Lumbia and Park, Far Rockaway, and
the Alden, Jamaica, which are asking
one clearance over the independ-
ent house.

Buffalo Clearance

Moves by Campi End

Buffalo’s schedule on clearance and
zoning was officially dropped Thurs-
day by Campi, following a resolution
passed at the local board to revert to
individual protests.

A Buffalo clearance plan was dis-
ussed at the session. Morris Kunit-
sky’s overbuying case against Cen-
tury, involving selective contracts,
was tabled until Jan. 17.

Budget Hearing Feb. 1

Public hearing in Washington on the
1935 Campi budget has been post-
poned from Jan. 22 to Feb. 1, accord-
ing to Code Authority. The budget,
passed by the Code, was released Thurs-
day with the full text as the same as last
year.

Form New Company Here

Charles B. Cochran, London the-
at, and Arch Selwyn have formed
a company to produce pictures in London. It is planned to use American talent as much as pos-
sible.

Cochran will arrive here shortly from London and will go to the
coast to arrange for talent.

Bomb Pawtucket House

PAWTUCKET, R. L., Jan. 11. — A
bomb exploded in the Strand here to-
night, throwing the audience into a
panic.

Phila ban on Premiers May End

(Continued from page 2)

of the two houses. If the votes were
to be counted in, it would bring the
tally to 75.7. If they were thrown out, as ineligible, the vote would be
72.7, which would give theatres the
right to continue the practice.

Most of the Quaker City inde-
cedents are now giving away articles
awaiting the final determination by
Campi.

Noel Coward Signed

By Hecht, MacArthur

Negotiations were completed yester-
day and Noel Coward has agreed
by Ben Hecht and Charles Mac-
Arthur to star in the next pic-
ture to be produced by the duo, the
Eastern Service Studio for release
through Paramount. The picture is
tentatively titled "Miracle in 49th St.,"
and will go into work Jan. 28.

Explains Roxy Stay

Carlos Irales of White and Case, attorneys for Roxy Theatre bond-
holders committee, yesterday ex-
plained the injunction handed down
by Federal Judge Francis G. Coffey
in connection with an action instituted by Ethel Glaser, creditor for an accounting in the New York
State courts. Glaser’s suit was against the Continental Bank and
Trust Co. as trustee of the bond issue.

"When the Roxy Theatres Corp.
was defended under the provisions of
77(b) of the Bankruptcy Act," Irales
states, "the court, in accordance with the provision of the statute, entered
an order staying the pending fore-
closure suit until a final decree in the
reorganization proceedings."

This was the injunction which Judge
Coffey granted yesterday, Irales said.

Campi’s Financial Statement for ‘34

Receipts from producers and distributors................ $125,620.00
Receipts from exhibitors................................. 114,360.00

N. Y. State income tax collected at source.. 240,180.00

Total receipts.................................................. $240,459.37
Total disbursements......................................... 204,166.25

Cash balance Dec. 31, 1934.................. $5,838.75

Reserve for rent—leases....................... 1,451.00

Reserve for rent—month to month........ 29,003.12

Cash balance, Jan. 1, 1935................... $36,293.12

Summary of Disbursements

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<td>$ 25.00</td>
<td>$ 1,500.00</td>
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<td>Subscriptions to trade papers</td>
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<td>Expenses</td>
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Stocks Off on Big Board

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<td>Mayer Bros.</td>
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<tr>
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<tr>
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| Bond Market Has Bad Day

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TECHNICAL
(a) Plus cash extras. (b) Paid last year. (c) Plus stock extras. (d) Paid this year on account of accumulations.

Quotations at close of Jan. 11

Flash Review

Cowboy Holiday—There are times when the tale grows pretty tall, but that is more than made up for by the sizzling pace and excite-
ment of the story.

This film will be reviewed in full in a later issue of Motion Picture Daily.
No RKO Plan

In Prospects, Court Is Told

Would Cost "Millions," Asserts Carl Newton

That "millions of dollars would be required for the reorganization of RKO" and that no "financially responsible group" has yet proposed a plan of reorganization for the company, was a statement made by Carl Newton, of counsel for the RKO trustee, in a hearing yesterday on the final RKO report by Irving Trust Co., as receiver, and on an application for allowances aggregating $253,000.

Newton added that "two or three groups who are financially responsible" are interested in current discussions of an RKO reorganization, but have proposed no plan as yet. These latter groups, it is believed, represent large RKO stock and noteholders, including RCA, the claims of which aggregate large amounts.

In response to inquiries by Judge

Appeal Pending in

RKO Receiver Row

Federal court appeals opposing the admission of RKO to reorganization proceedings under the new bankruptcy law and asking the return of the company to receivership and the appointment of a second receiver in addition to Irving Trust Co., have

N. Y. Censor Measure Saddles New Burden


The altered measure provides a distributor shall pay an annual license, and in addition to the theatrical tax imposed by the city, the state department is authorized to levy a tax upon such distributors for the purpose of the inspection and supervision of film products, with the proceeds therefrom going into the state and city treasuries.

State Probe Into St. Louis Film Situation Now Impends

St. Louis, Jan. 14.—Investigation of the local film situation by the state under the provisions of its drastic anti-trust laws is now a possibility, according to a report.

From an informed source it has been learned that Attorney General Roy McKittrick at Jefferson City is studying the Federal indictments against Warners, Paramount and RKO.

One of the penalties for conviction provided by state law is that a firm so convicted can be ousted from the state.

Nye Scans Way to

Hit Block Booking

WASHINGTON, Jan. 14.—Prosecution of the so-called film trust all over the country was today said by Senator Nye as a good way to eliminate some of the evils of the block booking situation.

"I am watching the situation very closely and wondering whether this is the first step toward breaking up the so-called movie trust and giving the small exhibitor a better chance," he said. "I do not think there will be

Penn Censors Stay; Lawyer Heads Board

HARRISBURG, Jan. 14.—Ending rumors that censorship may be abandoned in Pennsylvania under the new Democratic regime which starts tomorrow with the inauguration of George H. Earle as governor, Earle selected a lawyer to serve as executive head of the censorship board.

Clarification for Labor
Terms of NRA Is Planned

WASHINGTON, Jan. 14.—Clarification of the National Industrial Recovery Act will be one of the major points of the new legislation which will be sent to Congress by President Roosevelt within the next two months. Numerous plans for giving organized labor what it demands in the way of legislation are being made by various groups within the Administration for submission to the President when he begins consideration of the legislation.

Labor groups are pressing for a law which would turn collective bargaining over to that group in each establishment which represents a majority of the workers. Such a provision, of course, would tend greatly to strengthen the membership of certain unions which seek not only to control industrial workers, but clerical and professional forces as well.

Another plan has been proposed, however, under which minority groups

Gold Censorship

As Industry Worry

WASHINGTON, Jan. 14.—Concerns in the film industry having outstanding bonds or mortgages calling for payment in gold may find themselves in

Preparedness

New Orleans, Jan. 14.—In anticipation of the annual meeting of the M.P.T.O.A. Colonel Seymour Weiss has been dispatching the Roosevelt has, extending it to the lobby and almost doubling its capacity.
PURELY PERSONAL

H. E. YATES yesterday financed W. Ray Johnston, Trem Carr of Monogram and William Saal of Select to lunch at the Tavern. Ben Cross was on the deal in an advisory capacity.

Among those present but not at the same table:

Richard A. Rowland and Ben Blumenthal, plotting future bridge hands.

Bill (Exchange Man) Raye, talking scripts with Mykes Gibbons of the Paramount story department.

J. S. McLeod, spotted with a friend in the corner. Howard Zeltner, of Loew’s, conferring with another group across the room.

Phil Reisman is now swamped with demands from other members of the M. P. Club for ping-pong lessons, particularly after the exhibition he put on yesterday.

Billy Wilerson is in from Hollywood.

Charles E. Richardson, Paramount trustee, went to Philadelphia yesterday. Which made many at the Paramount hearing worry why. The answer: simple. Mr. Richardson was in the capital.

Ben Lyons and Bebe Daniels have set up housekeeping at the Lombardy, now that they have brought their daughter, Barbara, back from the coast with them. “Sneets” Gallagher is with them, alone at present, and he expects the misses any day now.

Irene Thier has invented a movie indicator for classification of films. It’s called Movie Meter, and the Post, for which the Rialto publicity head covers reviews a few days a week, adapted the contraption. The indicator points to one of four ratings: Good, poor, bad or excellent.

Bill Pine will airflight from Hollywood to New Orleans to attend the T.-O. Thursday convention, which he will attend in late February. Bob Gillham is figuring on attending from New York.

S. B. Dembow and plenty of others.

Crestor Erskin not only is busy preparing rehearsals on “De Luxe” in the studio to start work in “Money to Burn” on Tuesday, but he also has pounded out “Three Blind Mice,” a play adapted from “All the Skeletons,” the Keith Fowler novel.

At Wilkie and Alex Moss, who handed together on one of those warm-weather occasions returned to New York and its ice-covered streets yesterday.

J. L. Ruby is at work on the film, which is of the public relations campaign, those high seas and arrivals on schedule. Jeffrey Bernard is abroad the “unidentified.”

Tom Drew, who runs General Register for Percy Phillips, one of the most American of British film distributors, is in Los Angeles. A business trip.

Carole Lombard is determined to visit all of the hot spots in town before the Sunday newspapers have been laid away, and probably will, all in one night this week.

Edward G. Robinson has gone back to the screen. “Man.” Mrs. Robinson and the boy were with him.

STUDDING the restaurant at the M. P. Club yesterday were these, among others:


Mor Silver, Y. Frank Freeman and Upton Williams were in the room.

Claude Ezzel in town from western conquests and waiting acquaintances at the RKO home office yesterday.

Phil Reisman did his conferencing yesterday in the RKO legal department.

Bruce Bromley of Cravath, de Gersdoff, Swaine & Wood, had a busy day in the film studios here yesterday. H. S. Raymond, of the offices yesterday. That St. Louis Demon may be the answer.

Wallace Connolly is being discussed for the role of the father in “Nemo,” a play dealing with the Nazi-sky affair in France. Nazivoda may also be in the cast.

Trem Carr is initiating Trem Carr into the hectic social whirl of Larchmont and the Paramount Club during the latter’s local visit.

Ethel Cantor and her family; Francis Chaliapin and Mischa Elman are to arrive from abroad on the “Isle of France.”

Mrs. S. Maurice Livingston, wife of U. A.’s Paris representative, is in town. She made the crossing on the Chaplain.

Hardie Albright and Martha Sleeper (Mrs. Albright) are in town to see a production for a New York stage appearance.

Helena Gwynn, columnist on The Hollywood Reporter, is vacating the city now for a two-weeks’ release from the west.

Rostia Moreno is in these parts to play the feminine lead in a Spanish talkie which will be made at the Eastern Service studio.

Robert Lord and Delmar Davis, Warner scenarioists, arrive on the coast today after a brief trip here to see “Page Miss Glory.”

Sam E. Morris and his son, Bud, arrive from England on Thursday of this week.

Jack Patterson returned from St. Louis over the weekend. Harry C. Arthur gets in tonight.

J. Montgomery McManus did some neat toe-and-heel numbers in the Astor ballroom Satiday nite.

Walter Eberhardt and Mrs. E., took “Anytime Goes” last night and voted it swell.

Paul Gulick is getting fan mail from exhibitors on his Universal Weekly mailing list.

Herschel Stuart counts that day lost that doesn’t produce a laugh, and hasn’t lost one in months.

Bob Cochran is taking more attention to the Motion Picture Club these days.

William Grenis of Ideal Seating, "Reclaimed" pulls $5,000 at Rialto

"Man Who Reclaimed His Head" was good for $13,500 for the first week at the Rialto. Arthur Mayer is holding it over, but hasn’t decided definitely whether to put in “Balboa” on Friday or next Monday.

"Mystery Woman" at the Mayfair tallied $11,400 and the Astor got only $9,400. Cold weather which hit town Sunday and kept audiences in the house has hit Broadway box-oftices the last two days.

Over the week-end, “Lives of a Bengal Lancer” grossed around $80,000.

FIELDS and Sobelman TO Sail on Saturday

Arthur Fields, supervisor of M-G-M synchronization of foreign versions was aboard in Paris with Martin Sobelman, editor-in-chief under Fields, said for Europe Saturday on the H. S. Raymond, bound for that same destination. Arrived here both arrived here with Arthur Loew and Sam Burger on Saturday.

Burger is now aboard the Bremen and is scheduled to arrive in England tomorrow. He is bound for South Africa to install M. J. Davis, former Hong Kong M-G-M branch manager as general manager of the South African office, succeeding the later Carl J. Sonin.

Fred Pelton of the coast studio staff is in town.

Kenneth DeLong Married

Boston, Jan. 14.—Kenneth DeLong, who has come here as an executive with the M. P. operating company for Publix, has married Evelyn Lindsay, formerly of New Jersey.

DeMille Starts Jan. 21

Hollywood, Jan. 14.—Paramount will start Cecil B. DeMille’s “The Crusaders” on Jan. 21. The picture is now in preparation for the past three months.

Grand Rapids, is in town for a few days.

Sylva Sidney’s long holiday here is ended. She has started the trek.

Dave Loew hasn’t made up his mind when he will leave for that coast jaunt.

Herb Heidkamp was made practically perfect—sartorially—the other afternoon.

Lillian Bond essays the lead in “Little Shop,” Thursday’s stage opener at the Playhouse.

E. A. Rowlands of Ilex Optical Co., Rochester, is in town.

Sidney Samuels is given an out of town jaunt today.

Bob Ritchie is shortly. From Europe again.

Ruth Gordon is steamer-bound for Europe again this week. For Max MG.

Harold B. Franklin is back from the coast.

Margaret Sullavan is keeping her visit here a secret?

Horton See among the divers at Thompson’s No. 27 the other day.

Felix Feist seems in danger of developing wanderlust.
PARAMOUNT'S
"THE LIVES OF A BENGAL LANCER"
is one of the most outstanding entertainments in recent years . . . . .

but don't take our word for it!

Read what the critics say on the next page
"Not since 'Beau Geste' has the screen offered such a picturesque and exciting story. By all means see 'Lives of a Bengal Lancer'."
— Kate Cameron, N. Y. Daily News

"Stirring, fascinating, heroic—the first contender for the list of 1935's ten best pictures."
— Richard Watts, N. Y. Herald-Tribune

"'Lives of a Bengal Lancer' is a superb adventure story and easily the liveliest film in town."
— Andre Sennwald, N. Y. Times

"LIVES A BEN LANC"
A Paramount Picture • Directed by GARY COOPER FRANCHO SIR GUY
"Lives of a Bengal Lancer" is truly great — a monumental movie better than 'Beau Geste'.
— Bland Johansen, N. Y. Daily Mirror

"Four stars and a cheer for 'Lives of a Bengal Lancer'! Here it is! The motion picture at its best."
— Liberty Magazine

"'The Lives of a Bengal Lancer' is a picture that calls for cheers! Whopping melodrama magnificently produced!"
— Eileen Creelman, N. Y. Sun

"'The Lives of a Bengal Lancer' is one of the screen sensations of the year... magnificent, intensely exciting entertainment."
— Rosc Pelswick, N. Y. Journal

by Hathaway with
ONE • RICHARD CROMWELL
RINDING • C. AUBREY SMITH
NATE BLUMBERG
Operates 100 theatres and supervises 125 more.

JOHN O'CONNOR
Spends upward of $7,500,000 annually for film for all RKO theatres.
They read MOTION PICTURE DAILY
No RKO Plan
In Prospect,
Court Is Told

(Continued from page 1)

Bondy, Newton reported that, while RKO had shown a small profit for the first six months of last year, there would be a loss for the current year. Judge Bondy took under consideration both the receiver's report and the application for allowances. The latter was attested to, John Butler, counsel for bondholders of the Orpheum, St. Louis, who pointed out that the last petition for allowances, aggregating $225,000, which $105,000 was allowed by the court, had been filed on May 31, and that the present application covered services rendered only during the following six weeks. Butler also asserted that the preparation of the present receiver's report might represent a waste of RKO assets as it, too, covered only a six-weeks' period from the time of the filing of the last report to the filing of RKO's petition for reorganization as a debtor corporation under Section 77-B on June 30. He asked that such interlapse as the report was a final one for the period of the receivership, the fees be considered final for the receivership, as well, including payments on account, as they are now designated. Judge Bondy reserved decision on these recommendations.

Under the present application, Irving Trust asks $100,000 and its counsel, Donald C. Lombard, $125,000. Additional fees for special services and expenses aggregate about $10,000. Neator stated that the previous application for fees was merely an interim allowance and did not represent what the full value of the services rendered by the court, in replying to Butler's criticism. He stated that $295,000 of the cash now in the hands of the RKO receiver has immediately been available for administration expenses.

Appeal Pending in
RKO Receiver Row

(Continued from page 1)

been taken to the U. S. Circuit Court of Appeals here by Warner Reade's Broadway & 47th St. Corp. and other RKO creditors, it was learned yesterday.

Edward L. Garvin, counsel for the creditors, who is appealing from denials of his applications by Federal Judge Alfred C. Ingersoll that the RKO reorganization proceedings are invalid because, he alleges, the application was filed in the wrong time at which the new reorganization statute became effective last June. Decision on the appeals is expected in the near future.

Atlanta Salesmen Shift

Atlanta, Jan. 14—James Young Warner salesman, has joined the First Division sales staff here.

Merritt Davis, former Warner branch manager at Memphis, has joined the First Division sales staff here.

MPTOA Sets Equipment
Display for Nat'l Confabs

Theatre management, modern theatre design, construction, remodeling and equipment are stressed as highlights of the forthcoming M.P.T.O.A. convention to be held in New Orleans Feb. 25-28.

Accordingly, the convention arrangements committee is providing and assigning suitable display booths on the mezzanine floor of the Hotel Roosevelt, where all sessions will be held. A floor plan of the space is reproducible above.

Experts in their fields are being lined up for addresses, the committee reported yesterday. The comment will be "non-technical, understandable talks." It is anticipated a number of well known theatre operators also will be on the program.

Expect $2,500 Bond
For St. Louis Case

Bonds in the amount of $2,500 each are expected to be set by a Federal commissioner here either today or tomorrow under the St. Louis indictments voted against Harry M. Warner, Herman Starr, Abel Cary Thomas, Graddwell Shears, George Schaefer and Ned Depinet, it was learned yesterday.

The six will be arraigned before a commissioner as soon as the indictments are received from St. Louis. No disposition on the part of any of the indicted companies to discuss a consent decree with representatives of the Attorney General's office was evident yesterday. The attitude, in fact, was the opposite, with all expressing hope of an early trial in St. Louis Federal court. Separate counsel for each defendant company will be retained when the case goes to trial, probably with company counsel serving in an advisory capacity.

Penn Censors Stay;
Lawyer Heads Board

(Continued from page 1)

today announced the appointment of L. Howell Davis, prominent attorney and business executive of Philadelphia, to succeed Samuel D. Schwartz of Philadelphia as chairman of the Board of Censors.

This move was established beyond doubt that the new governor has no intention of abandoning censorship. The post pays a salary of $4,800 a year. "I am pleased to announce the appointment of Mr. Davis as chairman of the state board," Earle said. He is particularly qualified by training and experience for this most important post.

Davis was born at Riverton, N. J., in 1877. He is a son of Lemuel H. and Mary H. Davis and attended the University of Pennsylvania where he was graduated in 1901. In 1904 he received his degree from Law School at the university and was admitted to practice. During the War he was a first lieutenant in the Corps of Interpreters, attached to the 38th Division.

The Pennsylvania censorship board includes besides the chairman, a vice-chairman and a secretary. The vice-chairman under the outgoing administration is Miss Blanche L. Davenport of Wilkes-Barre, and the secretary is Mrs. Mary J. Kerr of Conshohocken.

Gold Ruling Looms
As Industry Worry

(Continued from page 1)

a difference. The U. S. Supreme Court next month declare invalid the President's proclamation devaluing the dollar and suspending gold payments.

Possibilities that the court might render an opinion unfavorable to the government are seen in many questions asked during argument on the case last week. Until the court acts, it is futile to attempt to guess the outcome, but the court finds it impossible to make the decision, but it is said that in all probability, if the opinion is such that it can be threatened, legislation will immediately be jammed through to meet the situation.

Should an opinion be rendered requiring the payment of gold obligations in amounts which would permit the purchase of the same amount of gold as could be bought by the money invested at the time of the investment such obligations might entail the payment of nearly $1.69 for each $1 owed.

A tremendous amount is involved in the situation, since prior to 1933 the gold standard was the most important called for payment in gold.

Hamm, Jr., to Run
Publix Northwest

(Continued from page 1)

Publix Northwest receivership, if approved.

Hamm's operating contract gives him the sole right to name a general manager for the circuit and indications point to his retention of J. J. Friedl, the present general manager. Extension of the operating contract after June 27 is considered probable inasmuch as all such agreements concluded by the Paramount trustees were expected to expire on the approxi-

mately the same time in order that they might be subject to approval and ratification by the new Paramount management after reorganization of the company.

Hamm is the son of William Hamm, Sr., owner of Minneapolis
cine, who was financially interested in the former Finkelstein & Rubin circuit. Hamm, Jr., has been actively identified with the circuit.

Haddow New Service
Head at Paramount

G. Knox Haddow, formerly assistant to J. J. Unger, Paramount division manager of Minneapolis, has been made head of the exchange service department. Frank Thomas, heretofore ad sales manager for Kansas City, has been made assistant to Harry Wheeler moving up to Thomas' post. LeRoy Palmquist, ad sales manager in Minneapolis, is now a salesman at the Omaha exchange, replacing Selby Carr, who becomes ad sales manager in Omaha.

Mickey Rooney Injured

Hollywood, Jan. 14, — Mickey Rooney was in the Hollywood Hospital yesterday with a broken leg he received while tobogganing at Big Pines yesterday. The accident will not hold him from playing in the Warner's "Midsummer Night's Dream."
**Songwriter Soiree Staged by Gaumont**

It was songwriting day at Gaumont British yesterday.

Maurice Siegler, Albert Hoffman and Albert Goodheart, local denizens of Tin Pan Alley who had journeyed to London to write tunes for two G. B. pictures, returned home a day or so earlier than they had planned. While they were in England, members of the office staff, the local daily and trade press and various executives along Music Row were invited to Arthur Lee’s office for cocktails.

Siegler, Hoffman and Goodheart furnished entertainment in the form of their latest numbers. These included “Suqius,” “Did You Ever Have a Feeling You’re Flying,” “On the Way Street” and “Song of the Law.” All from the picture “Suqius,” which stars Betty Balfour and Stanley Halloway. The other picture of the three was “The Code,” and the songs played from this one were “The Code,” “If Your Father Only Knew” and “San Felipe.” The star of this one is Lester Allen, who is called the Bing Crosby of London. These three pictures will be seen in about two months to work on four more pictures.


**"Buried Loot" in Court**

BALTIMORE, Jan. 14.—“Buried Loot,” first release in M-G-M’s “Crime Does Not Pay” series produced in conjunction with the Department of Justice, had its premiere in Central Police Court here today. Federal, state and city officials as well as crime victims attended. The film is getting its first showing in a theatre in the United States at low’s Cent., Al Fleming of the M-G-M home office helped arrange the screening.

**Clavoring Knighted**

LONDON, Jan. 14.—Albert Clavoring is now a knight, the honor having been conferred upon him in the King’s New Year’s List. Clavoring, who organized the film department of the Conservative Party, was director of F.B.O., Ltd., and a member of the Clavoring and Allan circuit. The knighthood came as a recognition of his political and public service record.

**New Contract for Brent**

Hollywood, Jan. 14.—George Brent was given a new seven-year contract by Jack L. Warner after the latter saw “Living On Velvet,” in which he plays opposite Kay Francis.

**Col. Wyatt Dead at 80**

Hollywood, Jan. 14.—Col. Conway Carroll Wyatt, 80, official custodian of the Memorial Museum, died yesterday following a sudden illness. He was in the employ of Fox for 15 years.

**Estabrook with Fox**

Hollywood, Jan. 14.—Howard Estabrook will do the adaptation of "Orchids to You" for Fox. He is now at the studio preparing the script.
A NEW MYSTERIOUS POWER LOOMS BEHIND YOUR BOX OFFICE!....

WATCH IT—AND WATCH IT DRAW THE CROWDS!

CARL LAEMMLE PRESENTS

CLAUDE RAINS
DOUGLASS MONTGOMERY

The MYSTERY of

EDWIN DROOD

A UNIVERSAL PICTURE WITH
HEATHER ANGEL · DAVID MANNERS
FRANCIS L. SULLIVAN · VALERIE HOBSON
DIRECTED BY STUART WALKER
PRODUCED BY CARL LAEMMLE, JR.
ASSOCIATE PRODUCER, EDMUND GRAINGER
Boston, Jan. 14.—A combination of "The President Vanishes" and Paul Whiteman with his radio revue ran the Metropolitan up to $24,000 for top honors here last week. The Whiteman show was on for only six days, due to his broadcasting contracts.

The best straight film business was done by a dual consisting of "Bordertown" and "Bacheler of Arts." These two played both at the Fenway and Paramount. At the former the take was strong with $6,500. At the latter it took the same amount, but the results were not as good as average or $5,500.

Total first run business was $65,000. Average is $65,000.

Estimated takings for the week ending Jan. 11:

<table>
<thead>
<tr>
<th>Title</th>
<th>Gross</th>
<th>Average (3-5)</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;BORDERTOWN&quot; (Warner)</td>
<td>$20,500</td>
<td>$14,375</td>
</tr>
<tr>
<td>&quot;ROMANCE IN MANHATTAN&quot; (Radio)</td>
<td>$60,500 (Average, $12,000)</td>
<td></td>
</tr>
<tr>
<td>&quot;FORSKING ALL OTHERS&quot; (M-G-M)</td>
<td>$50,000 (Average, $10,000)</td>
<td></td>
</tr>
<tr>
<td>&quot;PRESIDENT VANISHES&quot; METROPOLITAN (4-385)</td>
<td>$50,000 (Average, $5,000)</td>
<td></td>
</tr>
<tr>
<td>&quot;BACHLER OF ARTS&quot; (Fox)</td>
<td>$50,000 (Average, $5,000)</td>
<td></td>
</tr>
<tr>
<td>&quot;THE FUGITIVE&quot; (Radio)</td>
<td>$40,000</td>
<td></td>
</tr>
<tr>
<td>&quot;GOLDEN DAWN&quot; (Paramount)</td>
<td>$35,000 (Average, $5,000)</td>
<td></td>
</tr>
</tbody>
</table>

Estimated takings for the week ending Jan. 17:

<table>
<thead>
<tr>
<th>Title</th>
<th>Gross</th>
<th>Average (3-5)</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;BORDERTOWN&quot; (Warner)</td>
<td>$20,500</td>
<td>$14,375</td>
</tr>
<tr>
<td>&quot;FORSKING ALL OTHERS&quot; (M-G-M)</td>
<td>$20,000 (Average, $4,000)</td>
<td></td>
</tr>
<tr>
<td>&quot;PRESIDENT VANISHES&quot; METROPOLITAN (4-385)</td>
<td>$35,000 (Average, $5,000)</td>
<td></td>
</tr>
<tr>
<td>&quot;BACHLER OF ARTS&quot; (Fox)</td>
<td>$35,000 (Average, $5,000)</td>
<td></td>
</tr>
<tr>
<td>&quot;THE FUGITIVE&quot; (Radio)</td>
<td>$30,000</td>
<td></td>
</tr>
<tr>
<td>&quot;GOLDEN DAWN&quot; (Paramount)</td>
<td>$25,000 (Average, $5,000)</td>
<td></td>
</tr>
</tbody>
</table>

High Intensity

Special D. C. Projection Lamps have been designed to use these new carbons developed by the Research Laboratories of National Carbon Company, Inc.

National SUPREX carbons provide brilliant, snow white, High Intensity Projection for the smaller theatres using direct current.
Clarification for Labor Terms of NRA Is Planned

(Continued from page 1)

Nye Scans Way to Hit Block Booking

(Continued from page 1)

general freedom and satisfaction until the industry abandons block booking or gives the exhibitor a wider choice of pictures.

Judge Gives Weight To Grievance Board

DENVER, Jan. 14.—In refusing a temporary injunction to Harry Huffman, Judge J. Foster Symes of the U. S. District Court said the decision of the legislative board was entitled to great weight with the court. The board had ordered exchanges to cease serving Huffman with films unless he complied with its order to stop weekly auto giveaways. Huffman refused and went into court asking a temporary injunction. When this was denied he asked for a restraining order until the appeal could be heard. This was refused by Judge Symes on the ground that Huffman could stop the auto giveaways and still get films.

Huffman then went before Judge Orlin L. Phillips of the U. S. Court of Appeals, who issued the restraining order against the exchanges. Presiding Judge Robert E. Lewis also signed the order.

The case is set for hearing at Oklahoma City, Jan. 24 at 10 a.m. At the hearing, if Judge Symes had issued the restraining order it would have been effective until the appeal on the temporary injunction could be heard. Possibly the matter up to a year, but with the issuing by the Circuit Court of Appeals it is effective only until the first chance the court can give to hear the case on its merits.

Teach Chosen ITPA Wisconsin Manager

MILWAUKEE, Jan. 14.—Ray Teach has been named business manager for the new Independent Theatres Protective Ass'n of Wisconsin and Upper Michigan. Permanent plans will be established here by Feb. 1.

F. J. McWilliams, Madison, vice-president, has been named chairman of the new executive committee. The permanent committee on finance includes E. Langemark, J. J. Boden and William Silcock.

The committee on Milwaukee affairs consists of the 10 members of the board of directors from Milwaukee county as follows: A. C. Dreves, Rochester; Boden, Langemark, George Fischer, R. K. Fischer, E. F. Maertz, Robert R. Baldwin, Tom Sorensen, Charles Washcheck and R. J. Patterson.

New Plan for Code Payment Is Sought

(Continued from page 1)

ducers should pay code levies to the companies through which they are receiving and distributing, and that the new plan include these payments in their assessments. This will eliminate intricate bookkeeping by distributors, it is held.

The plan was discussed at the last Campi session and will be put up to the NRA at the Capitol hearing next month.

Hearing Off to Feb. 5

WASHINGTON, Jan. 14.—Hearing on the budget for the code today was postponed from Jan. 22 to Feb. 5. Original plans to put off the meeting until Feb. 1 were set aside in order that the hearing might not come at the end of the week. Discussion at the hearing will include the 1934 budget as well as the one for 1935.

Drop 20-Mile Complaint

KANSAS CITY, Jan. 14.—The local grievance board, acting as a Local Industrial Adjustment Agency, has failed to adjust an unfair advertising complaint lodged by Mrs. John Creators, exhibitor of Downs, Kan., against the Mainstreet and Dickinson in Beloit, Kan.

Move to Adopt Baby

CLEVELAND, Jan. 14.—Variety Club today started proceedings to adopt a seven-pound baby boy abandoned last night in the RKO Palace washroom.
HE'S GOT A NEW LOVE!

Good-bye girls—
you were awfully nice to our Leo—
but look at his new tootsie—she’s the last word in CLASS!

FORSKING ALL OTHERS FOR NEW BOX-OFFICE RECORDS! A SMASH HIT!

Joan Crawford, Clark Gable, Bob Montgomery are shooting the grosses sky-high! What a trio of stars and how they’re delighting audiences. Beating “Tugboat Annie”, “Chained”, “Dancing Lady.” That’s business! And it’s unanimous from Coast to Coast!
Social Bills, Tax Piling Up In California

Legislature Gets Varied Batch First Week

Sacramento, Jan. 15.—Increases from two to six per cent in corporation franchise taxes are provided for in a bill introduced in the Senate by Calvert Olson, Democratic leader.

Other bills affecting the industry already in print for abolishing block booking; an eight-hour day; no seat, no ticket sales, and licensing of chain stores, including theatre circuits.

STATE CAPITOL, SACRAMENTO, Jan. 15.—The California Legislature ended its first week here with a pile of social legislation on the desks of both Senate and Assembly, which, if enacted, will take hundreds of thousands of dollars from the industry.

Job insurance with employers and employees sharing costs will be one of (Continued on page 14)

Coast to Issue All Feature Code Seals

Issuance of production code seals for all feature pictures is being centralized in the administration's Hollywood office under Joseph J. Breen, on instruction from Will H. Hays. The change is effective immediately.

Heretofore, the eastern office of the production code administration has (Continued on page 14)

Industry Signs Deal With Czechoslovakia

After two years' negotiations an agreement opening a wider market for American pictures in Czechoslovakia (Continued on page 14)

New Year's Week Grosses Leap to Prosperity Level

Christmas week and New Year's dispelled a lot of gloom in the 22 key cities from which Motion Picture Daily receives weekly box-office reports. The Christmas week total take of $1,408,788 went back to September levels, and the New Year's grosses, $1,719,887, leaped to something that looked like good old fashioned prosperity.

Due to some of those mysterious (Continued on page 14)

Tagged

Spyros Skouros' car license number is: S S 12

Hamm to Get $700 Weekly; Also 15%

William Hamm, Jr., will receive $700 per week and 15 per cent of the gross for the studio, Ida Motion Amusement Corp., from Dec. 31 last to June 27, for himself, H. J. Charles, counsel, and a general manager, under the proposed agreement for ending the receivership of the company, it was learned yesterday. A hearing on the agreement will be held Jan. 21 before Special Master John E. Joyce. Hamm, who was associated with the former Finkenstein & Rubin circuit, from which Minnesota Amusement Corp., was evolved, has been receiver for the company (Continued on page 23)

Metro-Goldwyn Net Up to $1,316,762

Net profit after taxes of $1,316,762 is reported by Metro-Goldwyn Pictures Corp., for the 12 weeks ending Nov. 22. This is equivalent to $8.75 per share and compares with $7.55 for the same period last year when the net was $1,164,307.

Net operating and miscellaneous income totalled $7,929,943. Amortization of negative and positive costs and depreciation totalled $6,403,263. Taxes were $209,918.

Coast Bank Night Decision Reversed

Camp has overruled the Los Angeles grievance board in a decision on bank nights against F. W. C's Highland in Los Angeles. York Theatre, which originally brought the complaint, asked for a withdrawal at the time it was scheduled to be heard, but (Continued on page 28)

Block Selling Seen Target of Federal Probe

Move Believed Intended To Force Compromise

By BERTRAM F. LINZ

WASHINGTON, Jan. 15.—The St Louis product is a serious player in some quarters here as an effort to force the industry to liberalize its sales methods.

As the Government cannot go into court and indict for conspiracy on block booking because of Federal decisions upholding that method of selling it must seek some other excuse for bringing the matter into court, and in the presentation of evidence on other charges it can refer to block selling but can bring no direct charges on that basis alone.

The idea, it is said, is to frighten the industry with the hope that some sort of trade might be offered which would meet the independents' complaints against block booking.

Little importance is attached to the statements of Department of Justice officials less important than the Attorney General himself, since the department has a policy of "covering up" on pending actions. It is conceded there probably is no definite plan for bringing a number of (Continued on page 11)

Missouri Sales Tax Jump Starts Fight

KANSAS CITY, Jan. 15.—A battle is in prospect in the Missouri legislature at Jefferson City over Governor Park's proposal to hike the sales tax from one-half of one per cent to at least one per cent. The levy, imposed on ticket sales, is absorbed by exhibitors.

Aside from opposition to the legislature, merchants have organized the (Continued on page 27)

Ohio Scales Shift For New Sales Tax

COLUMBUS, Jan. 15.—A statewide survey discloses that a majority of first runs heretofore charging 40 cents top, including four cents to cover the 10 per cent tax, have reduced to 24 (Continued on page 35)

ITOA and Local 306 Agree on Booth Cost

The I.T.O.A. has closed a deal with Local 306, affecting all members of the exhibitor organization. Negotiations among other local exhibitors (Continued on page 28)
HOW goes published com-
ment on films these days? The answer is that it goes many
ways, up and down, plus and minus, sometimes pinioning this
business just to see how it can sweat and squirm, we think, and
sometimes endeavoring honestly to help. Having typewriter and
paper, as well as linotype and press to convey our own ideas,
erotic and otherwise, we understand
fully how much fun it can be. Besides, the other fellow
probably thinks we are just as screwy as we think him.

For instance, The National
Republic, gotten out in Wash-
ington, is excited about Hol-
wood and whatever Communism may be lurking in those hills.

Read on:

"The Committee for the De-
fense of Political Prisoners,
headed by Lin Lomnitz, Stevens
her, Elsa Winge, A. Hirsch,
theodore Dreiser, Lang-
ton Hughes, Upton Sinclair
and other leaders, is oversh
ning the recent threat of the State
of California to further investi-
gate the activities of Communists
in Hollywood...

The following theatricals
have joined them in their protest:
Elmer Rice, Walden Frank,
Peter Edwards, Bromberg,
Alex-
ander Kirkland, herman Shum-
lin and Howard Dietz. This
is an indication that Hollywood
is beginning to have a
interest in the activities of
Communists in Hollywood.

While investigations are under
way, we suggest a probe of The
National Republic, who is behind
it and why.

From here and there:
"Of course, World-Her-
ald — "the Legion of Decency... in its
general objective... has
performed a public service."

"The movies have certainly
changed... the type... most
evident... adopted... it
relates to the rules of decency,
they are just plain fools... They
will be the ones to suffer..."

"High Point, N. C., Enter-
prise — "The movies have certainly
changed... the type... most
evident... adopted... it
relates to the rules of decency,
they are just plain fools... They
will be the ones to suffer..."

Boston Traveler — "It is fitting
that, in response to such good
faith on the part of the movie
people, critics now should as
emphatically praise and the public
should support the era of their
own bringing."

San Bernardino Sun — "The
responsibility for better films for
boys and girls now passes directly
to the exhibitor."

BUFFALO ECHO — "We
insisted from the beginning that we want
the public to review the pictures;
the public, before accepting those lists.
Now that the matter is public
property, we state that for 20,000,000
Catholics to be forced to follow
the judgment of one young lady
working in her spare time is either
Catholic, representative, American or just."

Pittsburgh Catholic — "The
point... that, if the campaign
for decency in the movies is to
be permanently successful, there
must be uniformity and the
matter of which list is followed is of
secondary importance..."

The Lutheran, Philadelphia —
"Since it is so easy to criticize the
Hierarchy here in America, if they
resort to boycotting... in order to
isolate their own members
from Protestant institutions.

No one's business will be safe from
eclesiastical restraint if the objet-
cives of a religious group
then interfere with it."

The New World, Chicago —
"The Legion of Decency cam-
paign must go on—on it is—
not as the fanatic its enemies
would now try and make it out to be,
but as the calm, wise, broad,
determined force it is in the
estimation of all fair, un-
prejudiced observers."

"What has gone before was
picked more or less at random. It
represents what may be fairly
described as an average cross-
section of far-flung opinion,
varied in point of view but united
on its subject matter which is this
industry and its deportment as
reflected on the screen. It
emphasized anew the extreme
care with which film conduct is
scrutinized and it throws into
relief the many groups which
are on their toes, ready to step
on the industry's toes when
matters proceed not to their liking.

The movie public does not
share some of the criticism is not justi-
fiable, for it is. The difficulty is
the terrifying task of even at-
tempting to please all hands and
the problem that it can never
be done."

"How it sometimes happens:
Gary Cooper's contract with
Paramount allows him to desig-
nate his director. Friendly with
Henry Hathaway and believing
Merger negotiations between Walter Reade and Brandt combine
the two circuits under way with expectations that a deal will be struck
within the next few days.

Brandt operates 32 theatres in New
York, Brooklyn and New Jersey,
while Reade has 13 in New York and
New Jersey. Efforts to reach Brandt
and Leo Justice of the Reade office
were unsuccessful yesterday afternoon.
Investors in the Reade circuit
is a deal to add six other New Jersey
independent houses. The proposed
name of the circuit is being kept
secret, but it is understood that
three of the deals agree all negotia-
tions will be called off. If, and when,
the combination is set, the total
number of houses in the circuit will be 60.

Macfadden Group Shift
E. F. Irsh, Jr., has resigned as
president of the Macfadden
Women's Group and Photoplay,
to be succeeded by Harold
Clark, assistant to Carroll Rhein-
strom. Robert W. Lawless, formerly
of the Daily News, has been added
to the new manager's staff.

"Devil Dogs" Book Out
The press book for "Devil
Dogs of the Air," first Cosmopolitan
production to be handled by
Warner, is ready for distribution to
exhibitors. Among its features are
12-chapter serialization, national
tieup, newspaper and magazine
lists and an extensive variety of
ads and promotion ideas.

Fox Met Reports Loss
Fox Metropolitan Playhouses
showed a net loss of $350,524, after interest,
expenses and other charges, for the
period from Jan. 1 to Aug. 17, 1934,
according to the consolidated corpor-
ate and receiver's income report presented
yesterday.

No Werner Successor
No successor to David
Warner, eastern representative
for Universal studios, has been
named. Warner is now on the
coast.

"Barnum" Gets $23,600
"The Mighty Barnum" tallied $23,-
600 for the third week at the Rivoli.
"Clive of India" opens tomorrow.

in him, moreover, Cooper spread
something akin to consternation.
If not constellation itself, around
the front offices at the Paramount
studio some months ago when he
informed Manny Cohen he wanted
Hathaway, his experience pre-
vailing at the time, pressure to
maintain directors and re-
ductorships and latterly fully
fledged direction on westerns, to
handle "Now and Forever." When
"Bengal Lancers" emerged from one of his story logs and full
production became imminent, again
Cooper insisted on Hath-
away. Down for close to a mil-
lion of the budget on this
film, Cohen did mental somersaults,
mostly unpleasant. Cooper won,
but so did Hathaway, for "Lan-
cers" is one of the grandest pic-
tures of this season and many
others....
You'll be proud you are part of the motion picture industry when you see—
Two years ago it was the dream of its producers, Metro-Goldwyn-Mayer! The theme was so daring, so exciting that nothing since "Trader Horn" could equal its brilliant novelty. Now it is a stirring reality on the screen. Out of the High Sierras, out of the wilderness that is America's last frontier...roars this amazing drama of the animal revolt against man. A Girl Goddess of Nature! A ferocious mountain lion and a deer with human instincts! Leaders of the wild forest hordes! A production of startling dramatic thrills that defies description on the printed page...that becomes on the screen YOUR GREATEST EXPERIENCE IN A MOTION PICTURE THEATRE!

 Pronounced "SEE-QUO-YAH"

SEQUOIA

A GIRL GODDESS OF NATURE LEADS THE ANIMAL REVOLT AGAINST MAN

with

JEAN PARKER

Produced by JOHN W. CONSIDINE, JR.
Directed by CHESTER M. FRANKLIN
Based on the novel "Malibu" by Vance Joseph Hoyt

NATIONALLY ADVERTISED
This full page ad appears in 17 nationally known magazines with 27,153,000 circulation.
No picture in years has given me the same emotional quality which I derived from SEQUOIA. Combined with the most excellent photography, it is a magnificent social study of animals. The words of old, in the Bible, I think—the lion and the lamb shall lie down together—are made to glow again in SEQUOIA.

The director took a mountain lion, gave it a leading role and made of it a Jean Harlow. And all the deers that appear on the screen are much more natural and have more poise than most Hollywood players. There are moments in the film which reach emotional grandeur. The cub caressing its dead mother is a scene which I shall never forget. It is written on my heart forever. How any man can go out and kill a deer after seeing this picture is more than I can understand. While watching the deers in the film I recalled Walter Winchell’s splendid thought—that the deer should be allowed to shoot back at the hunter.

SEQUOIA is an animal film which a man can leave without too much shame for his fellows. Those who made this film had a fundamental love of animals in their souls—and not their destruction. If I could do one thing for the youth of the world in order to make a cleaner and finer and more understanding generation when we at last are dust—it would be to send them each and all to see this film at my expense. I often grow discouraged about films. SEQUOIA renewed my faith. I congratulate its makers.

Sincerely,

Jim Tully

A LETTER FROM A NOTED AUTHOR!

Testimonials from those who have previewed “Sequoia” are pouring into the M-G-M Studios. In the following pages we reproduce as many as space permits. We print also the opinions of the critics. And for the first time actual comments of patrons at the preview, typical reactions that you will get from your patrons!

(Every word that follows will be echoed by your audience)
"Should Be A Smash In Any Theatre"

After more than a year and a half in production, John W. Considine, Jr., has turned out for Metro what is probably the most unique screen feature ever made. Based on the Vance Hoyt novel, "Malibu," picture tells the story of a strange friendship, that of a mountain lion or puma and a deer, a story of pathsip, animal love and devotion that is rarely equaled, even among humans. After viewing the finished product, it is not to be wondered at that filming required in excess of 18 months. Plenty of patience must have been required on the part of Director Chester Franklin, and all concerned in the production, to secure the unusually strange pictures, even granting that the two animals, around whom the story is built, must have been carefully and painstakingly trained.

"Sequoia" is fit fan fodder for young and old, and should be a smash in any theatre, from the metropolitan deluxe to the backwoods nickelodeons. It has everything. Thrills, pathos, comedy, majestic scenery and above everything else, humanism.

Orphaned shortly after their birth in the High Sierras, the baby puma and deer are adopted by Jean Parker, who is living in the mountain fastness with her father, Samuel S. Hinds, a writer. While engaged in rescuing the cat and the doe, Miss Parker is saved from savage dogs by Russell Hardie, a young Forest Ranger, and their love romance is adroitly carried out throughout the unfolding of the strange yarn.

Hardie insists the attempt to raise the two wild animals will fail as they are natural enemies, with Hinds contending that only sheer necessity makes them antagonistic to each other. The doe is named Malibu, meaning a hard row to travel, and Gato is the cognomen bestowed upon the puma, at first believed to mean misunderstood one, but later developing the meaning is outlaw and murderer.

Throughout the story puma and deer show the effects of a year spent together before they are turned loose to shift for themselves. Time after time both have narrow escapes with their lives, but in each instance the other animal comes to the rescue.

The climax comes when Paul Hurst, a rancher, and his henchman, Ben Hall, turn loose a herd of protected deer from the forest reservation for city hunters to shoot. Malibu effects their release, is tracked by Hurst and when cornered is saved through the interference of Gato, with the deer finally to the rescue. Fadeout has the strange friends of the wilds in affectionate gambols atop the snow-capped mountain.

Human characters are all well suited for their parts, with Miss Parker particularly effective.

"THRILLS, SPECTACLE AND EXCITEMENT"

Adapted from a book by Vance Hoyt, noted author of animal and nature stories, this is an unusual kind of screen picture. Fundamentally it is the drama, comedy, thrill, danger and the peculiar human interest attached to the struggle of wild creatures in native habitat.

Two animals, native of California's High Sierra Mountains, the locale, are the principal figures.

First demonstrating that natural enemies can become friends as Jean Parker, finding a cougar cub and a fawn, raises them to maturity in companionship, the animals are released again to the redwood forests. When danger comes to the doe, the cougar saves her. As her mate is killed the doe leads her fawn to Jean Parker's cabin with the protecting cougar tagging along. When hunters, rounding up a herd of deer, would kill the deer and fawn, it is the vicious lion that rushes to their rescue.

Accompanying these features is a human interest love story between Jean Parker and Russell Hardie. For spectacle, there is the beautiful photography of the wild Sierra Mountain country, the excitement of animal conflict and the spectacles of nature as it is unleashed in blizzards, thunder and lightning storms, forest fires and floods. One publicity feature that should not be overlooked in connection with this is the recent radio address made by President Roosevelt calling attention to the national park.

—Motion Picture Herald

"A Worthy Attraction For Any Theatre"

This is an unusual wild animal picture filmed against the beautiful Sierra Mountain country, the excitement of animal conflict and the spectacles of nature as it is unleashed in blizzards, thunder and lightning storms, forest fires and floods. One publicity feature that should not be overlooked in connection with this is the recent radio address made by President Roosevelt calling attention to the national park.

Essentially, the production maintains the theory that only hereditary instinct causes animal enmity. As exemplified by the pair, adopted in orphaned babbyhood 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 humanism, it builds situations so that full value is derived from every element. In the finale when death from humans 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 Carey Wilson actually makes the animals human. Chester Lyons' photography is also a feature the patrons will talk about.

—Motion Picture Daily

"EXHIBITOR BAGS WINNER IN 'SEQUOIA'"

The entire story is wound around the strange friendship of the deer and cougar with love interest between Parker and Hardie worked in for story purposes. Otherwise it is a fascinating animal story playing to human interest. Tie up with the local zoo and sporting goods stores. Get a display of guns and hunting equipment as well as trophies. Work up a hunting license throwaway with copy "Stop Hunting for Good Entertainment. See 'Sequoia' and You've Bagged a Winner."

—Showmen's Round Table

—Motion Picture Daily
“SUPERIOR TO ANY ANIMAL FILM MADE”

It would be difficult and extremely unfair to class “Sequoia” with other wild animal pictures, yet it must come under this classification. Still, it is so far superior, not alone in actual thrills, but in the delicate handling, the unusual methods employed to capture the so-called “freedom of the woods” and the great amount of patience it undoubtedly required to undertake such a tremendous, vital task. One of the most interesting pictures I have ever seen is “Sequoia”.

Special mention should go to Chester Franklin, the director, for his indomitable patience, his sympathy with his trying subjects and the most interesting manner in which he told his story.

—L. A. Herald Express

LIBERTY MAGAZINE SAYS:
There has never been another picture quite like SEQUOIA. One of the cinema achievements of the year.

“Worth Walking Many Miles To See!”

You can all just step up and take your hats off to Director Chester M. Franklin and Photographer Chester A. Lyons for making one of the most “human,” beautiful animal pictures that has ever been captured for the celluloid.

You’ll walk many miles to see and enjoy the life stories of “Malibu,” the deer, and “Gato,” the puma. There is more humor, naturalness and drama around those two than you’ve seen in a long time, and it will be decidedly worth it to any exhibitor to figure out a good advertising campaign, because once the audiences can be gotten into the theatre, they’ll take the picture to their hearts and love it. It’s elegant animal stuff.

You have never seen anything like the shots of both scenery and animal life that this picture boasts and Chester Franklin has patiently, so patiently, waited for every opportunity to catch these animals in their most appealing and dramatic moments. They do cute things, they do bad things, they do good things and they are at all times themselves.

So far as the cast is concerned, everyone acquitted himself well.

There are swell fight scenes between various animals and a chase at the end that will have you sitting on the edge of your seat from sheer excitement. By all means, play it up to the greatest extent possible because this is really swell entertainment for the whole darned family. Incidentally, Herbert Stothart is again to be congratulated for his excellent musical scoring of the picture. It’s the perfect background for this picture.

—Hollywood Reporter

“ORDINARY ADJECTIVES OF PRAISE INSUFFICIENT”

Ordinary adjectives of praise are inadequate.

So real is the story, so genuine is the picture, anyone will marvel at the painstaking effort and patience of Producer John Considine, Director Chester M. Franklin, and Cameraman Chester Lyons, who put this beautiful story on celluloid.

Any one who doesn’t enjoy this picture doesn’t enjoy life—or living.

—Cinema Hall Marks

(And merrily we roll along to the next page!)
"SEQUOIA" ACCLAIMED

Note: The comments on this page and the next were sent to the M-G-M Studios following the preview of "Sequoia" at the Fox Wilshire, Los Angeles. They are typical reactions of an average neighborhood theatre audience.

This is the most interesting picture I have ever seen. Please don't change it as it is perfect now.

A very wonderful, thrilling and educational picture—wish everyone could see it.

"Sequoia" a most pleasing picture—enjoyed very much.

Needless to say much about the picture. Three cheers for M-G-M and Sidney Franklin.

I am but a child of 11 years old, but I enjoyed "Sequoia" immensely. Its beauty, its photography, its music and the animals. It was all lovely and I am sure the public will be immensely pleased with it.

Wonderful photography. Very different and most interesting. A little cutting in spots might improve the picture.

Good acting by Jean Parker.

Grand—Ask my 4-year-old boy who didn't blink an eye thru the whole picture. Remarkable photography—ended just right.

The most natural, cleanest and most beautiful principal of any animal picture I ever saw.

A wonderful and worthwhile picture which I will long remember. The scenery and musical effects very outstanding. More of Jean Parker and this type of picture.

Excellent! One of the kinds of pictures I've been waiting to see.

A very remarkable picture. Needs no changing or shortening. This type of picture was a real inspiration.

I saw your preview of "Sequoia" at the Wilshire. I think it is the finest picture ever produced. In other words, a picture you won't have to advertise.

A marvelous picture, and you are entitled to be congratulated. A very wonderful story, well directed and photographed. More pictures of this nature will restore to the picture industry the prestige and patronage they lost through the putrid sexy trash and gangster pictures, which drove practically every decent thinking person away from the theatre. Give us more of these pictures.

Something to be proud of in every detail. For a human being to carry away honors when surrounded by such an intelligent animal cast is astounding. Jean Parker did this—bless her!

A very unusual and entertaining picture. Splendid, as it is suitable for the whole family. I have never seen wild animals worked into a story in this manner before. Let's have more of this type of picture.

The scenery is superb. A remarkable animal picture. Very entertaining for children as well as adults.

One of the most interesting pictures I have yet seen, it gives one a more vivid picture of the wild life and their habits, in our State of California. Congratulations to Jean Parker and also to M-G-M.

Excellent! A truly fine and different picture. Photography superb.

Very refreshing!

Words fail to express my sincere feelings about this picture. It's too beautiful for words. Great work. Hope to see it again.

It was splendid. The loveliest picture I've seen.

Congratulations upon one of the finest, most remarkable and beautiful photographed pictures of the year. It was well worth all the time spent to make it.

It was my good fortune to see this preview, being connected with a publishing house in the east which reaches a large number of people. Will make this picture known to thousands. My hat is off to the producer and all who are responsible.

The most wonderful picture I ever saw—barring absolutely none.

Picture overwhelming. Title not good enough for this great picture.

This picture without a doubt is one of the most entertaining of the year.

Only really great one of its kind!

The best animal picture we have seen. Sorry you changed the name to "Sequoia". What was the matter with "Malibu"?

A very unusual and good picture. I believe it will be a big hit.

Wonderful picture.

One of the most remarkable pictures I have ever seen.

An exceptionally good and a remarkable picture.

Unquestionably the most beautifully produced picture M-G-M ever turned out. I compliment you on what I believe to be a screen masterpiece.

In my opinion "Sequoia" is the finest picture of its kind I have ever seen. It's beautiful, most interesting, and perfect in every way. It gave me great pleasure to see it.

Marvelous picture ... 100% and should be a prize winner.

Let us have more pictures like "Sequoia", and your houses will be full.
"Sequoia" is a magnificent picture and very unusual. Everyone should enjoy seeing it.

Glorious and beautiful. I am going to see it again.

I never miss a preview if I can help it at the local theatre. You have a grand picture, very interesting and worthy of a prize. Will see to it that my children see this picture. Would only criticize the title.

Why not call this picture "MALIBU"? He is the REAL STAR—some of your "so-called stars" could take lessons from him. Someone knows his animals at your studio.

A good story. Wonderful photography. Give us some more of this. A relief from the common run of pictures.

I consider this picture a rare treat, suitable for juniors and grownups and I expect to announce my opinion of it at the next Parent Teachers Association. If only more pictures as clean and educational as this one could be made.

An outstandingly beautiful picture.

I think that is one of the best previews ever shown. I only wish more of them would be made.

Marvelous photography. Would have liked Wallace Beery as Bergman and Maureen O'Sullivan as Joan.

Having seen hundreds of pictures on account of my contact with motion picture people, so far this is the most outstanding picture. I have never seen anything more beautiful than "Sequoia".

The most real animal picture ever with a very helpful musical score. Could do without the Ranger's song and the human element at the end.

Enjoyed your picture. Think it one of the best animal pictures that I have had the pleasure of seeing.

Excellent! Should have more pictures like them.

Unusual, and very good!

Advertise and make it a great picture. I have never been so thrilled over any other picture. Every man, woman and child should enjoy the picture, "Sequoia". A "four star" picture!

Every man, woman and child in America should see the picture—it is astounding! The most enjoyable evening I have spent since I came to California.

The greatest animal picture ever made. Please try and make more like "Sequoia." Let Chester Franklin direct them.

A really great picture. Congratulations on the story, the unusually fine cast and superb direction. (If this director is a new one, hang on to him). He's great!

It is the best show of its kind I have ever seen. It is marvelous! I enjoyed it immensely.

"Sequoia" a most pleasing picture. Enjoyed it very much.

A beautiful picture. Wonderful photography. More like this for me.

The preview picture was very beautiful and very interesting, and the animal life most instructive. Hope you have more like it.

I think your picture is most wonderful. It is the outstanding production of its kind.

In your picture "Sequoia" you have reached the ultimate in photography and direction in my opinion, and the animal training surpasses anything ever attained in cinematography. My heartfelt thanks for one of the outstanding pictures of all time.

Perfect! One of the best pictures of all time—certainly better than "Trader Horn", "Tarzan", etc.

I believe "Sequoia" to be the most beautiful picture I ever saw.

Just lovely, is all I can say.

Adapted to sportsman. Good photography and educational.

Beautiful scenery. Interesting animal life.

At last we have a clean and wholesome picture suited for young and old.

A four star picture. Congratulations to you and Jean Parker for her wonderful acting.

Most wonderful story of animal life ever portrayed.

Have spent years with animals. This picture amazing. No criticism!

Positively wonderful! Enjoyed every moment of the picture.

You have a fine and unusual picture with a great cast. Jean Parker's work was especially good. The scenes between the deer and the mountain lion are the finest things in that line I have ever seen.
THIS COULD GO ON FOREVER! AND IT WILL!

National Organizations are getting behind "Sequoia." Save this advertisement for local tie-ups. Start now to talk it up!

Mrs. William A. Bark,
Western Vice-Chairman,
Committee on Motion Pictures,
General Federation of Women’s Clubs.

May I thank you for the pleasure of seeing your beautiful picture, Sequoia?

It is one of the finest productions brought to the screen. Beautiful in its technical phases, finely directed, it has photography of unusual beauty with great human interest and high entertainment values for all ages.

Below is the official report Mrs. Bark sent to every woman's club in America. The report is headed “outstanding for all ages” and it says: "This delightful film, based on the novel, Malibu, portrays the wild life of California. It revolves around the bird and lives of a puma and a deer and has its setting in the beautiful high Sierras. An enthralling picture, directed with consummate skill, replete with human interest, magnificently photographed, beautifully staged, a real pictorial gem."

* * *

Mrs. Mildred Lewis Russell,
National Chairman Better Films
Committee, Daughters of the American Revolution.

Congratulations for Sequoia! In this excellent film Metro-Goldwyn-Mayer has achieved that rare combination of high entertainment values, unique and excellent photography...have given it my highest rating, 1...A...F, which means, excellent entertainment, clean, suitable for all ages.

"Mr. Chester Franklin and his corps of assistants have done a notably fine piece of work..." * * *

Mrs. Bernard Wyle,
Chairman, A. Section.
National Council of Jewish Women.

(Excerpts from official report sent to all organized Jewish women in the United States): A grand picture of wild life in the high Sierras, magnificently photographed and having a depth of beauty and meaning invaluable in its power to establish standards and attitudes of the highest, most fundamental ethical values.

I heartily recommend Sequoia. It sets a new standard in family entertainment.

* * *

Mrs. David Ray.
National Councilor of Better Films.
National Society of New England Women.

(Official report sent to all branches of the Society): Merely its unique photography of the poetic beauty of the virgin forest with its herds of graceful deer, makes Sequoia an enchanting film for any audience. An exceptionally beautiful picture which no one can afford to miss and one which indicates the power the cinema can exert.

Laura O. Vrbausk
The Women’s University Club.
I believe that Sequoia is one of the most remarkable films I have ever seen because of the exquisite scenes of wild animal life in natural settings. Sound and photography were as nearly perfect as one could imagine. It seems almost impossible to have caught so realistically the feeling of perfectly unconscious behavior in wild creatures of the woods. A genuinely fine accomplishment which will have wide appeal for older children and family audiences (too emotional in latter part for children under 10).

WHAT OTHER NOTABLES THINK OF “SEQUOIA”
Zane Grey
noted author says:

Last night I saw the preview of not only the best outdoor picture I have ever seen but for me the greatest picture of the last decade.

It was taken in the wilderness, among the big trees, a singularly beautiful setting. The principal roles were taken by deer and mountain lions. Jean Parker...plays the part of a woodland girl...a lover of wild creatures...she is simplicity itself, and all we could wish of youth and beauty and charm.

But outside of Jean you hardly realize the other human characters...It is only a motion picture but it tells the truth. I happen to know a great deal about deer and more about lions. Once I was a hunter of both, but no more! I think every hunter in the world should see this picture and that those of them who have intelligent and feeling will never kill another deer for sport...The children and the young folk and the lovers will make of Sequoia a grand success. It is a splendid augury of future pictures. Mr. Chester Franklin, the director, is to be congratulated upon a picture of supreme artistry.

TO CATHOLIC WOMEN!

Mrs. Thomas Hearne,
National Chairman of Catholic Films.
National Council of Catholic Women.

I wish to congratulate you upon your picture, Sequoia, and to thank you for the privilege of previewing it.

In this age of superficial living, this drama of wild animal life set in a background of flowing masterpieces of nature, touches a human depth that it is well to awaken.

This picture is so fundamental and fine...the story is so filled with thrilling action, that it will provide entertainment for all ages and classes.

(A personal letter...but a report of similar sentiments will be sent to every Catholic woman.)

Hugh Walkpole
Noted English Author.

By Henry Chamberlain, President,
Los Angeles Chapter, Isaak Walton League.

I was fortunate last night in seeing the preview of Sequoia. As representative of a large group of conservationists, the Isaak Walton League, known as "Defenders of woods, waters and wild life," I feel it incumbent on me to commend a picture of this type. The choice of Jean Parker as the younger sympathetic with wild life is particularly fortunate in that the public has undoubtedly come to associate this talented young actress with everything that is fine and sincere.

The picture as a whole is a wonderful piece of work and cannot help but impress and interest the public. Our organization is particularly glad to note the accentuated difference, depicted in the picture, between the game law violator, a typical killer, and the respectable sportsman. This is a point that is very seldom understood by the general public.

Let me thank you, in behalf of my organization, for this very fine production.

Margaret Hughes,
Manager, National Geographic Society.

The photography is superb and the animal work beyond anything we have ever seen, at times almost unbelievable. We could only show our approval by constantly breaking into applause. Sequoia is direction, photography and acting magnificently combined.

Sarah McLean Mulven,
National Council of Teachers of English.

Your preview of the picture, Sequoia, gave me great pleasure, as it seemingly did to the entire audience, if one can judge by the enthusiasm of their response. Perhaps my pleasure was greater because both my mother as a child and I had played in those same great woods and know the life of the wild as shown in the picture to be authentic.

Sequoia is unique not only among the general run of pictures, but also among animal films, for the rarity of the action and emotional expression. The two leading animal actors in their simple and sincere response to the direction of their unseen owner excel the performance of any previous animals on the screen.

W. S. Van Dyke,
Director of "Trader Horn", "Thin Man", etc.

In my opinion Sequoia is one of the forest nature pictures I have ever seen. The animal sequences are superbly done. Having done a great deal of this kind of work myself, I can imagine the patience and effort extended in getting it. But the results were well worth it.

This picture should contribute a mite to the preservation of our North American game, as I am sure that it will arouse in others as it did in me, an understanding sympathy with and for our game preservation commission.
Five Cantors Back from Europe; Eddie Kept Busy

By BILL ORNSTEIN

Returning from a six weeks' holiday in England, France, Spain, and Italy, Eddie Cantor stated that his vacation turned out to be a lot more business than pleasure. He had sold himself, he'll get down to business and take a real holiday. He arrived on the ice-coated Ile de France with Ida, and was equipped with five Fall Mosquitoes and a valet. He didn't explain what happened to the rest of his family, with which he was abroad 13 days and made several personal appearances in theatres for some friends of mine," he told Motion Picture Daily as he debarred. He was the first passenger to come down the gangplank as the liner docked and was forthwith surrounded by Sid M. Mayer, Block and Sully, who appeared in Cantor's newest film "Kid Millions." He was one of the reception committee. Cantor stated that on Feb. 3 he will resume his radio broadcast, this time for Pueblo with Robinson and Ted Husing on the program. The show will be on the air from 8 to 9 p.m. nightly next Sunday night.

Discussing his next picture, the banjo-eyed comedian said that he had three or four ideas in mind and was immediately going into a story huddle with a number of writers. He also showed up, but between pops he didn't hint a word of the script he was studying.

WILLIAM ROGERS is in Miami vacationing.

Bennie Barnes is due back from England next month.

WALTER EINHARDT's latest mystery tale is about to find a publisher.

Ben Schulteberg continues among the town's coast visitors.

JULIUS KLEIN returned from Washington yesterday.

Says Prudence Bond Delays Hurt Seneca

Charges that the failure of the state superintendent of banks to act on the bonds of Prudence Co. Inc., was holding up the court order against the Senate Holding Corp., Paramount subsidiary which controls the Astoria, was made yesterday by Fredrick Powell, attorney for the Prudence trustees.

The charge was made at a further hearing on an appeal of a ruling of Holding Corp. by G. Moore, acting for the U. S. District Court in Brooklyn. One of the issues in the reorganization is for a refund of an issue of $930,000 in bonds by extending the maturities to Jan. 1, 1941, and refunding the interest from five and one-half to four and one-half per cent.

On Way to Location

PORTLAND, Jan. 15.—The train carrying Clark Gable, Jack Oakie, Reginald Owen and other members of the "Call of the Wild" company made a stop at Bliss, N. Y., on its way to location at Mt. Baker.

Stork Visits Mowbrays

HOLLYWOOD, Jan. 15.—An eight-pound boy was born to the Alan Mowbrays today at Cedars of Lebanon Hospital.

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National Screen Men Finish One-Day Meet

National Screen district and branch managers have concluded a one-day session at the Park Central, and will leave for their territories tomorrow. Combined with the sales session was a discussion of the company's 15th anniversary.

Attending the meeting were Harry Mark of Los Angeles; Thomas Mitchell, manager of Minneapolis; Robert Binnie, manager of Chicago; William E. Foy, manager of New York; William Walthall, Dallas; Tom Berk, Minneapolis; Jack Anderson, Cincinnati; Frank H. Foster, Boston; Harry Kirshsrew, Boston; all district managers, in addition to Herman Robbins, Toye Gurn, Stuart Block, Merton Van Praag, William Bremer, Ben Rosenberg, Hal Young, M. L. Kaufman, Jack Levy and Stanley Goldberg.

Des Moines Forming Variety Club Branch

DES MOINES, Jan. 15.—Organization of a Variety Club here is under way with R. M. Coeoland of Paramount heading the list of temporary officers. Other temporary officers are: Halse Cavanagh, Orpheum manager, first assistant club harker; Hal Shif- land, Station KSC, second assistant harker; W. E. Banford, M-G-M branch manager, wagon man, and Lou Pasco of Universal.

Fifty-three have applied for membership.

Sennett Plant to Levine

LOS ANGELES, Jan. 15.—Nat Levine today purchased at a public bankruptcy sale all the operating equipment of the Mack Sennett studio, so making Mascot lessor and sole owner of the plant. Levine plans to build a new sound stage and other accom-

Block Selling Seen Target of Federal Probe

Following the conclusion of the St. Louis probe, Russell Hardy, one of the special assistants to the At-

orney General in charge of the case, left for Los Angeles, indicating that the next move of the department would be in that territory.

Prohibition of block booking will be sought in a bill to be introduced in Congress during the session, it was indicated at the Capitol today.

Seeks Hearing Soon

Declaring that he would ask for an early hearing on his bill to create a motion picture commission, Repre-

sentative Henry Smith, of New York, stated that his present plans do not contemplate pushing the measure at the present time. He said he had revealed that right of way will be given to legislation confined entirely to block booking which is understood to be in process of drafting.

Explaining that he does not know just what will happen to his measure, Representative Smith yet had an opportunity to discuss it with Representative Ray-

burn of Texas, chairman of the House of Commerce Committee. Cul-

kin expressed the view that there should be a public discussion of the question, and that it would be wise to seek a hear-

ing in the near future.

The New York Congressmen has no strong opposition from its increasing censorship legislation, feeling that the Legion of Decency has been a beneficial influence as far as protecting the public is concerned, and that its threat to boycott theatres unless better pictures are made available has tended to improve the situation.

Evidence of considerable improvement in comparison with last year is shown by the figures that if the industry, on its own initiative, would abandon block booking, it would have nothing to fear from Congress. However, there has been considerable support throughout the country for a movement to "straighten the picture business."}

The Department of Justice prosecution in St. Louis, he believes, is a step toward this end and the campaign should be continued.

I have noticed that the motion pictures have been much on my mind lately. I hope they will show a tendency to produce a tune of film that is suitable for children," the Congressman said.

There has been substantial improvement over the past year and I am hoping the industry will continue to make better product."
WAIT‘LL YA SEE TH’ CAMPAIGN WARNERS ARE GONNA SHOOT ON OUR NEW SHOW! DOSE ADS LOOK AS BIG AS SIX-SHEETS—AN’ DEY’VE GOT ENOUGH PUBLICITY LINED UP TO MAKE EVEN DAT FROGFACE OF YOURS FAMOUS.

“DEVIL DOGS
JAMES CAGNEY
MARGARET LINDSAY • FRANK

Utilizing $750,000,000 worth of U.S. Marine Corps equipment in the remarks
AW, WHADDA THEY NEED WID ALL DAT ADVERTISING'? ALL THEY GONNA DO IS PUT UP A SIGN SAYIN' "PAT O'BRIEN FROM 'HERE COMES TH' NAVY' IS COMIN' IN 'DEVIL DOGS OF THE AIR'"—AN' TH' SHOW IS IN!

COMING FEBRUARY 9TH!
THE FIRST Cosmopolitan PRODUCTION FOR WARNER BROS.!

OF THE AIR
and PAT O'BRIEN
McHUGH • Directed by LLOYD BACON

Action scenes, every one of which was shot especially for this production

Vitagraph, Inc., Distributors
Social Bills, Tax Piling Up
In California

(Continued from page 1)

The bills likely to pass. Under bills already introduced in the Assembly, employers would pay a maximum of one per cent on payroll and a minimum of two per cent while employers would pay a maximum of two and minimum of one per cent. Under the maximum bill, one reserve fund would be set up for each industry, spreading the unemployment risk over all. Contributions toward it would begin under the legislation next year with the first benefit payments to the jobless to be made Jan. 1, 1937.

The only film workers who might be exempt under this bill be certain persons engaged in interstate commerce and part time employees.

Physically a period of work after making contributions would receive a minimum of $7 and a maximum of $15 a week. Such payments would continue for a suggested period of 16 weeks.

After a contributor became jobless, a period of four weeks would elapse before payment of reserve funds, the unemployed person making application for work during that time to a free employment agency. The bill proposes that no final action be taken on a California plan unless a Federal policy has been established.

Under a bill proposed to the Assembly the maximum working day for all workers would be six hours, no person being allowed to work more than six days per week. Exempted under this bill are domestic servants of any employer, who are allowed to work eight hours a day. The length of the week was not set forth in the bill.

Probably the greatest threat to high salaried persons in the industry is the personal income tax bill introduced into the Senate which would levy a tax on the net income of every resident of the state. The bill will follow the Federal plan with one-third of the Federal rate charged against returns.

Two Nebraska Bills
Stir Omaha Protest

OMAHA, Jan. 15.—All city exhibitors met in a hastily called meeting to study two bills introduced in the Nebraska legislature last week which are aimed directly at exhibitors. One of the measures calls for operators for each projection machine and the other would tax circuit theatres $25 each for two or three theatres; for 21 or more theatres the tax would be up to $300 each.

Exhibitors will name a committee to appear in Lincoln when the bills come up for committee hearing.

Delaware Interests
Work on Sunday Bill

WILMINGTON, Jan. 15.—Limited Sunday film shows will be allowed in Delaware if a bill now being prepared for introduction into the Legislature is enacted.

Details has not been worked out, but it is said the preliminary draft calls for shows after 9 o'clock Sunday nights. This is designed to meet possible objections.

New Year's Week Grosses
Leap to Prosperity Level

(Continued from page 1)

factors which showmen can't explain Year's build-up. They were Boston four spots failed to share in the New Pittsburgh, Portland and Washington.

Comparative grosses for the latest available periods:

<table>
<thead>
<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>$1,681,538</td>
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<tr>
<td>Oct. 4-5</td>
<td>132</td>
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<td>Dec. 21-22</td>
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<tr>
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<tr>
<td>Jan. 18</td>
<td>141</td>
<td>$1,681,538</td>
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Comparative weekly totals:

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<td>6</td>
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</tr>
<tr>
<td>Buffalo</td>
<td>6</td>
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<tr>
<td>Chicago</td>
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Earl Price Reduction
Worries Philadelphia

PHILADELPHIA, Jan. 15.—The Earl today announced a price slash from 65 cents top to 40 cents, beginning Friday. Maibaum competition is blamed for the reduction, imminent for some time.

The reduction has independent exhibitors worried and may lead to either new lower clearance arrangements or price cutting. It is believed the morning price of 25 cents, plus stage show, will cut into neighborhoods, which must charge as much or more on second runs. The M. P. T. O. is investigating the situation.

Des Moines House Burns

DES MOINES, Jan. 15.—The Strand here was destroyed by fire today. The loss is estimated at $60,000. The house is a downtown second run house for the Tri-State Theatre Corp, and one of the oldest in the city. Investigation revealed the fire to have started in the projection booth and to have made great headway when discovered. No plans for rebuilding have been announced.

Industry Signs Deal
With Czechoslovakia

(Continued from page 1)

has been signed between the Czech government and the industry in this country, according to a dispatch received yesterday by Col. Frederick L. Herron, foreign manager of the M. P. P. D. A., from George Canty, U. S. trade commissioner in Czechoslovakia, who affixed his signature to the compact on behalf of American distributors.

The following has been agreed to by both parties:

1. Distribution of American pictures in Czechoslovakia will be on a registration fee basis instead of under a compulsory quota system as formerly.

2. A convention to be introduced in Czechoslovakia, the government will allow a subsidy to the company producing such pictures, with allowance on registration fees for pictures imported by the producing company.

Coast to Issue All Feature Code Seals

(Continued from page 1)

passed upon features produced in the east and those produced abroad and brought here. The local office, in charge of Vincent G. Hart, has also been responsible for handling code requests for short subjects produced here and will continue that phase of its work.

Open Des Moines Office

OMAHA, Jan. 15.—A booking office, to be handled out of the local Midwest Film exchange, has been installed in Des Moines by Bob Ringler, manager of that office, and F. E. Jud, assistant manager of the Omaha exchange, will take over the booking duties in Des Moines.
Even before its release...

THE GOOD FAIRY

spells

HOLD OVER business!

*Feb. 11 . . . Run (don’t walk) to your nearest Universal Exchange!

Starring
Margaret SULLAVAN
Herbert MARSHALL
and featuring
Frank MORGAN
“Bill” Grabs Washington’s Top, $24,000

WASHINGTON, Jan. 15.—“Broadway Bill” took top honors last week at the Earle by getting $24,000. This was over par for $16,500. Close second was Loew’s with “The Mighty Barnum” claiming $27,800, over the line by .35 cent.

“BROADWAY BILL,” a comedy with a big night business at Loew’s was bolstered by two appearances on each night of Ginger Rogers and Jackie Cooper and the Usually which subdued for the regular house stage attraction, the N. T. G. Revue.

Three days on the third week of "The Little Minister" at RKO-Keith’s were good for $18,800, and “Forsaking All Others” playing a similar period at Loew’s Palace took $4,200.

Because of the winter weeks, the total for the week’s pictures as reported was only $63,000. Average for a full six-theatre, seven-day week is $71,200.


Free Boston Shows End

Boston, Jan. 15.—Free film competition in the Seollay Square section has been ended by authorities. Films were shown in a so-called beer garden established by the Crawford House which took over the closed Strand and joined the auditorium to its present quarters. City officials declared showing pictures under such conditions was not covered in the establishment’s license.

DiPesa’s Father Dead

Boston, Jan. 15.—The father of Joseph DiPesa, exploitation manager for Loew, who was the state’s leading speakeasy owner, is dead. Pasquale DiPesa, 92 years old, fought for Italian unity with Garibaldi before coming to Boston half a century ago as an Italian of the Italian consulate.

“Forsaking” “Bill” Pulls At $18,000 Philadelphia In Cleveland

Hollywood, Jan. 15.—Jean Arthur gets more than a promotion in "The Girl is Mine," Sam Taylor's feature for Roach. With Gaye-Turner planning a trip to New York, Lionel Barrymore and Lucy Lawless were cast as the leading role in "Ah Wilderness" at M-G-M. .. Mady Christians and Joel Harris in "Mad Love" was held. .. Alice Faye to the High Sierras for a week. .. "Forsaking All Others" was the title of the current Laurel and Hardy comedy at Roach. .. George Chakiris and and Barrie teamed again in "Secret Lives" for Fox. .. Charles Le Maire, designer, refuses a long term contract with Fox and is returning to New York. .. "Bizzy Dames" gets more musical numbers in "Dizzy Dames." They are little get "Be弗 Evolve" and "Love Is the Thing." .. Herman Pan directing dance sequences in "A Dog of Flanders" for Radio. .. Leon Errol spotted in "Princess O’Hara" at Universal. .. Michael Canton sends an extracted molar to Director Alan Crossland on the set of "Secret Lives" .. he was really at the dentist’s and not playing boy. .. Leo Stein, "Jr." is so cahrayzy about marble games that he had one placed in the house and now his new change goes for new chapeaus for his wife.

Cleveland, Jan. 15.—"Broadway Bill" was the big attraction of the week, grossing $17,575 in its first week at Warner's Hippodrome against a $6,000 weekly average. The Dionne quintuplet short helped sell the proof. .. "Forsaking All Others" was also outstanding, grossing $28,000 in 10 days in its second week at Radio's "Bright Eyes." .. a second run ten-day stay grossed $9,000 at the Allen, where average first run weekly gross is $3,000. Total gross was $38,250. Average is $3,800.

Estimated takings: Week Ending Jan. 9: BRIGHT EYES (Fox) ALLEN—(3,000), 25c-30c-40c, 11 days, 2nd week. Gross: $1,200. (Average, $110.) BROADWAY BILL (Col.) RKO-KEITH’s—(1,830), 26c-55c, 3 days, 3rd week. Gross: $1,500. (Average, $500.) THE MIGHTY BARNUM (U. A.) RKO-KEITH’s—(1,830), 26c-55c, 3 days, 3rd week. Gross: $1,500. (Average, $500.) THE WICKED WOMAN (M-G-M) RKO-PALACE—(2,970), 26c-77c, 7 days. Stage: "The Wicked Woman," a musical, directed by George Seider. First week, 60c-85c. Gross: $1,450. (Average for 7 days, $4,000.)

"Gables" $12,000 High in Montreal

MONTRÉAL, Jan. 15.—Big attractions and new policies put theatres over the "RKO Pictures of Green Gables" and the first stage presentation under a new plan brought $12,000 to the Capitol, a very good advance over recent takes. .. The Painted Veil" made the same figure at the Capitol, however, while Loew's hovered at $11,000 for "The St. Louis Kid" and vaudeville. Second week of "Kid Millions" was weak at the Princess as compared with the first week's $10,500. Total business was $45,000. Average is $9,000.

Estimated takings for the week ending Jan. 12: "GABLES" (Radio) SAATÉ-LAKE—(2,750), 25c-55c, 7 days. Stage: "Lady of the Lake." Gross: $4,500. (Average, $642.) "STANLEY & LUCY" (Warner) HAYES—(1,350), 30c-50c, 4 days. Gross: $1,500. (Average, $375.)

“Gift,” Show Hit $22,000 On the Loop

CHICAGO, Jan. 15.—Best comparative showing of the week on the Loop was "It’s a Gift," helped by Sophie Tucker on the stage. The $22,000 business over the Oriental was over by $7,000.

"Broadway Bill," with Dave Appol-...
Rogers Pulls Big $14,000, Kansas City

Kansas City, Jan. 15.—"Broadway Bill" was then ruled to be reaching a new high at the Tower with a take of $14,000. It was held for a second week, with a change in stage showing.

Total first run business was $33,800. Average is $27.20.

ESTIMATES TODAY:


Wee Ending Jan. 11: "UNFINISHED SYMPHONY" (G-B) 25C-15C-25C. 7c 1st run. $1,000. Average, $1,500. (Continued from page 15)

BORDERTOWN" (Warner) 30c-25c-30c. $1,500. Average, $1,000. (Continued from page 15)

UPPERWALL (25c-20c) $1,200. 6c 1st run. $2,500. Average, $3,500. (Continued from page 15)

"Gables" $12,000 High in Montreal

Continued from page 16:

Arthur Hearing Today

Hollywood, Jan. 15.—Columbia's request for an eight-cent tax on foreign films to prevent Jean Arthur from engaging in any film work elsewhere until she has discharged a contract requiring her to make one picture for the company comes up for hearing today. The studio now has a temporary restraining order. The litigation has cost Miss Arthur a role in Roches' "The Girl Is Mine," in which she has been replaced by Evelyn Venable.

Cleveland Baby Dies

Cleveland, Jan. 15.—Death has halted the move of Variety Club to adopt an eight-cent tax on foreign films, to prevent Jean Arthur from engaging in any film work elsewhere until she has discharged a contract requiring her to make one picture for the company. The move comes up for hearing Friday. The studio now has a temporary restraining order. The litigation has cost Miss Arthur a role in Roches' "The Girl Is Mine," in which she has been replaced by Evelyn Venable.

Trans-Lux Opening Set

The new Trans-Lux Theatre under construction on the northeast corner of North and E. 4th Street, is scheduled to open Jan. 26. The house policy will be the same as in the Trans-Lux Theatre on Main Street which has been closed since Saturday. The house will be open again on Saturday.

Industry Heads to Pick Quigley Award

Distribution, advertising and exhibition executives will gather at the New York Athletic Club at noon, Jan. 21, for the luncheon and judging for the 1934 Quigley Grand Award and Second Grand Award. These prizes will be awarded to motion picture exhibitors in the 13 entries selected from the 13 entries which won the monthly Quigley plaques in the past year. The judging will be conducted by the Managers' Round Table Club of Motion Picture Daily.

The sessions will be divided into two periods with preliminary examination of the entries before lunch and final judging immediately after. Majority vote of the committee will determine the winners.


Although one monthly plaque was withheld from the December contest, the voting for the top honors in December resulted in duplicate plaques to the showmen tied for first, thus accounting for the total of 15.

The monthly winners were: Kenneth Grimes, Morgantown; Paul Vogel, L. C. Swanger (Sagamaw); Nevil McCord, Boise; Walter Golden, Jacksonville; Gene Hensler, Bridgeport; "Fuzzy" Knight, Fairmont, W. Va.; Charles E. Curran, New York; Ed M. Hart, Plainfield; James M. Tomlin, Bridgeport; H. L. Hirst, St. Charles; S. S. Solomon, Newark; Bill Hendricks, Memphis, and Morris Rosenblum, Bridgeport.

Hamm to Get $7000 Weekly (Continued from page 1)

and, if the present agreement is approved by the court, will become president and director for the term of his operating contract. Charles would be secretary of the company. Fred Prittell probably will be continued as general manager.

Consolidated net earnings of the company for 1934 were approximately $250,000 and for the first nine months of last year were $180,000. The bulk of the claims against Minnesota, with which the attorneys of the Magnum and Wider Brewing Corp. and Paramount, have been settled, with merchandise creditors receiving a maximum of $1 on the $1 and film creditors a maximum of 25 cents on the $1.

Under the agreement the claims of Publix Northwest and Public Theatres against Minnesota, aggregating more than $3,700,000, will be withdrawn, and the $20,000 which of Paramount Publix will be allowed in the amount of $2,000,000. A blanket clause of $15,000 held by the Hamm interests will be extended for five years and new adjusted leases will be entered into by Minnesota for all theatres, and the Hamm interests are the lessors.

Paramount Theatre Service Corp., handling the negotiations, will receive $250 weekly from Minnesota for advisory services to be rendered.

Ohio Scales Shift For New Sales Tax (Continued from page 1)

Ohio State higher prices range between 3 cents, including the three per cent retail sales tax, effective Jan. 1. The law prescribes this must be paid by the patron and not absorbed by the exporter.

In some instances, prices in the lower brackets, which were increased to figures divisible by five when the 10 per cent tax became effective, have not been reduced, which means a corresponding profit to the exhibitor.

In other lesser cases, the immediate scales were advanced only the equivalent of the 10 per cent, prices being determined to the nearest cent. This represents a reduction to the patron, and a loss to the exhibitor, who, for keeping purposes, now must consider his admission price per cent less than his established figure.

Price differential among the subdivisions is by no means uniform. Through the application of various methods of adjustment, they are higher in some situations and lower in others.

The 10-cent houses, exempt under the former tax law, now must pay three per cent. No exemptions exist, and the tax applies to goods, meals, entertainment, as well as to lunches.

Missouri Sales Tax Jump Starts Fight (Continued from page 1)

"Missouri Retailers' Ass'n. for action against sales tax." The group has not, however, changed the administration's viewpoint that an increase in sales tax is necessary for relief and school requirements.

Merchants contend that if the present tax were efficiently and completely administered, the increase would not be necessary. While exhibitors have expressed no organized opposition, the argument is that a higher tax would have to be passed on.

Many Changes In Proposed Quota Sought

By CLIFF HOLT

Sydney, Dec. 12.—Many changes are sought by the industry in the new legislation that would place American distributors, to a man, on opposing."The industry asks for: (1) an opportunity for consultation with the Government in detail; (2) the elimination of the distributors' clause; (3) uniformity of the quota for each country, so that any state alone cannot operate the quota; (4) the elimination of the rights of the minister without representing the film business; (5) simplification of the quota law based upon quality and the right of the exhibitor to buy his pictures without the introduction of similar legislation in Victoria, which was withdrawn in the face of objections similar to those which are now being fought by the bill in New South Wales.

WASHINGTON, Jan. 15.—Details of the quota bill to be placed before the government of New South Wales have been made public here by the U. S. Department of Commerce.

The quota for exhibitors would be four per cent for the first year, five per cent for the second year, seven per cent for the third year, 10 per cent for the fourth year, and 12½ per cent for the fifth year. The quota for manufacture would be five per cent for the first year, seven and a half per cent for the second year, 10 per cent for the third year, 12½ per cent for the fourth year and 15 per cent for the fifth year.

This bill was introduced Dec. 5, it follows the withdrawal of similar legislation in Victoria, which was withdrawn in the face of objections similar to those which are now being fought by the bill in New South Wales.

Richmond's Sunday Benefit Row Ended

Richmond, Jan. 15.—A compromise has been reached between theatre managers and Chief of Police Robert B. Jordan on financial accounting for Sunday shows and will be permitted to inspect the accounts any time he likes.

The compromise came in a meeting to the City Hall, a financial statement by Robert T. Barton, Jr., attorney, and a talk of T. Gray Haddock, commonwealth attorney, to get the trouble straightened.
“Chairman” Smash Indianapolis Hit

INDIANAPOLIS, Jan. 15.—“The County Chairman,” an up-to-date modern gold rush for the Apollo. Col. Ken Collins of the Kentucky colonels spent most of the week estimating the length of the lines over the box-office; he hoping the cashiers would not collapse.

At the end of the seven days the take was $4,000, just $500 over normal for a week. The picture may stay three weeks.

It played all week around. “Broadway Bill” reached $5,000 at the Indiana in four days, and “Romance in Manhattan” took $5,000 at the latter for seven days.

Total first run business was $22,500. Average is $1,800.

Estimated takings:

Jan. 1 to Jan. 11:
THE COUNTY CHAIRMAN (Fox)...7 days...Gross...$7,500. (Average, $1,000)

Jan. 1 to Jan. 11:
ROMANCE IN MANHATTAN (Radio)...7 days...Gross...$7,500. (Average, $1,000)

Jan. 5 to Jan. 8:
BROADWAY BILL (Radio)...
INDIANA—(25%)
3 days...Gross...$1,500. (Average for 7 days, $200)

Jan. 4 to Jan. 8:
FORSAKING ALL OTHERS (M-G-M)
PALACE—(25%)
2 days...Gross...$1,500. (Average, $750)

Twin Theatre Being Built in Columbus

COLUMBUS, Jan. 15.—The Blexley, being built by Theodore Lindenberg in a.d. Columbus, it is claimed, will be the first twin theatre of its kind in the country. The house will have an aggregate seating capacity of approximately 600, and will be divided into two separate units by a solid wall, with an equal number of seats on each side. Pictures will be shown on both screens simultaneously from the same projector, using independent sound systems.

The dual arrangement of the theatre will facilitate handling capacity business, and permit one auditorium to be close to the other. Moreover, since no unnatural enlargement of sound is necessary in a small auditorium, the house will be more flexible than with other improvements which the system embodies, will insure absolutely perfect sound, the inventor says. With this new system, subjects are shown life size on the screen, and it is possible to project pictures on more than two screens at the same time.

Youngclaus Forming Circuit in Midwest

OMAHA, Jan. 15.—W. L. Youngclaus, widely known for his lawsuits against distributors, one of which tied up the right of the box-office to the extent so that the code has been operating under limited authority because of a Federal injunction, may return to exhibition as head of a new circuit.

According to word received here, Youngclaus plans a string of houses in Nebraska and Iowa. He has already started renovating and equipping a new house in Alhamb, Neb. Others said to follow are to be located in O'Neill, Broken Bow and Wayne, Neb., and in Harlan, Ia.

Looking 'Em Over

“Old Curiosity Shop” (Associated British Pictures)

LONDON, Dec. 26.—A magnificent performance by Hay Petrie, the well-known British stage player, in the Chequay-esque role of Quilp is in itself sufficient to make this picture one to be very seriously considered. There is also the point that, if a sequence of Dickens' pictures is due, this is one which respects the atmosphere and the actual settings of the author with an exceptional fidelity; it is Dickens for the Dickensians—and they are a big community, numerically.

Petrie undoubtedly scores a triumph. Chaney might have achieved a make-up, grim grotesque and sometimes humorous without being impossibly revolting, compatible with that of the British artiste; it is doubtful if he could have acted it as well. Quilp is sometimes regarded as one of Dickens' monsters; as Petrie plays him, he is a monster of flesh and blood, with conviction in every caper of his distorted body and in every grimace of his evil face.

The story deify epitomizes the famous novel, following the adventures of Little Nell and her grandfather and after they have left the Old Curiosity Shop in fear that Quilp, having seized the shop, will have the old man sent to an asylum. Their wanderings bring them into touch with the rich characters of Dickens—Mrs. Jarley of the famous Waxworks; Codlin and Short, the Punch and Judy men; the traveling showmen—all against the background of an English in which the stagecoach, the horse and the hostler reappear as the first Dickens illustrator saw them. Parallel with the main story is the romance of Dick Swiveller and the Marchioness, and for the greater part this is an attempt to escape the police, provide a sinister under-current.

Thomas Bentley, the director, has treated the ultra-sentimental episode of Little Nell's death with discretion. In Elaine Benson he has found an instinctive interpreter of the part. He is at his best, however, in the dialogue of Quilp's scenes and in the sense of character which he displays in the minor comedy. The Swiveller-Marchioness episode is somewhat starchy, and a more boyish Kit might have been selected, while the grandfather, though well played by Ben Webster, is necessarily rather a tiresome character.

Gibb McLaughlin as Sampson Brass, Dick Tubb as Codlin, Amy Veness as Mrs. Jarley, J. Fisher-White as the schoolmaster and Beairst Thompson as Mrs. Quilp all seem to have stepped straight out of the pages of Dickens, and this fidelity to the original, on top of Petrie's achievement, takes the film well out of the rut.

Running time, 85 minutes."G"

Allan

“Mysterious Mr. Wong” (Monogram)

Here is a combined mystery thriller and newspaper yarn that should please all audiences and create favorable comment. It has fast moving and credible action backed up by good performances on the part of the entire cast. Effective comedy is thrown in for good measure.

William Nigh's direction is capable in that he did not let the story get away from him and turn into a farce. Harry Newman's photography is good.

A sinister search for the mysterious 12 coins of Confucius, which are supposed to give their possessor sole sway over the Manchurian province of Keclat, has cast a pall over San Francisco's Chinatown. Murder after murder is committed as Bela Lugosi tries to get the coins. Wallace Ford, a reporter, is assigned to cover the murders and takes his girl friend, Arlene Judge, with him. Ford gets one of the coins, so Lugosi's hatchet men seize him and Miss Judge and imprison them in a torture chamber. From here on things move to a rapid climax with everything working out to general satisfaction.

Ford is particularly effective as the breezy reporter and Lugosi's portrayal of the sinister Oriental is very good.

This picture should hold its own on any program. Production Code Seal No. 423. Running time, 68 minutes. "G."
TIMELY, THRILLING DRAMA OF HEROES WHO TOIL AND TRIUMPH UNDER TONS OF TREACHEROUS RIVER

Swaggering tunnel men... courting danger with a careless shrug... courting women with a reckless laugh... taking life as they find it... and finding it crowded with action!

UNDER PRESSURE

with EDMUND LOWE VICTOR MCLAGLEN

FLORENCE RICE MARJORIE RAMBEAU CHARLES BICKFORD SIEGFRIED RUMANN

Produced by Robert T. Kane
Directed by Raoul Walsh
Screen play by Borden Chase, Noel Pierce and Lester Cole
From the story by Borden Chase and Edward J. Doherty
COAST BANK NIGHT DECISION REVERSED

(Continued from page 1)

The board refused. No testimony was given at a decision against Forx West Coast was handed down. Code Authority, in reversing the lower board, held that there was no reason for proceeding with the case after the complainant had requested dismissal. William Powers, attorney for Mr. C. L. I., last week charged the board with bias and prejudice when the case was up on appeal.

The board decisions by local boards ordering bank nights stopped were sustained by Campi. They were: E. M. T. Co., 14 days; Campi, against George R. Norm, Empire, same city; Roy McAmis, Princess, Sayre, Okla., against G. A. Stovall and S. O. White, Rio, same city; Main Street, Circle, Lyric and Plaza, Oklahoma City, against Cozy, same city; Main Street, Circle, Lyric and Plaza, Tulsa, Okla., against the Gem, Tulsa, Okla.; Alameda, Alamedal, Cal., against Richard, Neptune, Palace, same city; C. A. Ferry, Granada, Alhambra, Cal., against O. W. Lewis, and San Gabriel, Cal.; Mrs. Jennie H. Dodge, Mission, Ventura, Cal., against F. W. C. Glenn City, Santa Paula, Cal.

Lest the connection of Si Barney Dubinsky, Miller & Jefferson, Jefferson City, Mo., against Leo Levy, Harry Sodini and H. H. Mueller, St. Louis, which was certified to Campi for determination, was dismissed, it was reported that it had been sustained in three clearance cases. They were: Alex Bellette, Grand, Fredericktown, Pa., against Peter Proffit, American, Vestuburg, Pa.; Earl M. Forte, Ambassador, Philadelphia, against Stanley Co. of America, Penn, same city; John H. Carper, St. Peters, Mo., against Warners’ Avalon, Washington, D. C.

CLEARANCE CUT FOR TWO VIRGINIA TOWNS

WASHINGTON, Jan. 15.—Clearance given Martinsville over Bassett, Va., was cut from 30 to 14 days by decision of the grievance board today in a case brought by J. B. Webster, Bassett, against Mrs. R. W. Carper, Martinsville.

C. E. Carey, operating the Capital, Ocean City, Md., protested the clearance given Salisbury theatres and asked that protection be removed, especially during the summer. The board decided that the present 14 days is reasonable, but stated that Carey might make whatever private agreement between Salisbury and distributing company he could for the benefit of his resort houses.

FOUR BOARD CHANGES APPROVED BY CAMPPI

Four replacements on local boards have been approved by Campi. E. L. Cole succeeds Love B. Harrell as secretary of the Atlanta board. Roy McAmis is the new assistant manager for M-G-M, succeeds the late James W. Hanlon on the local clearance and terminal board. Farrar of Loew’s replaces Jack Flex, same circuit, on the Indianapolis clearance and zoning board. A. J. O’Keefe of Universal has succeeded William C. Riter of Columbia on the Los Angeles clearance and zoning board.

LOOKING ‘EM OVER

“COWBOY HOLIDAY”

(Continued from page 26)
times when the tale grows pretty tall, but this weakness is more than made up for by the sizzling pace and excitement of the story.

The villain is a deputy sheriff who takes advantage of the security offered by his position to prey on ranch folk. By night he poses as a notorious bandit, who happens to have gone straight. The villain doesn’t know this, and so it is that suspicion is aroused that the one responsible for all the outrages is someone other than the reformed bad man. From then on it is just a question of maneuvering the villain into a tight spot, something that is neatly and easily done with Williams around.

There is worked into the story a suggestion of a romance between Williams and Janet Chandler. Julian Revaro, Dick Alexander, John Elliott, Julia Bejarano and Alma Chester are other players. Bob directed.

No code seal. Running time, 57 minutes. “G.”

“White Cockatoe,” Monday night’s opener at the Astor, was reviewed on Jan. 9.

“The Silver Streak,” previewed at the Mayfair last night, was reviewed by wire from Hollywood on Nov. 12.

“Renaissance in Manhattan,” tomorrow morning’s opener at the Radio City Music Hall, was reviewed from Hollywood by wire on Nov. 19.

“David Copfield,” opening at the Capitol Friday morning, was reviewed by wire from Hollywood.

“The County Chairman,” to be previewed at the Roxy tomorrow night, was reviewed by wire from Hollywood on Dec. 18.

NEB.-IA. UNIT FOR CODE WITH CHANGES

OMAHA, Jan. 15.—A majority of the members of the Nebraska and Iowa M. P. T. O. at their convention here yesterday indicated that they favored the continued operation of the code though some changes were held essential for its success. Particularly they suggested some means should be found to get quicker action from Code Authority on appeals. They also asked code procedure be simplified, that it have more teeth in order to be more operative.

National vote was taken on any question.

Dale Goldie of Cherokee, Ia., and R. E. Falkenberg of Lexington, Neb., were elected president and third vice-president, respectively. Regular election of officers is scheduled for October.

LOEW WITHDRAWS TWO GRIEVANCE CHARGES

Loew withdrew two complaints filed here against the New York grievance board yesterday. One was the complaint by Loew’s Gates, Brooklyn, against the Marvin on reduced admissions. Loew’s previously had won a decision.

The second case was Loew’s New York against the Liberty for premature advertising.

M-G-M’s complaint against James E. King, Thomas Gluck, Julie Weiss and the Loew’s plays for alleged illegal transfer of a theatre was dismissed by the board because of non-appearance of the complainant.

TTOA AND LOCAL 306 AGREE ON BOOTH COST

(Continued from page 1)

and I.A.T.S.E. officials concerning the fact-finding report will not apply to T.O.A. and Local 306. It is understood.

Deputy Administrator William P. Parnsworth, yesterday confirmed Motion Picture Daily’s exclusive story on the postponement of the public hearing in Washington from Jan. 18 to Jan. 25.
Metropolitan Area Has 127 Dark Theatres

Of These 27 Are Without Sound Equipment

One hundred and twenty-seven theatres—100 of them sound houses and the remainder, silent on the screen as well as at the box-office—are dark in the territory served by New York City exchanges while 997 of the 1,124 in the area are proceeding full blast. This is what the statistical fabric of the local theatre industry showed as of Jan. 2, according to the usual directory made public by the Film Board of Trade yesterday.

The 997 houses open seat 1,202,533 in bulk and the 127 closed seat 96,409. Of the grand total, 821 are in New York and 323 in New Jersey, or, at least, those portions of the state served out of metropolitan exchanges. In New York State this includes all houses in the greater city, Long (Continued on page 10)

Tax Measures Pile Up at Sacramento

SACRAMENTO, Jan. 16.—While Gov. Merriam delayed presenting his budget message until Friday, Democratic forces hurled-borneshells at the deficit problem with a barrage of tax bills.

Foremost among the bills was one proposing a levy up to 75 per cent on (Continued on page 10)

Delay Chicago Bank Charge Against Fox

The suit of the Chicago Title & Trust Co. to recover $1,000,000 from William Fox and Fox Theatres Corp., over alleged defaults in guaranteed redemption of Roxy Theatre stock, which was scheduled for trial next Monday in state supreme court here, was adjourned yesterday to March 4 (Continued on page 6)

Pennsylvania House Gets a Sunday Bill

HARRISBURG, Jan. 16.—Representative Louis Schwartz, who introduced and secured the passage of the Sunday sports bill two years ago, has put in a bill for Sunday film showings, subject to local option.

The draft must go on time—Ship via National Film Carriers, Inc.—Adv.
GEORGE KAUFMAN and Mollie RYKIE leave for the coast Saturday to work out on the first MARX BROTHERS’ script for M-G-M. KAUFMAN and BERNETTI, who are home on leave for six weeks, RYKIEST he will be gone about four weeks. Up to late last night，there was no conversation. MAX GORDON goes along with the duo，just for the ride.

DAVE PALKREY，Boris Morros (still without the admiral’s uniform)，Fred Grofe and Bill PINE were at “I’d Climb the Mountain” at Sand’s yesterday. PINK said “tripe” to his waiter，then added he wanted food and wasn’t referring to his business.

CHARLES SKOURAS is due in New York Jan. 23. He will be on the same train bringing S. R. Kent home from his studio visit. SKOURAS’ visit has to do with that 10-year F.W.C. operating contract.

DAVE BERNSTEIN，CHARLES MOSKOWITZ，DAVID LOEVE，Arthur REICH and JON BENTFIELD are grouped around one table for lunch yesterday at the M. P. Club. Others seen in the dining room included ED KUYKENHALL，MORT SPRING，EUGENE ZUKOR，ARNOI VAN LEER，LAURENCE BOLINGNO，BILL RAYSON，LOUIS NIER，TOM GERETY，SAM DEMOHER，HERMAN ROBBINS，BILLY FERGUSON，PAUL KAPLAN，BEN ROSENBERG and SOL GORDON.

E. B. HATRICK flew to Hollywood yesterday following a long distance conversation and an exchange of numerous telegrams between here and Hollywood Tuesday night.

NIXITAS Dipson，operator of the Warner houses in Wheeling，W. Va.，returns to his headquarters in Batavia，Ohio yesterday. He added a Campsie and Chicago Public committee yesterday.

V. ’MARINE HAMBURG is on route to the coast，having left Tuesday. She had an appointment with BARRETT McCORMICK for tomorrow that she won’t keep. Naturally.

PAUL CINNINER，now busy in London editing and cutting “Emperor of the North” which stars his wife，ELIZABETH BERGNER，expects to join her here shortly.

LUISE RAINER，German actress，yesterday conferred with J. ROBERT RUBIN. PAUL CINNINER is a later visitor in RUBIN’S sanctum.

LESLIE HAYWARD flew to the coast yesterday，leaving at 3 A.M. GILBERT MILLER accompanied him.

LILY PONS leaves on her concert tour today and is due at the Radio studios in the spring.

ROY LARSON worked through Tuesday night on the March of Time and didn’t report for Monday yesterday.

LEOPOLD FREEMAN is back in service fully recovered from the effects of a recent birthplace mishap.

ROSS CROPP，RKO manager in Boston，is here huddling with Eugene McEvoy on some New England deals.

EARL TUCKER sails on the Ile de France Saturday to become assistant to GEORGE KAMEN in London. The KAMENS—Kay and George—are the job holders here until Sand’s return. MAX GORDON goes along with the duo，just for the ride.

SIR GERALD CAMPBELL，British consul general，will attend the opening of “Clive of India” tonight at the Rivoli. Others expected to attend are LAWRENCE TRIBBETT，EDDE CARSON and family，BEN LYN，BERR DANIELS，WALACE BERRY and KITTY CARLILE.

RUDY VALLEE，performing on the Radio City musicale program sponsored by RCA Victor over Station WJZ yesterday，referred to “The Vagabond Lover”，which he made for MGM a few weeks ago as “feebie” picture. Now that was nice?

DAN LONCHENG，member of the advertising department of Time，in caboos with Batten，Barton，Burstine and Company. He’s here for “Mice and March of Time” pressbook，one of the finest to hit these precints in a long time.

GEORGE BRADLEY，former Broadway columnist on the now defunct MORMON EXPRESS，soon starts writing for Hollywood column for the Brooklyn Daily Eagle. His headquarters will be on the coast.

CHARLES EINFELD，BOB GOLDSTEIN and HAERY GORZITZ are busy with the clothes on display in the lobby before leaving for the 6th floor of the Bond Building yesterday for lunch.

BILL PINK leaves for Hollywood by air tomorrow，stopping at Cincinnati for a few hours’ sightseeing before making for the Chicago RKO studio.

HARRI DAY，special sales representative for Terry-Toons，has returned from a two weeks’ tour of Chicago，Des Moines and other mid-west cities.

ARTHUR A. LEF has an announcement to make yesterday. It was about “The Dow Dunle” and the fact that it goes into the Music Hall on Jan. 24.

MARGARETA WALDMAN of the State Theatre，Vienna，under contract to M-G-M，came in yesterday on the Carpathia for a few weeks of recuperation from an illness.

HENRY RANDOLF left for the south yesterday and hopes to enjoy his vacation.

SAM WARESHAWSKY takes over pressbook production at Gaumont British，succeeding LOU F. GUTHRON.

GEORGE GERHARD will shuttle be-

LONDON, Jan. 16.—The Archbishop of Canterbury yesterday headed a delegation that visited Prime Minister MacDonald to denounce immorality in the film industry and demand a state censorship.

At present the release of pictures would be “examined daily” by the censor and the present board is neither paid by nor responsible to the government. In fact, claimed a member of the delegation, “it pays for and censors itself.”

MacDonald promised the subject would be “examined immediately with a view of deciding what is the wisest course to pursue.”

Sir Charles Grant Robertson，chairman of the National Cinema Inquiry Committee，supported the Archbishop and said that independent investigation revealed that at least one-quarter of the pictures passed by the censor were for one reason or another “unfit for the public.”

The Prime Minister then announced that the government was ready to consider any practical steps to relieve this situation.

BRANDT，S. & C. BATTLE

Harry Brandt and Springer & Co. are in a competitive battle on London’s Outdoor market with independent circuit operators bidding for product. Brandt recently acquired the Capitol，Bayride，former S. & C. house. S. & C. went over the Rectory，same city，after he lost the Capitol，and is now trying to get exchanges to switch contracts，a move Brandt is fighting.

AMPA MEETING CLOSED

Today’s AMPA meeting will be closed so committee members can report on plans for the annual dinner to be held April 27. A picture entitled “Why Fish Don’t Bite” featuring members，will be shown.

JOHNSONS TO DO ANOTHER

S. R. Kent，Fox president，is so well pleased with Mr. and Mrs. Martin Johnson’s latest， “Babooma”， that he has taken formal steps to do another animal film in Africa，India，the Malay States and in the South Seas with Johnson’s in Cuba and South America and then across the Atlantic，reversing the route followed by the Lindberghs on the homeward portion of their last tour.

MRS. LUCCHESI IN CHARGE

PHILADELPHIA，Jan. 16. — Mrs. Anthony Lucchesi will continue the Gold Medal-Majestic exchanges of her late husband here，she says. She will be assisted by a sales staff that includes WILBUR CARTER，Dorie Hart，WILLIAM DEVORSEY and William Philfy，with William Porter as booker and Robert Marcus as comptroller.

FORD，NICHOLS IN MEXICO

MEXICO CITY，Jan. 16. — Collecting information and local color for a film involving Taesco，historic mining centre in the state of Guanajuato，Mexico，are the objects of a visit here by John Ford，Dudley Nichols and Lester Caster. Columbia will make the picture.

COVER CENTRAL AMERICA

Cable advice to the RKO home office from Guatemala says the manager of the Panama exchange，that the company now has 100 percent distribution in Central America. Guaranbels has just signed a contract with the Capitol circuit in Guatemala.

English Archbishop Demands Censorship

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They KNEW it was big!
They ADVERTISED it big!
And LOOK what happened
IMITATION OF LIFE

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THEY stepped out with UNIVERSAL!
AS BIG AS ITS TITLE!

CARI

with LEE TRACY JIMMY

Directed by WALTER LANG
A brand new story by Robert Riskin, writer of "Broadway Bill"... "It Happened One Night"... "Lady for a Day"... with three grand stars in the grandest roles they've ever played!

SALLY EILERS
DURANTE

A COLUMBIA PICTURE
**Producer Row Before Campi For 1st Time**

(Continued from page 1)

Goldsmith made the picture for Mascot, leaving Hollywood with contracts for 100 theatres which it cannot serve. Jacob Schecter represented Bellman; Stephen Eller, Goldsmith Prod., and Goldsmith, New York. The complaint submitted 27 exhibits, the defendant, two. A Mascot official stated last night that Goldsmith had supervised the picture for Mascot. There was no hope of settling the dispute at a late hour last evening. Levy and Eller came from California to try the case.

**Schwartz-RKO Case To Be Heard Today**

A. H. Schwartz's clearance and zoning-complaint against RKO asking that the latter's seven-day projection on Columbus and Park, Far Rockaway, Jamaica, over Century's Fantasy, Rockville Center, be eliminated, will come up in the New York clearance board. Louis Nizer has been retained by RKO and Mitchell Rose will represent the independent circuit.

Originally scheduled to come before the Long Island advisory board in accordance with the slanted schedule in all previous cases involving that territory, the main board took the dispute out of the current proceedings which was found that most of the members of the advisory committee were affiliated with Century in one way or another.

Morris Kutinsky's overbuying complaint against Century, involving select non-Majestic theatres, has been decided by Campi today. The New York grievance board previously awarded Kutinsky all over $250 films Century had bought for its Queens Village, L. I. Kutinsky has the Community, same town.

**Cost Rate Charge Is Heard by Campi**

Charges that Morgan Walsh did not live up to the minimum admission price in his contracts for the T. & D., Oakland, Cal., made by J. Blumenfeld of the American, same city, were heard on appeal yesterday by a Campi committee consisting of Harry H. Buschma and William Yoost. John C. Film sat in as a member of the board in the absence of R. H. Cochrane.

Other cases heard were the clearance complaint by the Perrey, Martin Ferry, O., against all first runs in Wheeling, W. Va., L. F. Eick, manager of the Perrey, said that his theatre is not in competition with the Warner houses and that Wheeling is two miles from his city.

The John C. Film case before O., also complained against Warners clearance in Wheeling, but the complaint was not on hand to give additional testimony.

**Delay Chicago Bank Charge Against Fox**

(Continued from page 1)

as a result of a stipulation agreed to by counsel in the case.

Those signing the stipulation were Hirsh, Newman, Reiss & Becker, counsel for William Fox; Sullivan & Crownell, counsel for Chicago Tribune & Trust; Max Miller said for Film Corp.; Wollman & Wollman, counsel for Harley L. Clarke; Hornblower, Miller, Miller & Boston, counsel for Albert H. Wiggis; Mudge, Stern, Williams & Tucker, counsel for Chase National Bank & Trust Co., Henry Brill, counsel for Fox Theatres.

**306 Prized to Fight Scale, I.T.O.A. Hears**

(Continued from page 1)

insisting that the present 40-hour schedule be maintained. However, regardless of the action in Washington, the unit and operators' organization are making plans for a deal with the houses.

Other opposition to the basic plan, as it now stands includes Century circuit, the T. O. C. C. and Springfield Circuit.

Net profit at the ball last Saturday is figured around $9,000, most of which came from the program.

**Maine House Bombed**

PORTLAND, Me., Jan. 16.—A bomb exploded in the Casco here today, partly wrecking the interior and caus- ing damage estimated at $1,500. In- vestigation revealed the bomb to have been placed in the theatre after the last show yesterday. Manager Fred Stone said he had exercised caution due to recent bombings in New Eng- land cities. The theatre is owned by the E. M. Loew, Inc., chain of Bos- ton.

**Signs Lillian Hellman**

HOLLYWOOD, Jan. 16.—Samuel Gold- wyn bought the stage rights of "The Children's Hour," current New York stage hit, to write the adaptation for "The Dark Angel."

**Stop Globe Giveaways**

LOS ANGELES, Jan. 16.—The griev- ance board has ordered the Alden, Globe, Ariz., to stop merchants' pros- perty nights.

**All for the Sake of MPTOA**

Moving along rapidly now by way of preparation for the forthcoming M.P.T.O.A. convention, slated for New York Feb. 25-28, the following committees have been appointed:

**Broadcasters Seek Revival Of Popularity**

(Continued from page 1)

time as producers of consequence," the publication asserts.

That 50 per cent of the leading radio programs are produced by advertising agencies or production groups associated with advertising agencies, giving the broadcasters no real choice but to remain exhibitors only. Now the broadcasters find that the audience is not so solidly built and are merging the talent of their continuity writers and contract performers to the commercial messages of their clients, 'depopularizing' radio enter- tainment. In their effort to become producers again, broadcasters, according to the Herald, "face the prospect of ex- panding their skeleton sales staffs, en- gaging the services of all class theatrical producers with a background of practical radio production, hiring them in part as a talent as a general practice for allproduto for a few months, and speeding up the mechanism of all departments, even to the inclusion of large-scale facilities for handling studio audiences."

The new types of shows would run longer in length than they do now, even as much as three hours, with enter- tainment of every variety. Any num- ber of advertisers would have time on certain programs.

NBC and CBS are leading the new movement. The former has already deals with a number of national advertisers. The big radio chains are so confi- dent the commercial policy will capture public approval that they are advancing their rates.

**Warner Philadelphia Shift Is Confirmed**

(Continued from page 1)

"(Skip)" Wedder will have charge of Zone 1, first run downtown houses; Leonard Schlessinger will have Zone 2, all except the downtown houses, and A. J. Vanni will have Zone 3, the houses outside of this.

Dave Miller, former exchangeman, will be buyer and booker; Harry Goldberg continues as head of adver- tising and publicity, and Louis David- off, former booker and buyer, becomes assistant to Schlessinger.

John A. Farnham is as assistant in the operation of Zone 2.
BRINGS A NEW HEART THRILL TO RADIO CITY MUSIC HALL TODAY...

...the screen's new sweethearts... in one of the breeziest, gayest love stories that ever brought tears to laughing eyes...

THE GREAT LOVER OF THE STAGE... NOW THE ROMANTIC IDOL OF THE SCREEN and...

THE DANCING STAR OF "GAY DIVORCEE"... REVEALED AS A LOVABLE CHARMER

Francis Lederer
Tinger Rogers

Romance in Manhattan

with ARTHUR HOHL *
Directed by Stephen Roberts
A Pandro S. Berman Production
YOU’LL TAKE THEIR W \nLITTLE ME

HARRISON’S REPORTS January 12, 1933

"Little Men"
(Mascot Pictures; running time 77 min.)
The best independent picture produced in years.

It is wholesome entertainment for the family trade.
It has deep human interest. Some of the situations
should bring tears to the eyes, and others should
provok hearty laughter. Supposedly a continuation
of the life led by Jo, the heroine of "Little
Women," after she had married the professor, most
of the action revolves, not around the grownups,
but around the orphan children being cared for and
educated by Jo and her husband. The picture deals
mostly with the joys, sorrows, squabbles and pranks
of the children. Fine performances are given by the
boys, particularly by Buster Phelps, who is crippled
and occasionally bemoans the fact that he cannot
join the other boys at play; also by Frankie Darro,
who is rough but honest, and ready to help out
others in trouble, as well as David Durand, who is
times weak, but always generous. The most sym-
pathetic character, however, is Erin O’Brien-Moore
(Jo), who is gentle and motherly in her treatment
of all the children.

In the development of the plot, Darro, who had
been induced by Durant to join the orphan asylum,
is accused of a theft he had not committed. Despite
Erin’s protestations, he is sent to a reform school.
It is later discovered that Darro is innocent. At a
holiday celebration everyone feels that their joy
would be complete if Darro were with them. And
he does return, having run away from the school
because he had been treated cruelly.

The story is by Louise M. Alcott. Phil Rosen is
the director. In the cast are Ralph Morgan, Trent
Durkin, Cora Sue Collins, Phyllis Fraser, Dickie
Moore, Gustave Von Seyffertitz, and others.

Regardless of its box office value, this picture
should be shown everywhere; it will do the industry
much good.

Excellent for children, adolescents, and Sundays.
Suitability: Class A.

A REVIEWER
WHO KNOWS

"The best in-
dependent
picture pro-
duced in
years."

SHOWMEN WHO THEY’VE W

CENTRAL THEATRE
Oakland, Cal.

COOPER CIRCUS
Colorado

MISSOURI THE
St. Louis, M

ALHAMBRA T
Cleveland,

ERLANGER
Buffalo

FAMILY
Scr

SHEA’S
Jan

MASCOT PICTURES CO
1776 BROADWAY, NEW YORK

NAT LEVINE, President
A great intellect is a generation's best endowment.

SEE "LITTLE MEN"

The telephone rang—which was not news. A lady introduced herself—which was almost news, because many females are inclined to conceal their identity on the wire. "I am," she said, "an old-fashioned mother, and I have two boys. I often have to complain about the movies that are offered; so, when I see one that is fine, I think I ought to commend it. There is at the Byrd this week a film called 'Little Men.' It is one of the best I ever saw, especially for children. I wish you would urge every mother in Richmond to take her children to see it."

Adult judgment of pictures is not always accurate, according to the standards of youth. We decided to check the good report by the impression of some young movie fans. Their verdict was enthusiastic. "It's swell," one young gentleman remarked, and proceeded to outline the plot with none of the twentieth-century avoidance of the moral.

When youth and motherhood are in accord, their guidance can be trusted. Be sure, therefore, to send all the children to the Byrd forthwith to see "Little Men." And, if you go with them and like the picture as much as they are sure to do, tell the management and write the producer.

Held over 2nd Week
CENTRAL THEATRE
OAKLAND, CAL.
Hope to Get Funds in Czechoslovakia

(Continued from page 1)

in Czechoslovakia after an interruption of more than 18 months. Although the agreement has been accepted by the industry, several large distributors retain hope of further concessions from Czechoslovakian authorities who, it is reported, have indicated a willingness to engage in further negotiations. Not only to leave to withdraw capital from Czechoslovakia is desired by distributors, as some expressed hopes of obtaining an import fee applied to negatives instead of positives. Action on this would probably await a three-months’ trial to disclose earnings possibilities on the present basis.

An inter-company agreement among the distributors delays the actual release of pictures in Czechoslovakia until Feb. 8 to permit companies who are without quarters in Prague to organize distribution facilities for an equal physical start.

Czechoslovak Film Advisers Are Named

WASHINGTON, Jan. 16—The Ministry of Commerce of Czechoslovakia recently announced the appointment of Dr. Alois Ruthausky, a confidential friend and advisor of Minister of Commerce Dostalek, as chairman of the Czechoslovak M.P. Advisory Commission, according to a report to the U. S. Department of Commerce.

Other members of the commission include: Dr. Joseph Piskac, representing the Ministry of Commerce; Dr. Adolf Prusa (director, Ocean Film Co.), representing the Czechoslovak Asso. of Film Producers and Traders; Milos Havel (owner, A. B. Studio), representing the Czechoslovak Ass’n of Film Producers and Traders; Vladimir Wokoun (manager, Phoenix Theatre), representing the M. P. Theatre Owners Ass’n. Alternates include Beda Herse, Dr. Joseph Ort, John Reiter and Bohumil Sottner.

The Ministry of Foreign Affairs is represented by Jospeh Palavec, director of the bureau. Other members of the commission include: Dr. A. Matula (president, Czechoslovak Agricultural College) represents the Ministry of Education. Mr. Benevcek, director, represents the Czechoslovak Film Trade Union. The Czechoslovak Newspaper Syndicate has not appointed its member to the commission.

Columbia Affair Set

Plans are being made for the Columbians’ fifth annual dinner-dance to be held March 2 at the Waldorf-Astoria. Hal Hode, president of the Columbia club, has selected committee members for the affair. Max Seligman heads the program committee; Floyd Weber, table; Vincent Borelli, finance; Bud Gray, entertainment; Danny Heiss, press, and Etta Le Voff, tickets.

Wall Street

Trading on Big Board Up

Net

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<tr>
<th>Company</th>
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Curbs Stocks Up Slightly

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<td>Warner, Inc. (6e)</td>
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(Quotations at close of Jan. 10)

G.B. Changes Loom As Bernerd Arrives

(Continued from page 1)

adding that this move was one of the various things he was going to look into. He will report his findings to Mark Oster, who will arrive in three weeks for a five-weeks’ visit.

Gaumont British during 1933-34 had its biggest year, Bernerd declared. He could not give figures, but added that the company’s features are breaking records in English theatres. He also said that he did not bring any pictures over with him.

Originally, Bernerd said that his first film had been in 1928, but when pressed on the realignment subject admitted there was something to it.

On the same boat were Ida Lupino and her sister. Paramount recently took up the second-year option on Miss Lupino’s contract if she would be willing to sign up. He leaves for Hollywood today, Eliza- 

beth Bergner was on the boat, too.

Tax Measures Pile Up at Sacramento

(Continued from page 1)

incomes. Hollywood’s payroll, mounting to $76,000,000 annually, would be heavily hit.

Another bill proposes a boost in corporation franchise taxes from two to three cents per $100.

A 30-hour week bill has the Administration’s blessing. Still another provides for a tax on sales of stocks and bonds. Others expected include censorship, producers’ tax and admission tax.

"The Runaway Bride" (B. & D.-U. A.)

Here is a picture from Britain that, although not lavish in production values as some previous English efforts, should receive a nice reception here. It has none of the common defects usually found in films of this type, such as clipped accents, poor photography, lighting and sound tied in with a weak story.

Herbert Wilcox handled the direction in such a way that the story keeps moving at a pace fast enough to maintain audience interest throughout. The camera work of F. A. Young is particularly commendable because of outdoor scenes in the Swiss Alps and lakes.

In short, the story answers the question: Can romance defy caste? It is a tale of a queen and a commoner. Beautiful Anna Neagle is recalled from a New York store to claim the throne of a European kingdom. In spite of all efforts for peace, a revolutionary party led by the commoner, Fernand Graevey, overthrows her and sets up a republic as she flees to Switzerland. Graevey, now president, leaves for a rest and meets the queen in the Swiss Alps. In this romantic surrounding, the two succumb to each other’s charms but lose their respective identities to themselves. Miss Neagle is then recalled by her people and Graevey is seized as a traitor. The action then moves quickly to the climax that finds the lovers together again and ready to head the government, Miss Neagle when it desires a queen and her husband when it desires a president.

Exploitation angles are here for a satisfactory picture from both sides Production Code Seal No. 0216.

The Whole Town Talking

Island and points south of Kingston. In New Jersey, it covers all accounts north of Trenton.

Circuits, of course, dominate, affiliated theatres, banded together in chains, total 122 in New York State and seat 267,361. In the same classification in New Jersey, the circuits run to 73 with seats building 132,117. Unaffiliated circuits in New York State total 359 with an aggregate capacity of 420,580. In Jersey, the circuits number 99 and their combined seats, 101,211. Independent theatres in New York State served from this present aggregate 320 with a combined capacity of 266,121. In Jersey, the total ends at 151 with seats totaling 111,572. Of the grand total of 1,124, sound is used in 1,097 theatres.
Out today

A Discussion of
MR. WALTER LIPPMANN'S
Discussion of
"MORALS AND THE MOVIES"

By TERRY RAMSAYE

In
MOTION PICTURE HERALD
San Francisco, Jan. 16.—"Forsaking All Others" put the Warfield on the profit list last week by piling up $27,000, over average by $4,000. It was held for five days.

"Forsaking" was seen at the respectable ticket price of $1,500, but the $5,000 a day it grossed was far from as much as could have been expected.

The Manager of the Warfield, M. Maynard, took $8,000 in his third week at United Artists and was held for a fourth, "Broadway Bill" also was held for a fourth, the Orpheum after getting $7,500 in its third stanza.

Total first run business was $85,000, and the $3,000 was gross.

Estimated takings:

Week Ending Jan. 8:

"FORSKING ALL OTHERS" (Para.)
GOLDEN GATE—(3,000), 25c-35c-45c, 7 days.
Gross: $9,500. (Average, $1,357.)

Week Ending Jan. 9:

"STRANGE WIVES" (Uni.)
WATERFORD—(2,000), 15c-35c-45c, 7 days.
Gross: $5,500. (Average, $786.)

"BROADWAY BILL" (Col.)
ORPHEUM—(2,500), 25c-35c-45c, 7 days.
Gross: $7,500. (Average, $1,071.)

"BRIGHT EYES" (Fox)
ST. FRANCIS—(1,600), 25c-35c-45c, 7 days.
Gross: $5,500. (Average, $786.)

"MIGHTY BARNUM" (U. A.)
UNITED ARTISTS—(1,500), 15c-35c-45c, 7 days.
Gross: $6,500. (Average, $929.)

Row Over Maynard
Is Sent to Camp

Los Angeles, Jan. 16—O. Donovan, local code representative, has forwarded to New York a complaint from a group of local exhibitors who are having trouble with the Maynard circuit of the Burr enterprises, who charges Ken Maynard with jumping a contract to make a series of pictures and signing with Majestic. Also named are Larry Darmour and the Small-Landau agency.

Burr says deals on the series had been closed throughout the country when the alleged breach of contract occurred and production was to have gotten underway Jan. 1.

Small-Landau asserts Burr failed to produce a bonus agreement to bind option secured by the producer on Maynard's services, with offers from Monogram and Majestic pending in the meantime.

Darmour is said to have given financial assurance to carry through the plan but before taking eight films the actor was to make. Burr allegedly spent much time and money figuring out the deal and when Burr's name figured from the agency, Darmour was not financially able to carry out the contract and did not exercise his option when due.

"All Others" Hits $27,000, San Francisco

(Continued from page 1)

the Independent Theatre Owners' Wives got on the up-and-up here,—and maybe a little fun on the side.

At one of the dice tables the chips were five unmarked; at the blackjack back would start the fun. The players rolled the dice down toward the boy who raided in the chips and threw them in a heap saying, "Put the money you won—$8—he admits it. Others didn't.

Some say the losses ranged from $3,000 up to $20. Three Harry Brandt says it was only a few hundreds, but whatever it was Harry Randall, Brooklyn branch manager for Paramount, thought it was "colossal."

He picked up the dice and found two sides with five dotts on, instead of the customary four.

Conversation developed. Somebody even used the word "crooked." The losers at the table and expressed themselves in the well-modulated tones the occasion demanded. Harry Brandt exercised his presidential authority and insisted that the house winnings should be returned and they were.

It was developed that the playing privileges had been rented out to the owner of the equipment on a percentage basis. Exhibitors don't like checks and the privilege was hired.

Since early Sunday morning everyone has been trying to keep it quiet about it all. There are those who think, but what some wives think of husbands who play with 24-dott dice —

"Biography" High
In Oklahoma City

Oklahoma City, Jan. 16.—"Biography of a Bachelor Girl" took top money in a quiet week here. The $4,500 gross went $500 over average at the Orpheum.

The Liberty fared well on its split week policy, getting $2,200 in four days and a combination showing on the screen and the Singers Midget Band on the stage. "Strange Wives," on for the other five days of the week, grossed only $500.

Total first run business was $13,200, Average is $13,500.

Estimated takings for the week ending Jan. 12:

"HERE IS MY HEART" (Para.)
BROADWAY THEATRE—(3,000), 30c-40c-50c, 7 days.
Gross: $3,000. (Average, $429.)

"BIографY OF A BACHELOR GIRL" (M-G-M)
MIWEST—(3,000), 25c-35c-45c, 7 days.
Gross: $4,500. (Average, $643.)

"JERUSALEM" (Warner)
CAPITOL—(2,200), 25c-35c-45c, 7 days.
Gross: $1,800. (Average, $257.)

"RAPPIT" (Fox)
LIBERTY—(1,200), 10c-25c-35c, 4 days.
Gross: $675. (Average, $215.)

"SETS" (Fox)
VERSUS THE WEST (Univ.)
LIBERTY—(1,500), 15c-35c-45c, 3 days.
Gross: $900. (Average, week, $300.)

Mayor of an Exhibitor

Memphis, Jan. 16.—Oxford, Miss., seems to have a University or College cinema near her, has its first showman-mayor. R. X. Williams, owner of the Mayordome and the first mayor of the Mississippi city. Williams is a leader in exhibitor circles as well, being an officer of the tri-state M.F.T.O. and the Mississippi organization.

"Bill" Buffalo
Wow, $17,100,
$10,600 Over

BUFFALO, Jan. 16.—Some remarkable business was done here last week, with "Broadway Bill" the sensation of the week, grossing $3,000 at the Lafayette, over normal by $10,600.

"Forsaking All Others" was a close second, taking $2,100 over its $1,300, up by $430, at the Great Lakes.

Total first run business was $38,700, Average is $4,280.

Estimated takings for the week ending Jan. 11:

"BIOGRAPHY OF A BACHELOR GIRL" (M-G-M)
BUFFALO—(2,500), 25c-35c, 7 days.

"THE ST. LOUIS KID" (Warners)
BONEVILLE (Para.)
CENTURY—(2,500), 25c-35c, 9 days.

"FORSAKING ALL OTHERS" (M-G-M)
GREAT LAKES—(2,000), 25c-45c, 10 days.
Gross: $6,000. Average, $600.

"THE PRESIDENT VANTS" (Para.
BY WEEK LEAVE (Radio)
HIPPODRIME—(2,500), 25c-35c, 7 days.
Gross: $6,000. Average, $857.

"BROADWAY BILL" (Col.)
LAFAYETTE—(2,200), 25c-35c, 7 days.
Gross: $17,100. Average, $6,500.

Indians Asked to
Push Family Shows

INDIANAPOLIS, Jan. 16.—Exhibitors are meeting here today with the Associated Theatre Owners to cooperate with the American Ass'n of University Women in arranging family nights and children's matinees.

The women want family shows on Friday nights, with all subjects approved. They also want double bill eliminators on Saturdays when children attend matinees and object to "horror" pictures.

The Parent-Teacher groups have an ordinance, for which they were working, which will make family nights compulsory.

Says Klock Overbought

KANSAS CITY, Jan. 16.—Glen Klock, operator of the Klock-Nodee circuit here, says that before he left for 30 days to pass in the South, Carl Kan, is crowding his programs to the extent of eight features a week in order to keep competition out of the town, is the charge made by A. B. McNabb, owner of the Gem in the same town, in a complaint filed with the state's attorney general.

McNabb also charges Klock has failed to maintain minimum admissions specified in contracts.

"Bill" Is Hit in Cincy

CINCINNATI, Jan. 16.—"Broadway Bill" is cutting across the RKO Palace screen this week as outstanding all contenders for top position. Opening Friday, with box-office lines the rule rather than the exception, the take for the first three days stood at $9,000, with the picture expected to do around $12,000. "Bill" is billed as the RKO Lyric for a second downtown stanza.

Helen Hayes Coming

Hollywood, Jan. 16.—Helen Hayes will start east Sunday to appear in a stage revival of "Mary, Queen of Scots."
Gaumont May Handle B.I.P. Product Here

Ostrer and Dent Admit Discussing Proposal

By BRUCE ALLAN

London, Jan. 17.—Gaumont British may distribute for British International in the United States. Mark Ostrer of G. B. and Arthur Dent of B. I. P. today admitted to your correspondent that such discussions have been held.

On the strength of continued and persistent reports that the Ostrers and John Maxwell, dominant factors in B. I. P., are discussing deals, perhaps of a varied assortment, shares of Associated British Pictures were higher today at 6/3d, and Gaumont British as well at 10/7d.

It is understood Maxwell has offered the committee of investigation of

(Continued on page 2)

Further Film Probe Awaits Capital Study

Cummings Is Examining St. Louis Data

WASHINGTON, Jan. 17.—A full evaluation of the results achieved in the St. Louis prosecutions is being made by the Department of Justice before a determination is reached as to where the Government will strike next, it was indicated today by Attorney General Homer Cummings. It was said by the Attorney General that no immediate investigation was contemplated in any other city, but that it was admitted at the department that complaints have been received from other places which are being studied. The Attorney General, however, admitted that unless a matter reaches a stage where sufficient substance is indicated to go into court it would not come to his attention.

Although Cummings said that so far as he knew there was no investigation going on in southern California,

(Continued on page 2)

Seitz Says He Plans Suit Against Warner

CLEVELAND, Jan. 17.—Earl Seitz of Seitz Amusement Co., which owns the State at Sandusky, says he is preparing to file a complaint in Federal court against Warners, charging conspiracy in restraint of trade. He as-

(Continued on page 2)

Order Registration Of Columbia Issues

WASHINGTON, Jan. 17.—Application of Harry Cohn, Attilio H. Gian-
nini and Jack Cohn, as voting trustees, for the registration on the New

(Continued on page 2)

“Audible”

Only one report filtered through on Wednesday’s three-way radio telephone conversation that featured Anna Sten’s American, Samuel Goldwyn’s English, Eddie Cantor’s newly-acquired Italian and the Osaka Asahi (Japanese newspaper) editor’s Japanese.

Eddie said yesterday that every word was “audible.”

MOTION PICTURE DAILY

The Leading Daily Newspaper of the Motion Picture Industry

VOL. 37, NO. 15

NEW YORK, FRIDAY, JANUARY 18, 1935

TEN CENTS

Long Fox Met Struggle Goes Added Round

Charges Made, Apology Asked, That’s All

All of the eminent counsel in the proceedings to reorganize Fox Metropolitan Playhouses have been agreed for months that prompt action in the case is essential or the estate and its patient creditors will take a terrific licking. Yesterday, in the third year of the reorganization process, counsel told Federal Judge Julian W. Mack that they were still of the same mind.

In fact, the principal Fox Met stockholders’ committee, which claims to represent 89 percent of the $12,- 600,000 secured notes of the company, had its second completed plan of reorganization in hand each time it has come to court during the past month. It seems to have become some unexpected difficulty, however, in leaving the plan behind when the committee’s counsel goes out of the courtroom.

So many things keep cropping

(Continued on page 10)

Closed Para. Hearings to Be Requested

A petition to conduct closed hearings in chambers on the fairness of the Paramount-Publix plan of reorganizing will be made to Federal Judge Alfred C. C. Croll at the close of the resumed hearing today in an effort to speed up the plan of the Paramount-Publix plan, it was learned yesterday.

Entering of formal proof of the reorganization plan for Paramount Broadway, holding company for the Paramount Building and theatre, will be concluded at the morning court session today with Austin Keough, Paramount secretary and general counsel, on the stand. This will complete the proof of the Paramount-Publix plan, of which the Paramount Broadway plan is a part, and will be followed by

(Continued on page 10)

Seitz Shops For Code

HOLLYWOOD, Jan. 17.—The Screen Actors’ Guild will continue its fight for a code of fair practice, a draft of which is now in the hands of the NRA in Washington, and should recovery officials turn down the compact, which has been rejected in its entirety by producers, the group will negotiate further with the latter.

This was revealed by Robert Montgomery in an address last night at a

(Continued on page 11)

Legitimate Theatre Code Case Delayed

Hearing of a motion made by the Shubert office to dismiss the complaint filed by Beckhardt’s Ticket Agency and Mayfair Ticket Agency against the legitimate theatre code was postponed yesterday until Jan. 24 by Judge Steuer in the New York Supreme Court. Phillip Wittenberg, attorney representing Shubert, asked for the

(Continued on page 12)

Premiums Gaining

Chicago, Jan. 17.—Current estimates are that approximately 160 theaters here are now using premiums and giveaways. Recent failure to put the premium question to a vote promises to increase the number of houses using giveaways.

Premium distributors are decidedly optimistic. Eighi concerns, mostly along film row, are handling premiums.
If the inside on the inside is all accurate and there appears reasonable reasons to conclude that it is, efforts made to ward off the St. Louis excitement were plentiful and valiant, reaching as they did to high places around the house painted white in Washington but with results already apparent and uncomfortable. Now what's that's entirely the question of for answer, or answers, of which there may be several. It's largely a problem in attitude. If the Justice Department is hiving along its long-looked-for purpose of proving at large that the anti-trust laws are not mossa-covered and too completely lathered, the additional grand jury probes hinted for other key cities beyond St. Louis first and Los Angeles second undoubtedly will develop.

The original inside tip from Potomac shores, if you recall, had it that the film business was being jounced on as a sort of convenient springboard from which the trust-busting nation could propel themselves into wholesale action. If this version holds up, its implications are exceedingly important, for it throws daylight into the situation's values and would tend to demonstrate that St. Louis developed, not so much because it rated development, since this business only furnished the legalistic crusaders a reasonable opportunity to break their lenses against a non-resisting enemy with many newspaper headlines gathered in the spoils.

Another angle, suffused in reasonable conjecture, points up the Justice Department's reported displeasure over the block booking system and its current gyrations as a scare designed to frighten the industry into some sort of a trade. Since this business often lacks the rigidity in its backbone which it might better enjoy, an offhand guess, based on considerable observa-

“Hei Tiki” to Globe

Morris Epstein, of First Division Pictures, has closed a deal with the Globe for a three-week run of “Hei Tiki,” starting Feb. 8.

Following the local run, the picture will be roadshowed. Special exploita-
tions are in hand for each key city.

This picture was produced by Alexander Markey on the Isle of Ghosts, in New Zealand, with an entire native cast.

Mayfair Books “Nights”

First Division’s “Sing Sing Nights” will follow Radio’s “The Silver Streak” into the Mayfair next week.

Insiders’ Outlook

Continued (from page 1)

Gaumont May Sell B L P Product Here

(Continued from page 1)

Truth to Remain as Is by Vote of Am pa

(Continued from page 1)

at a closed meeting yesterday and the majority was against even a fan or a majority holder.

After this had been decided Benjamin named a publicity and a magazine campaign, with the same-day's epic, “Why Fish Don't Bite,” was screened, and the wisecracks flew.

Laemmle, Sr., Is 68

Hollywood, Jan. 17.—Confined to his home with a cold, Carl Laemmle was unable to attend a birthday party given in his honor at the Universal studio today. It was his 68th birthday and marked his 29th year in the busi-

Further Film Probe Awaits U S Study

(Continued from page 1)

Order Registration Of Columbia Issues

(Continued from page 1)

York Stock Exchange of 5,023 vot-
ing trusts of the southern district of the N. Y. Bar Ass'n.

Miliken said pictures were using every means to avoid contributing to the mining crisis and were continu-
ing "definite and specific efforts to prevent within the proper scope of the artistic creation, the best and most scientific methods of crime suppression by police and other law enforce-

Warnings Take Back Earle

PHILADELPHIA, Jan. 17.—After two weeks of emergency police manage-
ment, the Earle will return tomorrow to direct Warner control. William A. Haynes, for six years district manager for this territory, will manage.
EARL DERR BIGGERS’ FAMOUS DETECTIVE DISCOVERS NEW THRILLS TO BRING IN THE CROWDS

CHARLIE CHAN IN PARIS

WARNER OLAND
Mary Brian • Thomas Beck

Erik Rhodes

Produced by John Stone
Directed by Lewis Seiler

Story by Philip MacDonald. Screen play by Edward T. Lowe and Stuart Anthony. Based on the character “Charlie Chan” created by Earl Derr Biggers.

Variety Daily: “Exhibs need have no worry about this one.” Motion Picture Daily: “Ranks high in the Chan category. Intriguing entertainment with plenty of surprise!”
...THRILL THEM WITH SIGHTS

It starts where others left off.

**SHOW** A legion of giant baboons attacked by battalions of raging monkeys!

**SHOW** The most tremendous herd of angry elephants ever viewed by man!

**SHOW** The wild stampede of snorting buffalo – thousands upon thousands!

**SHOW** These adventurers brave the frowning treacherous peaks of Mt. Keyna, haunt of evil spirits!

**SHOW** The bitter fight between a savage wart-hog and a marauding leopard!

**SHOW** A snarling lion leading his ferocious mates against a grounded plane!

**SHOW** The great steel jaws of crocodile killers awaiting their human prey!

**SHOW** The secret heart of the untouched kingdom of relentless claw and fang!
THEY’VE NEVER SEEN BEFORE!

...BECAUSE THEY WENT **BY PLANE**!

MR. & MRS. MARTIN JOHNSON’S

BOONA

**AN AERIAL EPIC OVER AFRICA**

Supervised by Truman Talley

60,000 MILES OF AMAZING SCENES PACKED INTO ONE BREATHLESS HOUR!
"BROADWAY BREVITIES—'THE SONG OF FAME': If all short subjects were as well cast and produced as this two-reel film, exhibitors would not be forced to double-feature. This musical subject is better than many feature pictures."

"DOROTHY STONE, BOB HOPE in 'PAREE, PAREE': This is excellent entertainment of the musical comedy type. When you play Vitaphone shorts, advertise them and listen to the public comment on them."

"'BARBER SHOP BLUES': A crackerjack one-reel."

"HAL LeROY, DOROTHY DARE in 'SYNCOPATED CITY': Vitaphone shorts are okay and my patrons like the Broadway Brevities and especially Hal LeRoy's dancing."

"MELODY MASTERS—PHIL TALNY AND HIS MUSIC QUEENS: Excellent entertain and pleased our entire audience. Other producers should pay Vitaphone to produce shorts for the

"HAL LeROY, DAWN O'DA' 'PICTURE PALACE': A very good musical comedy with plenty of beautiful girls and good music, excellent entertainment and will please everyone."

"LEON ERROL in 'GOOD MORNING EVE': A dandy musical comedy in color."

"BUSINESS IS A PLEASUR This one is great. Beautiful comedy, snappy dance numbers about everything you can think into a two-reel short. Got as favorable comments as a feature."

AND COMING SOON—NEW VITAPHONE SHORTS
We're used to having exhibitors tell us that Warner Bros. make the best Shorts and Trailers. Vitaphone's Stars and Music and Production Quality take care of that. But when 17 separate reports in a single issue of "What The Picture Did For Me" praise Vitaphone Shorts to the stratosphere, THAT'S NEWS! Read these straight-from-box office bulletins... compare them with the results you're getting from competing product... then ask yourself if it isn't simple common sense to SWITCH TO VITAPHONE.

"BIG V COMEDIES — ROSCOE ATES in 'SO YOU WON'T T-T-T-TALK': One of those real belly laugh comedies. And how the folks ate it up. Call it hokum or slapstick or whatever you want to, but this is the type of comedy that goes over here in a big way."

"JEANNE AUBERT in 'GEM OF THE OCEAN': This is a very good entertainment of the musical comedy type with plenty of beautiful girls and great dancing numbers."

"MERRIE MELODIES—'THE GIRL AT THE IRONING BOARD': This cartoon is done in a way that makes it excellent entertainment for both young and old. Vitaphone continually produces good shorts that please the public."

"NO CONTEST': Very good. Ruth Etting can sing and does in this."

"SEE AMERICA FIRST SERIES—'BOSTON TEA PARTY': First of this series I have run and it is excellent. I would be willing to pay for this one for my own benefit."

"PEPPER POTS — 'A CABINET MEETING': A dandy single reel from Vitaphone."

"FREDDY RICH AND ORCHESTRA in 'MIRRORS': A good musical short. Vera Van and the Eton Boys help."

"RUTH ETTING in 'NO CONTEST': A very good musical comedy. Has plenty of beautiful girls, good music and everything you could expect of a musical comedy. Great entertainment."

"GOOD MORNING EVE': An entertaining musical comedy in color."

RING POLLY MORAN, EL BRENDDEL, SHEMP HOWARD, HERB WILLIAMS
Payroll Tax of 3% Asked for Insurance

WASHINGTON, Jan. 17—Employers in the construction industry will be subject to a payroll tax, beginning Jan. 1, next, at one per cent and rising by the beginning of the second quarter, under unemployment insurance bill introduced in Congress today by Senator Wagner of New York. The bill would go into effect with a message from President Roosevelt asking for the enactment of social legislation.

Old age and unemployment insurance will be financed jointly by employers and employees, but half of the tax is to be deducted from employees' wages. Further, it is provided, there is to be no tax upon that portion of a payroll representing employees receiving more than $250 per month.

Clearance Dispute Ends in New Haven

New Haven, Jan. 17.—Following a long battle before the clearance and zoning board, in which the Dixwell has been agitating to build an 11-story addition in protection from 30 to 41 days, as a result of Loew's College unprecedented second run, the board passed a compromise decision of 37 days in favor of the Dixwell today.

Contending since the first hearing of the matter on Jan. 7, that for eight years prior to this season the Dixwell had been served 30 days at first run, P. B. B. Locascio, who appeared for Campi New Haven exhibs has been urging strongly.

The final decision was passed by a three to two vote, Morris Joseph not voting. It provides that the College shall serve the board daily closing clearance, so long as it charges 30 cents; and that the Dixwell shall have a 37-day maximum on a 25-cent admission. The board, in making the decision, assumed that 37 days' maximum would be a fair decision, reaffirming the provision of the revised clearance-zoning schedule, the adoption of which by Campi New Haven exhibs have been urging strongly.

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A similar case has been filed by the Whalley, and Edward G. Levy, M. P. T. O. secretary, reports other cases are in the air.

The State here, filed a complaint against the Lawrence this week under the State's new housing climax clearance. The Lawrence counterpointed by filing an identical complaint against the State, and obtained a continuation of the hearings on the first complaint from Friday to Monday, Jan. 21, when both cases will be heard by the grievance board. If the States win, both theatres will run five-cent matinees Saturday.

Delay Century-RKO Case

Century's clearance complaint against RKO in Long Island was again postponed yesterday, this time at the request of the complainant. The delay is now up to 14 days. The plaintiff seeks to eliminate a seven-day protection RKO houses face in Far Rockaway and Jamaica over the Fantasy, Rockville Center.

Looking 'Em Over

“Clive of India”

(20th Century-United Artists)

Three times in India and back in London to meet the carping criticism piled up around his head by enemies, it is a stirring and simple speech which Ronald Colman, as Lord Clive, makes to the House of Commons to defend his career. And when the prime minister shortly thereafter tells him of the high measure in which the King holds those services, the picture of which these two effective sequences are a part comes to a touching conclusion.

But all of “Clive of India” is not on the same plane. Or perhaps that is not true. But there certainly is a point at which Clive stands, and that mark its opening sequences, showing, as they do, the impetuous East India Company clerk, the destiny that takes him into the army and courage that makes him the conqueror of Southern India. In his headlong dash toward the top, Clive sweeps Loretta Young off her feet and into his arms as he sweeps the enemy before him.

The first phase of his job done, he goes back to England on promise to his wife that there he will remain. Then comes the second urge and so Clive goes back to the scene of his first victories to further cement for England the empire over the seas. Ultimately develops the second return to England and private life, only for a spell. The third venture finds him going alone, his wife discouraged by his broken promises and warning him that inevitably success will be crowned with disaster. On Indian soil, with at home newspapers after his scalp. Clive hurries to the mother country again, and as the picture closes, is found in his wife's arms and with the King's grant and his ears.

There is considerable color in the production which has been turned out on a large scale. The armored elephants in the battle of Plassey are something new in celluloid battles, but the staccato close-ups of men dying in their audible terror are unnecessary and unsuited for feminine and juvenile patronage.

As the picture stands, it is somewhat repetitious and seemingly over long. In point of acting, Colman and Miss Young are good in the principal roles with an assortment of sincere performances furnished by Colin Clive, Francis Lister, Cliff Smith, Montague Love, Lumsden Hare and others. Richard Boleslawski directed.

Production Code Num. 501. Running time, 94 minutes. "G." K.

“Hollywood Mystery”

(Principal)

Regal has produced in “Hollywood Mystery” entertainment that ought to go well at neighborhood houses. It is fast-moving, filled with action, its story briskly told and its acting capable for the most part.

The tale mingle the underworld with the world of Hollywood.

Frank Albertson, publicity man for a producing company, tries to help his boss (Teness Holts) to handle an infiltrated foreign director, who demands a real gangster be signed for the star role. At the same time Albertson manages to get the girl friend (June Clyde) engaged for the feminine lead.

Things start to get hot when the discovery is made that the ham socked an underworld big shot by mistake. When the gangster learns the identity of the man who spumed him, it takes him no time to corner him and hand him a lacing. The police break up the little party, pull in the tough guy and his pals and learn the truth about Signor Crespo.

There is considerable fun in the film as well as melodramatics. Breezy Eason directed. No code seal. Running time, 55 minutes. "G." (Additional review on page 10.)

Flash Preview

Mystery of Edwin Drood... exciting murder mystery... good for any week. This film will be reviewed in full in a later issue of Motion Picture Daily.

Charter Two Companies

ALBANY, Jan. 17.—Two new theatre incorporations here include United Theatre Owners, Inc, with Martha J. Hoffman, Henrietta Zeichner and F. Augustus Weissman as directors and subscribers, and Prisoners of War, Inc., with Murray A. Schechman, Jane E. Coss and Helene M. Hart as directors and subscribers.

Wall Street

Warner Up on Big Board

High Low Close Change

Columbia (c) 3514 3505 3505 + 11 4
Consolidated Film, 22 21 2051 2045 + 4
Eastman (ks) 1210 1210 1210 + 5 4
RKO, Inc. (a) 1350 1350 1350 + 1 4
Loew's, Inc. (a) 3218 3218 3218 + 1 4
M-G-M, Inc. (a) 1950 1950 1950 + 3 4
Paramount, et al. (a) 3724 3724 3724 + 4 4
Pathe "A" 1535 1535 1535 + 5 4
Warner 5 5 5 + 5 4
Totals 46 45 45 + 3 4

Trans-Lux Gains 1% on Curf

Low High Close Change

Technicolor (20b) 1301 1301 1301 + 1 4
Trans-Lux 315 315 315 + 1 4

Small Gains on Bond Market

High Low Close Change

General Trusts, 6s, 60 892 892 892 + 4 4
General Trusts, 6s, 60 892 892 892 + 4 4
Keeler, By 6s, 60 693 693 693 + 4 4
Lowrey 4Y4 deb. rights, 10316 1054 1054 + 4 4
Paramount 1% deb. 4374 4374 4374 + 4 4
RKO 3% 5551 5551 5551 + 5 4
Schechtman, 6s, 4f 6396 6396 6396 + 1 4
Schechtman, 6s, 6f 5637 5637 5637 + 1 4
Schechtman, 6s, 6f 5943 5943 5943 + 1 4
Schechtman, 6s, 6f 6050 6050 6050 + 1 4
Schechtman, 6s, 6f 6054 6054 6054 + 1 4
Schechtman, 6s, 6f 6056 6056 6056 + 1 4
Lincott, 6s, 6f 814 814 814 + 1 4
(B) Plus cash extras. (c) Plus stock cash delivers.

Trans-Lux grows this year on account of accumulations.

(Quotations at close of Jan. 17)

Warnings to Have Own Poland Office: Morris

(Continued from page 1)

weeks' trip to England, Spain, France and Italy. The latest foreign office will be opened perhaps within the next few weeks, but no date is set, he said. Preparations are now under way. As for conditions abroad, Morris said they were improving.

Buddy Morris, son of the foreign head and president of Music Pub- lisher, Holding Corp., which controls Witmark, Harris and several other companies, also was a passenger on the liner. He said that he renewed a contract with Bert Feldman of Feldman & Co. to handle Warner films for the next three years. He also closed a three-year deal with Chappell & Co. for the Continent and Australia. Discussing music conditions abroad, Buddy Morris declared there was no need for signing foreign writers, since most of the music is of American origin. "Every place you go you hear American tunes," he said.

Bill Would Retain Cal. Sales Tax as Is

STATE CAPITOL, SACRAMENTO, Jan. 17.—Senator Sharkey has introduced a bill to continue the sales tax at two and one-half per cent, instead of per- cent in a bill to continue the sales tax at two and one-half. The bill was passed on June 30 as the present law requires. This will make a difference of $20,000,000 per biennium in the estimated state revenue.

Pat Harmon Assaulted

Hollywood, Jan. 17.—Pat Harmon suffered serious head lacerations when he was assaulted by three unknown men last night when he quit work at the Fox-Warwick studio. He was hit with a gas pipe.
Let's get down to brass tacks and gold dollars—

UNIVERSAL

...for more than twenty years the champion producers of serials ANNOUNCES FOUR NEW SERIAL CHAMPIONS FOR 1935-36!

BUCK JONES
in "The ROARING WEST"
15 of his greatest episodes!

"The NEW EXPLOITS of TAILSPIN TOMMY"
12 chapters of new aerial daring!

"The ADVENTURES of FRANK MERRIWELL"
Universal scoops the industry with this famous series of 12!

"FLASH GORDON"
12 chapters of blazing adventure from the newspaper comic strip!
MOTION PICTURE DAILY

Long Fox Met Struggle Goes Added Round

(Continued from page 1)

up that have been settled first. For example, yesterday's hearing was di-

vided into several sections by the opposing lawyer that some other lawyers were lay-ning unholy hands on money that both lawyers denied. There was taken out while the advisability of apologies or, in lieu of them, a scolding by the court, was argued.

W. C. Weisman, present as receiver for Fox Theatres Corp., which owns the 100,000 shares of Fox Met common stock outstanding, had made the discomfitting implication against Beekman, Bogue & Clark, counsel for the two holders' committees, in a brief submitted to the court. Weisman took the position, in arguing against the necessity for an apology to the stockholders, that an apology might be misconduct in his present name, no harm had been done, the argument promised to be convincing. When Weisman terminated it near by, observed to Weisman that "if you, as an attorney and an expert in this field, can give an apology, nothing the court could say would make it plainer to you."

$5,750,000 Claim Against Fox Met

Weisman has filed a claim of $5,750,000 against Fox Met on behalf of the creditors of the company in the former. The Fox Theatres' receivers who preceded Weisman had reach agreed with the court to file $45,000,000 indicated and they would be willing to settle for $100,000. Weisman disclaimed such settlement and filed the claim in the increased amount. The bondholders' committee contends that Fox Met is insolvent and in- timates that, if the stock certificates might make an interesting wall design in the refurbishing of an office, the court might find favor.

An alleged attempt by Weisman to convert the committee to a different viewpoint was attempted to the court yesterday by Morton G. Bogue, of counsel for the committee. According to this version, Weisman met with Bogue, his associate, William L. Bain- ton, and Alvin J. Schlosser and Ernest W. Niver, members of the bondholders' committee, and proposed a plan of re-organization for Fox Met which would give the bondholders the same amount of bonds of a reorganized company as is now proposed in the bondholders' own reorganization plan, and for the ba- lance of the claim, which would be redeemed in some cash and a non-cumulative preferred stock of the new company, with the Fox Theatres would subscribe $500,000 of all of the common stock of the new company.

Makes Charge Against Weisman

"After listening to his proposal," Bogue related, "we showed him how far and away we were in disagreement. He failed to state who paid for the lunch.

Bogue, for Weisman, accompanied by Basil O'Connor, counsel for the Fox Theatres' receivers, was present for the time and according to Bogue, "threatened to destroy the committee and its mem- bers by introducing charges against them, and otherwise, unless they got what they wanted."

Weisman denied the charge, saying that he was "not so foolish as to think that I merely tried to get together with them," Weisman said, "because I have been commonly employed while we fought, if obliged to." Weisman previously had stated that he believed that William M. Greve, a member of the bondholders' committee, had traded in Fox Met bonds to the extent of $600,000, having them at prices ranging from $40 to $130 per $1,000 and that Greve had subsequently trans- ferred ownership of the bonds to "one to two of the corporations it controls after learning of my plans to bring charges against him." Weisman also charged that Max Horwitz, another member of the committee, who, he said, was formerly identified with Hallagan & Greve, had traded in the bonds for that company. He concluded by saying that members of the committee should be subjected to examination in court on their trading in Fox Met bonds.

Bogue, as counsel for the committee members, entered a denial of the charges, pointing out that an examina- tion of any provable claims for their acceptance was not permitted to the court by any plan is ap- proved.

There ought to be some plan to avoid throwing this company back into a detrimental receivership or bankruptcy. I am willing to sit down with the parties in interest in an effort to make an adjustment of their differ- ences for that reason."

Judge Mack granted applications by both the bondholders' committee and the Fox Theatres' receiver for leave of the court to intervene in the reorganization proceedings. The motion of each was opposed by the other, and Bogue offered to withdraw his committee's application when Weisman made his opposition but was not permitted to be heard. The order of interven- tion has but little significance, merely entitling intervenors to be served with notices of all proceedings. Bogue's motion to have copies mailed out of copies of the commit- tee's plan of reorganization to creditors who, according to the holding committee, have accepted it was also opposed by the court.

The committee will now proceed to obtain acceptance of the plan prior to formally filing it with the court for a hearing on its

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Whole Town's Talking"

(Columbia)

HOLLYWOOD, Jan. 17.—Using as a springboard the dual role of tough gangster and meek clerk, Edward G. Robinson literally bounces back into the limelight in one of the season's finest entertainments. It should be a terrific money-maker.

Not since "Little Caesar" has Robinson held a role so meaty as the orneriness and determination for cracking audience reactions of sympathy, laughter and hate.

As a timid wage slave addicted to writing poetry, he unknowingly resembles Public Enemy No. 1. Catapulted into a dragnet, the police insist he is Killer Mannion until he is identified as Clark Jones. The

Police, to protect themselves, give him a letter of identification in order to leave them free to hunt Mannion.

Stimulated by drink and with his ego expanded by an admiring boss and a reporter, he comes home and meets Mannion face to face. The gangster demands the identification letter for night use, agreeing to let the clerk use it in the daytime, both to occupy his attention.

With such a satirical, yet laugh-provoking premise, the ensuing action is fraught with tingling excitement and surprise twists, the action moving at breakneck speed and with a suspense that gave a preview audience the jitters.

Looking, a contrasting swagger of the gang leader and the self-effacing mannerisms of the clerk furnish hilarious laughter until a romance climaxes in powerful dramatic stings as the gang chief is rubbed out.


The cast is outstanding. It includes Jean Arthur, Wallace Ford, Donald Meek, Ed Brophy, Arthur Hoyt, Ethene Gira- dier, David Landau, Robert Benchley, Elisha Cook, Jr., the late Joe August's photography, including his double exposure, is excellent.

The high spot is Robinson's drinking scene. It is Chaplinesque. The preview audience applauded vigorously.

Combining violent melodrama with whimsical characterization and laughs aplenty, Columbia has produced smash entertainment that may well be as well in popularity "It Happened One Night" and "One Night of Love." Previewed without Production Code Seal. Running time, 97 minutes."

Closed Para.

Hearings to Be Requested

(Continued from page 1)

the hearing of all those opposed to the consolidated plans.

Efforts may be made, it is understood, for the time allotted to those in opposition to the plan tomar- row so that all may be heard briefly. Details of the plan are restricted to the closed hearings in chambers later, if the application to conduct such hearings is granted by the court. In this case, objections would probably be heard separately.

Opposition to the plan is still not quite clear. The meeting of stockholders, including the meeting of the entitl creditor representation, Sam Zinn, counsel for a small bondholders' group, who is preparing a suit in the nature of public defender rather than as a creditor representative, have constituted the sole opposition to the M. E. Companys that classified as the probable ranks of opposition, also is an independent bondholders' group representing 1,500 bondholders.

Seek 2 to 4 Industry Men

The stockholders' committee and the merchandising creditors committee, both being influential groups, are known to favor the addition to the board of di- rectors in the merger, as many as two to four men of industry ex-

perience. While not outwardly op- posed, the groups may withhold their approval of it until some adjustment of their views on the new arrangement can be made.

Reorganization groups held several meetings during the past week on nomination of new candidates for the board, in which meetings yesterday, but failed to arrive at any-

thing decisive. Additional meetings are to be held this coming week-end. Meanwhile, the names of George Schafer, Paramount general mana-
ger, Frank C. Walker, vice-president in charge of the Theatres, C. C. E. Richardson, former Paramount Publix trustee, and Barney Balaban of B. W. Balaban & Katz, are being mentioned in organization circles in this connection.

Palmer is expected to lead opposi-
tion to the plan at today's hearing with a charge that the reorganization pro-
cedure is irregular in that the plan is being offered by Paramount Publix whereas, he charges, no stockholders' meeting was held at which the plan was adopted for the company by its own members, and the maximum of six per cent interest on the Paramount bank debt of $5,600,000 is in the hands of the banks, and the banks' claims, is also expected to be renewed today and may lead to modi-
fication of that agreement. Demands for a new treatment to the plan of subscribers to new common stock is also anticipated.

Chaplin Back at Work

HOLLYWOOD, Jan. 17.—Recovered from a 10-day attack of the flu, Charlie Chaplin today resumed produc-
tion on his new film.

Fairness. This is regarded as a routine procedure as only 25 per cent of the bondholders are required to accept the plan in order to have it presented to the court.
Still UNIQUE

When it was introduced in 1931, Eastman Super-Sensitive Panchromatic Negative was definitely a “new and different” product. And there is still no other film like it...no other has wrought comparable changes in motion picture procedure, or contributed as much to motion picture quality. It is only natural that this Eastman film should be unique, also, in the enthusiasm which it continues to arouse among cameramen and producers. Eastman Kodak Company. (J.E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative
Friday, January 18, 1935

**MOTION PICTURE DAILY**

**Bellman-Goldsmith Hearing Continued**

(Continued from page 1)

held Wednesday, when it was recom-

mended by the court that all the evi-

dence be brought forward and that the

hearing be adjourned for a few days

in the interest of the public. The court

ruled that the case be continued for

a later date.

Since the hearing was adjourned

in the meantime, the case has been

held in abeyance until further notice.

The hearing is expected to continue

next week.

**Purely Personal**

PROFESSOR HUGO BURGHAUSER, president of the Philharmonic Society of Vienna, and his wife, MARGARET WALKER, who produce, arrived on the 30th. Both were

sought after some time ago by LOUIS B. C. S. and Kenneth B. York. He is the first

visit to this country.

They will remain in New York for the

rest of the month.

**William P. Farnsworth, Nathan Yarmin, Ed Kuykendall, Sidney Justin, Harold Bareford, Tyree Dillard and Felix Feirt carried their discussion of code problems over from 6th Ave. to the M. P. Club for lunch yesterday.**

**Others spotted around the club were Joe Vogel, Arthur Loew, David Loew, Oscar Dogas, Louis K. Snyder, Morton Sings, Howard Dillon, Harry Brandt, Lee Ochs, Nat Cohen, Bob Wolf, Dave Blume, Morton Van Dam, Arnold Van Leer, Demond, Ben Rosenberg, Louis Salzer, Louis Phillips, Pat Casey and James L. Ryan.**

**Arnold Van Leer, who manages to rig up exploitable exploitation tie-ups, is starting in several directions at once for a new job, now that he has re-

signed as exploitation chief for Gau-

tner. His tentative plans include working with John Jameson's west on behalf of "Man of Aran." First ads run in the New York Times this week will be followed in other cities across the nation later.**

**Elizabeth Berrie is apparently "still asleep." The Theatre Guild had no news of her yesterday and the hotel at which she is stopping warded off callers by saying she wasn't reg-

istered.**

**Ludwig Kainer, German star signed by C. G. and M. and in several films in Hungary a few days ago, is in the Morningside Hospital under observa-

tion for a stomach disorder.**

**Hal Horne will address the N. Y. Times advertising class this morning. His subject will be "Motion Picture Advertising."**

**Harry Brandt and Al Lichtman head for Miami next Monday. Walter Reade goes south some time next month.**

**Frank Phelps of the Warner the-

atre department left for Philadelphia yesterday for a two-day meeting there.**

**Harry Bernstein, head of Loew's real estate department, is due back from Miami shores any day now.**

**Moe Steemer leaves for Miami today for a vacation. Nat Bier will pinch hit during his absence.**

**Charles Caballero, manager of the Plymouth, Worcester, Mass., was in town yesterday.**

**Fred McConnell back from Char-

lotte. Over the airline.**

**Edward Golden has returned from Buffalo and Detroit.**

**Harvey H. Buxbaum's family is nicely tied up with various dates of historic import. For instance, his father, who had been born on Jan. 19, and so finds his date identical with Robert E. Lee's. Mrs. B.'s birthday is Feb. 12, and so was Lincoln's. Harvey, Jr.

saw the light of day 10 days later on the calendar and an unknown George Washington. His date is April 11, Lincoln died; John Bux-

baum was born on the same day, dif-

ferent year naturally.**

**Bob Savini is back from the coast these days, as he is out for the next few weeks to negotiate the distribution of the original made for U. A. Things are certainly busy with the independent producers.**

**"Every one of them (about 20 in all) has from six to five features to pro-

duce this year. Bob is going to be a big year for independent distributors, of which he is one, concludes Savini.**

**Katharine Hepburn really died a long time ago. The Theatre Guild had no news of her yesterday and the hotel at which she is stopping warded off callers by saying she wasn't registered.**

**William Hollander, advertising man and publicity chief for B. & K. in Chicago, is in town for a few days.**

**Nat Lepton leaves for Cleveland today, Jack Jossely heads for the same city either tomorrow or Sunday.**

**Bill Ferguson rushed off to Phila-

delphia yesterday morning. "David Copperfield" was calling.**

**Ed Kuykendall will leave for Washvnton Sunday night and re-

turns next Wednesday.**

**Ben Verschleiser, Monogram as-

sociate producer, trekks back to Holly-

wood on Sunday.**

**Jack Coen spotted at the opening of "Creeping Fire" at the Vanderbilt West End.**

**Si Fabian broke his nose the other day. It happened in an auto accident.**

**Charles Stern is in Boston and from there goes to New Haven.**

**Fanchon of Fanchon & Marco left for the coast Wednesday.**

**Explosion at L. A. House**

Los Angeles, Jan. 17.—An explo-

sion of unknown origin took place at the Wilshire Theatre today. The win-

dow was slightly damaged, Ellaine Schaefer, cashier, was slightly in-

jured. Paul Baetz, manager, believes the cause was damp gas underneath the floor.

**Guild to Continue Battle for a Code**

(Continued from page 1)

mass meeting called to acquaint mem-

bers of the guild's exclusive affiliation with Actors' Equity via Asso-

ciated Actors and Artists of America.

The gathering was told that negoti-

ations for a new standard contract cannot be consummated until after a settlement is prepared by the Academy, expires next March.

The guild's pretense was that the actors would seek to gain their ends through the medium of a strike. The understanding, rather, was that the players desired to negotiate with pro-

ducers on a friendly basis for the best interests of both sides, yet the guild was represented as definitely going on record as recognizing no agreements other than those prepared by the guild.

The guild yesterday received verifi-

cation of its A.A.A.A. charter, which becomes effective when details are worked out.

**Report Under Scrutiny**

Washington, Jan. 17.—Compli-

ance Director Sol A. Rosenblatt is studying the report by the actors' commit-

tee in Hollywood on the 5-5-5 com-

mittee. The brief consists of 122 pages of typed text and contains 6,000

words. Rosenblatt some time ago made an effort to straighten out the dispute between producers, writers and actors when he went to Hollywood, but failed.

**Legitimate Theatre Code Case Delayed**

(Continued from page 1)

dismission in the belief that the brokers' complaint in law did not contain anything which entitled them to relief. It was held that the court had no jurisdiction over the case brought by the brokers, but that the parties had agreed to settle by arbitration. The arbitration was ordered to be held on a certain day, but that no arbitration had been held.

The United Artists executive force turned up in auburn and spririted the usual array of familiar film figures such as Spors Skorup and E. E. Alperton of the Skorup circuit, Fred Meyers of the RKO circuit, etc., etc.

When the first show broke at 10:11 P. M., crowds waiting for orchestra appointments were unable to find seats made it necessary to put up the tape.

"Clive "Opens; B'way Debut Proves Draw" with weather sloppy under foot and

sunlight arcs decorating the Grecian front of the "Alcazar" took its bow on Broadway last night with an invited audience seated in the mezzanine reserved for them and the party seating public elsewhere.

The organization for a new feature turned out in auburn and sprinkled with familiar film figures such as Spors Skorup and E. E. Alperton of the Skorup circuit, Fred Meyers of the RKO circuit, etc., etc.

When the first show broke at 10:11 P. M., crowds waiting for orchestra appointments were unable to find seats made it necessary to put up the tape.

"Clive of India" is reviewed by Red Kain on page 8 today.

**Takes Lacygne Theatre**

Kansas City, Jan. 17.—W. F. Ir-

win has taken over the Liberty, Lacygne, Kan., from Earl L. Vance.
Kutinsky's Overbuying Case Decided

Campi Reverses Contract On Selective Buys

Campi yesterday handed down an important decision relative to selective contracts when it reached a final determination by Morris Kutinsky's overbuying complaint against the Century circuit on Long Island. The plaintiff operates the Community, Queens Village, and Century has the Queens, same town.

When the case was decided by the New York grievance board, Kutinsky was awarded all over 250 pictures bought by Century. The respondent was ordered to submit within 15 days two lists of pictures over that figure from which the plaintiff could make his choice. Century appealed. Louis Nizer represented the plaintiff, while Mitchell Klupt represented Century.

According to Campi's decision, A. H. Schwartz of Century was found to have 228 pictures bought, but he must (Continued on page 4)

Electric File Suit On Patents in West

Minneapolis, Jan. 18—Infringe-ment charges have been filed in Federal court here by Western Electric, Ksplo and A.T. &T, against Cinema Supplies, Inc., and Joseph Numero and Theodore Karate. An accounting and damages are sought.

The plaintiffs charge violation of patents granted Harold D. Arnold and others between 1920 and 1925 which have since been assigned to the electrics.

Boettiger Marries Roosevelt Daughter

John Boettiger, who joined the Hays office on Dec. 17 after resigning as Washington correspondent of the Chicago Tribune, was married yesterday to Mrs. Anna Roosevelt Dall, daughter of the President. The (Continued on page 2)

Lutherans to Start Film Campaign Soon

The movement for clean pictures by the Lutheran Church of America will be launched as soon as possible, according to a spokesman of the National Lutheran Council, which held (Continued on page 2)

Johnston Favors Banking Control for Para. Board

"Great confidence" in the future of Paramount Publix was expressed yesterday by Percy H. Johnston, former president and recently elected chairman of the board of Chemical Bank & Trust Co., and a director of Paramount, who appeared as a witness yesterday at the hearing on the Paramount reorganization plan before Federal Judge Alfred C. Cox. At the same time Johnston testified that he was opposed to management, or company, men on the board of directors of reorganized Paramount.

Testifying to his confidence in the company's future, Johnston said that, based on his "intimate knowledge" of the management, he would have been willing to accept for his bank a settlement of the $13,000,000 claim against the company by its creditor bank (Continued on page 2)

"Lancer" Smash for Paramount, $65,300

"Lives of a Bengal Lancer" is cleaning up at the Paramount and from all indications is due for a four-week run. For the first week the rally was $65,300, which topped "Belle of the Nineties," the Mae West picture, and came pretty close to "She" (Continued on page 3)

Relief Bill in for California Artists

State Capitol, Sacramento, Jan. 18. A ray of hope for unemployed artists, many of whom have been with film studios, has been cast here by (Continued on page 3)

Charnow 'Mercy' Plea Casts Campi Session Into Turmoil

Cries of "help" and a plea for "mercy" rang through the RKO Building and penetrated Campi's sanctum yesterday afternoon as Julius Charnow, operator of the Leonia, Leonia, N. J., screamed hysterically in the reception room at Code Authority headquarters. He was clearly "shocked" and temporarily bewildered at the outbreak and had to call a halt to discussion of the Los Angeles clearance schedule until the echoes of Charnow's screams ebbed into oblivion.

Charnow, knowing that Campi was in session, several times asked the attendant to bring word to Deputy Administrator William P. Farnsworth for an interview. The New Jersey exhibitor wanted to see the NRA official in regard to his clearance situation, but all requests were denied.

Having lost his mother about three weeks ago, when she was killed in an automobile accident, and fearing the loss of his theatre because he could get no clearance relief from either the New York boards or Campi, Charnow lost control of himself and shrieked at the top of his lungs.

About two years ago the Leonia, which had been leased to Fox Metro- (Continued on page 4)

Sinclair on Stage

Los Angeles, Jan. 18.—For what is reported to be a fat sum Upton Sinclair has been engaged to make personal appearances at the Pantages during the run of Our Daily Bread, which opens at the theatre Wednesday.

Seek to Avoid New Colorado Theatre Taxes

Denver, Jan. 18.—With evidence proving that millions in Denver theatre investments have been lost in the past few years, exhibitors hope to convince the Colorado Legislature, now in session, that it should pass theatres by when looking for additional revenue for the next two years. An effort is to be made to pass a sales tax, and exhibitors will exert their influence to keep tickets exempt.

In Denver, and there is no reason to believe the situation is any worse here than in other sections of the state, 36 of the 40 theatres have suffered bankruptcy, rent adjustments, foreclosures or evictions.

All but three have changed hands, (Continued on page 3)

Para.'s Bank Payment Plan Is Attacked

Lawyers Also Criticize Par's B'way Moves

Vigorous attacks on the proposed settlement of Paramount's $15,600,000 bank debt and on phases of the proposed plan of reorganization for Paramount Broadway, holding company for the Paramount Blvd. and theatre, marked the resumption of hearings yesterday on the Paramount Public plan of reorganization before Federal Judge Alfred C. Cox.

The hearing was adjourned until next Wednesday, at which time arguments in opposition to the consolidated Paramount Publix and Paramount Broadway plans will be heard. Efforts will be made to limit the arguments at this session and to conduct further hearings at closed sessions in chambers, if it is learned. Yesterday's hearing saw the conclusion of the formal proof of both the Paramount and Broadway plans.

Attacks on the bank settlement which provides for the payment of (Continued on page 3)

MPTOA Sets Train Schedules to N. O.

Train schedules for the M.P.T.O.A. convention in New Orleans, starting Feb. 25 have been worked out. New Englanders will catch a train that leaves Boston at 4 o'clock, Feb. 23 and make stops at Providence, Springfield, Hartford, New Haven and Bridgeport. Cars on this train will be attached to a train leaving the Pennsylvania (Continued on page 2)

Mexican Withdrawal Story Is Discounted

By JAMES LOCKHART

Mexico City, Jan. 18.—American distributors here are discounting the story that appeared recently in a local newspaper to the effect that they are (Continued on page 2)

Columbia Wins New Jean Arthur Action

Los Angeles, Jan. 18.—Columbia scored a legal victory in Superior Court when Judge Thomas L. Ambruce upheld a temporary injunction (Continued on page 2)
MOTION PICTURE DAILY

Saturday, January 19, 1935

Purely Personal

EGUENI ZUKOR, George Schaeber, Dr. Julien Klein, Frank Freeman and Max D. Howard among today’s importers observing spectators at yesterday’s hearing on the Paramount Public reorganization plan in Federal court.

GEORGE KALAN, London representative of Mickey Mouse-Walt Disney, Ltd., leaves today with his assistant, Earl Tucker, for England. They are on the Ile de France.

Eddie Canton has gone to Miami for eight days, taking his two daughters, who did not go to Europe, along with him to make up for missing the foreign excursion.

ED KUYKENBILL, Ben Rosenfield and Ralph Poucher were deeply engaged in future plans for New Orleans late next month while kinking at the M. P. Club yesterday.

ARTHUR LOW, Mort Spring, Tom Geerty, Al Lichtman and Hal Roamer sat at a table adjacent table.


JAMES M. BERGER, Jr., M.P.P.D.A. representative in London, concludes a two months’ visit here with the sailing of the Ile de France today.

RUTGERS NELSON, Joe Rivkin and Alexander Gray hunkered at Sardi’s yesterday, but they didn’t pose for a caricature by Irving Hoffman.

MRS. STUART W. WEBB, wife of the Pacific president, leaves today on a Mediterranean cruise on the Santa Paula.

W. W. MURRAY, of Fox Movietone News, sails today on the Western World for Bermuda. Mrs. Murray is accompanying him.

EMIL GRABER completed a swing around the Poli circuit Thursday evening and returned to Fox headquarters yesterday morning.

MELVIN LEVY, author of “Gold Eagle Guy,” has flown to the coast to join the M-G-M writing staff.


ROBERT SAVINI, who just returned from the coast, goes to Dallas in 10 days.

SI SEARLE will get back from Bermuda on Monday.

WALLACE BEERY has gone back to Hollywood.

MANNY REINER of the M-G-M advertising department is home sick.

JOE CLEMMONS and SOL E. GORDON left last night for Beaumont, Texas.

NAT SALAND of Mercury heads for the coast today on a three-week trek.

WILLIAM SCRULL is in Boston and returns Monday.

HENRY GINSBERG, vice-president and general manager of the Hal Roach studios, hits town Wednesday, leaving Hollywood today. He’ll stop in Chicago on the way east. Conferences on short subject plans for the new year are among things he’s looking into.

GEORGE WEEKS sends word here that he has closed a deal with Ire Liepman, Circuit for the first run of “Evergreen” and “The Iron Duke” at the Capitol there.

Rudolph Knoepfle, Cincinnati representative of G. B., assisted WEEKS.

JACK MOSKOWITZ standing quietly in the lobby that nothing watching the crowd pour in to preview “Clive of India” while publicity department assistants ran around like wet hens.

MONROE GREENTHAL railroad prominent guest to a row of usherers who in turn showed the way to seats. His escorting was done with dash and aplomb.

A. C. BLUMENTHAL and Milton Weissman arriving late for the same picture and being almost forced to sit in the aisle.

Lawrence and Mrs. Tibbett next to ED SULLIVAN spotted in the front row of the locale also.

JACK SCHENCK acknowledged hellos from a center locale seat and nearly lost his hat to a souvenir hunter.

AL LICHTMANsporting a red hot muffler.

EMIL JENSEN bids fair to win the bagatelle prize at the M. P. Club this week, much to the disgust of LEW OCHS, JENSEN ran over 16,000 points yesterday.

JULIUS LEVY may be warming the body job in Miami, but he continues his turn of the Motion Picture Daily each morning by air. Ditto JOHN CLARK and WILLIE ROGERS.

SAM MORRIS dropped into his office yesterday for a few minutes. It was a surprise visit since he isn’t expected to return to his desk until Monday.

BERNARD S. DEUTSCH, president of the Board of Aldermen, will be on hand at the reopening of the Strand Wednesday to do the official honors.

HENRY RANDEL didn’t take that Florida vacation after all. His plans were changed and he’ll stay in town for awhile.

R. H. COCHRANE was among those who took in “The Periﬁred Forest” Thursday eve.

SHERMAN KREELINGчисленнаяamounts the airline from Hollywood Monday.

Seek to Control Tieups

Hollywood, Jan. 18.—At a meeting at the Hays ofﬁce today publicity director, Ralph Wheelwright, Sam W. B. Cohn and Perry Lieber to a committee to study advertising tieups. A report will be made at the next meeting, when steps will be taken to keep the practice from running wild.

MPTOA Sets Train Schedules to N. O.

(Continued from page 1)

station at 9:15 that night, and stops at stations en route to Washington and Atlanta to New Orleans.

The train from the west leaves Union Station at 4:20 P.M. Feb. 20, and it will go down the coast to San Francisco, Los Angeles, El Paso and cross Texas on the Southern Pacific. The whole train may be special from Los Angeles to that fast cars will be attached to regular trains.

More committee chairmen have been named as follows: Credentials and rules, Mr. Jack Miller; non-theatrical competition, Mr. George A. Giles; legislation and taxation, Mr. A. Lightman; public relations and community affairs, Mr. Werner.

MPTOA Carnival May Be at Airport

New Orleans, Jan. 18.—The local committee in charge of the entertainments possibilities has decided to hold the MPTOA convention has made tentative plans for the holding of the Film Carnival at the Shu- shan airport, about 10 miles from the center of the city. The king and queen will arrive at the airport in an airplane.

The steam President has been chartered for a floor show to be given the visitors. The booths of the various exhibitors will be placed at the scene of the carnival, though a few will be displayed on the mezzanine floor of the Hotel Roosevelt.

Columbia Wins New Jean Arthur Action

(Continued from page 1)

granted last week against Jean Arthur to prevent her from appearing in any picture of Columbia. It has made a second film for Columbia.

Miss Arthur’s defense was that Columbia had requested her services other than to offer her a script to read. In the meantime she accepted an offer from Hal Roach to play the heroine in “The Girl Is Mine,” she said.

Fearing a delay, Roach put Evelyn Venable into the role Wednesday.

Boettiger Marries Roosevelt Daughter

(Continued from page 1)

ceremony took place at the Roosevelt home in Frick St., and was performed by Justice Kernochan, an old friend of the family.

Among those present were Mrs. James Roosevelt, the President’s mother; Mrs. Roosevelt, the Presi- dency’s wife; Mrs. James Roosevelt, with her son and Harry C. Hooker, an old friend of the family.

The honeymoon destination was not announced.

Gracie Allen Poisoned

Hollywood, Jan. 18.—Gracie Allen was improving from an attack of pho- mene poisoning today. The com- drome was stricken while on location on Paramount’s “Love in Bloom.”
Para.'s Bank Payment Plan Is Attacked

(Continued from page 1)

$5,175,000 cash were led by Archibald Palmer, who also essayed to show that the reorganization proceedure is that in the plan that is being offered by Paramount, whereas as no stockholders' meeting was held at which the plan was adopted for the company.

Malcolm Sumner, counsel for bondholders, and Allied Owners' Corp., a large Paramount creditor, opposed phases of the Paramount Broadway reorganization plan. This plan, however, is favored by the principal Broadway bondholders' committees, which together represent approximately half of the $28,275,000 bonds outstanding. Opponents of the plan contended that the bondholders' claims would not be paid in 15 banks or $2,400,000, whereas the reorganization plan, they held, involves Paramount in guarantees aggregating $4,400,000. As also provided for an annual rental of $260,000 for the Paramount Theatre and $188,000 for office space, the terms were attacked as high.

Paramount Theatre Called Burden
A separation of the Broadway plan from the Paramount Publich plan was urged on the grounds that the Paramount plan was a settlement and that without it Paramount could sell its first run pictures to other Broadway houses at $350,000 to $500,000 annually.

In addition to being defended for their utilitarian, good will and advertising value, the principal Broadway bondholders' committees, retention of the Paramount Bldg., and theatre was suggested.

Objections by Allied Owners to the Broadway plan and the indicated objections by the Paramount plan of Szold & Branden, representing debenture holders, earlier in the day, dispelled the original plan to date. Nathan Burkan, representing the merchant creditors' committee, indicated that that group might oppose the plan unless an agreement with reorganization committee is arrived at by Tuesday or Wednesday. Burkan's committee favors the election of additional industry men to the board of the new company.

"Lancer" Smash for Paramount, $65,300
(Continued from page 1)

Done Him Wrong, which played there two years ago, this time he seemed to keep open until 5 A. M. last Saturday because of the crowds. The Capitol took a noosed, garnering only $300,000 for "The Irish Love Song." "David Copperfield" opened strong yesterday and four policemen had to keep the early crowds in check.

"Evergreen," at the Music Hall last week dipped a bit with a gross of $52,000. At the Roxy, "Unfinished Symphony" garnered a weak $2,500. Gaumont British spent $6,000 and the Roxy $2,500 for newspaper ads on the latter, "Enter Madame," at the Palace, tallied around $8,000.

"The Mighty Barnum" in five days of the fourth week at the Rivoli grossed $10,500.

Lutherans to Start Film Campaign Soon
(Continued from page 1)

Its annual meeting at the Hotel McAlpin recently.

It was voted at the meeting by the National Council to join forces with the Legion of Deaconcy and also to have Lutherans not only boycott objectionable films but also to launch a white of mouth campaign against them.

The council also frowns alike on producers and players, insisting that the latter must "lead lives that conform to decent standards of society."

Relief Bill in for California Artists
(Continued from page 1)

Assemblyman Charles W. Lyon of Los Angeles, who is the bill introduced into the Assembly plans a Commencement to sponsor and supervise the organization and operation of Self-Help Artists' Cooperative aid projects to be financed through the Relief fund.

Wherever more than seven persons skilled in arts and letters have signed an application, the director of the commission will form a cooperative to produce products, all of which may be purchased by any State Department or by any political subdivision. Under some conditions the products may be sold to the public.

Nocarro-M-G-M G-M Split
Hollywood, Jan. 18—Ramon No- cardo's contract to do one more film for M-G-M has been canceled by mutual agreement. Lack of a suitable story was given as the reason. The actor, in cooperation with his brother, plans to make independently for the open market a film in Spanish and English, cash supplied by himself.

Upon the film's completion he will leave the beginning of April on a personal appearance tour of Europe. On his return, should M-G-M have found a story for him, he will return to the company: otherwise he will become a free agent, it is said.

L. A. Trio Lose Permits
Los Angeles, Jan. 18—The Bur- bank, Lycem and New China, all in operation, have been denied 1935 operating licenses by the fire commissioner for allegedly not conforming to the building ordinances.

First in Two Years
New Haven, Jan. 18—The Roger Sherman, Warner theatre, will go into a week of stage shows beginning Feb. 1 for the first time in two years with Will Osborne and his band.
Abilene and Salina Protection Row Up

KANSAS CITY, Jan. 18—H. F. Strowig, operating the Lyric and Sycamore theatres, is threatening to file suit against the city of Salina, Kan., to prevent the establishment of a drive-in theatre within the city limits. The theatre would be built on an elevated lot overlooking the downtown area, and would take business away from the downtown movie houses.

Radiant at close of Jan. 18

DICKENS' NOVEL IS TO BE MADE INTO A MOVIE

HOLLYWOOD, Jan. 18—Dickens' unfinished novel 'Mystery of Edwin Drood' is to be filmed here by Universal Pictures, it was announced today. The film, directed by Lewis Milestone, will be released by the studio.

The story, adapted from the book by writer and actor Charles Dickens, is about a man who is wrongly accused of murder. The film will star Charlie Chaplin in the title role, with John Barrymore as his half-brother.

The novel was published in 1869 but was left unfinished when Dickens died in 1870. It has been adapted for the stage and screen several times, but this is the first time it will be filmed by a major studio.

Ontario to Extend Its Censorship Law

TORONTO, Jan. 18—Legislation is to be brought down at the forthcoming session of the Ontario Parliament to provide for censorship of all "narrow film" productions in the province as a result of the quandary in which the Provincial Government finds itself in connection with the showing of the Russian propaganda film "Ten Days That Shook the World." The bill will be introduced on Thursday.

Complaints have been received from various centres regarding the exhibition of this picture by the so-called Workers' Savings Association, which is classed as a Red organization. No official action could be taken by the Government, however, because it was discovered that the Theatres and Cinematographs' Act did not require the censoring of narrow films.

A motion has been put through with the proposed amendment all narrow films, including industrial, educational, and religious subjects intended for showing before an audience will have to be passed upon by the censor board.

Regional Board Gets Two Operator Cases

KANSAS CITY, Jan. 18.—The Regional Labor Board here is holding hearings on two cases brought by operators against exhibitors. Both charge violation of Section 7-A of the NIRA and file other allegations.

The I.A.T.S.E. S.E. local at Topeka charges discrimination in the discharge of its man by the new owner of the best theatre in the town. The house was purchased from the firm after a number of years.

The second case involves E. S. Young, Central, Kansas City, who charged an operator affiliated with a "rump" union when he entered into an agreement with Local 170, I.A.T.S.E. in which the union charges breach of contract.

Campi Makes Shifts

Ben Berinstein, a member of the Los Angeles grievance board, has been switched to the clearance board by Campi. He replaces Russell Rogers, who has moved to the city of Los Angeles to take over the clearance board there. Rogers is expected to be named to the board in the near future.

L. A. Schedule Debated

After an all-day session yesterday devoted to discussion of the Los Angeles clearance schedule, Campi tabled the report and ordered a new hearing on Jan. 23. Fox, M-G-M and Warners are understood to have raised objections to the principle of admission prices, which was the basis for clearance.

No action was taken on the Philadelphia ban on premiums.

Edward Sutherland III

HOLLYWOOD, Jan. 18.—Director Edward Sutherland has been ordered to bring his physician, Dr. H. M. Strathorn, to the studio to forestall a severe cold. "Mississippi," which is to be directed by Wey- nes Ruggles.

K. C. Group May Go To U. S. with Plaints

KANSAS CITY, Jan. 18.—If the L.T.O. at its meeting Monday fails to reach a decision on the clearance and zoning matters, the group will probably decide what action it will take. The group includes representatives of the Clearing Union, the K.C. Motion Pictures Alliance and the K.C. Motion Pictures Association.

Hoyt to Write Another

HOLLYWOOD, Jan. 18.—Vance Hoyt, author of "Segoia," animal film, has been engaged by Charles R. Rogers to do a similar story for Paramount under the title "Wild Glory."
Flareup Over Protection in K. C. Expected

Independents Protesting Against Fox Midwest

KANSAS CITY, Jan. 20.—A flareup over protection is imminent in Kansas City, according to independent exhibitors who are demanding that the I. T. O. take action. Their protest is against Fox Midwest, which, they charge, is being favored by distributors. The St. Louis grand jury indictments have encouraged some independents to discuss the feasibility of bringing the local situation to the attention of Federal authorities. There is also talk of possible court action. Both of these courses are generally discounted, however, and calmer heads

Expect Hearing on Alien Actors Bill

WASHINGTON, Jan. 20.—Questions relating to the employment of alien actors in the United States are expected to be aired again before the House immigration committee within the next two weeks, in connection with the bill introduced by Representative Dickstein of New York to subject actors to the contract labor provisions of the Immigration Law. While Dickstein did not originally contemplate holding hearings, believing that all pertinent information had been developed at hearings last year, members of the committee are

RKO and Loew Product Deal Under Attack

M. & S. Demanding Films For Downtown Spots

Attempts to arbitrate charges brought by Meyer & Schneider involving an alleged conspiracy through the metropolitan product agreement entered into between RKO and Loew's last September will be made tomorrow as an order of the day was learned on Saturday. If sustained, the M. & S. charges may nullify the Loew's-RKO product agreement, possibly creating a film supply crisis here for RKO, in the opinion of Max D. Steuer, counsel for the plaintiffs. The charges are based on alleged breach of a lease provision entered into between RKO and M. & S. under which RKO is said to have agreed to play all first runs at the Hollywood

Move to Tip Scales Here Is Called Off

A plan to boost prices at local theaters has died aborning. A meeting of leading independent officials was to have been called several times, but the session never materialized. According to the plan, all theaters were to boost admissions for evening shows. Many exhibitors find that with the low admission for matinee performances, patrons tend to keep away from the box-office at night because of the increased tariff. Hence, all meetings were called off.

Booth Costs Coming Up Again Here Today

Members of the N.R.A. fact-finding committee again gather at Campi headquarters today to discuss the tentative basic wage scale. Various interests including Local 306, T. O. C., Century circuit and Springer & Cocalis are opposed to the scale established. Arguments will be heard today and unless some semblance of unanimity is reached the public hearing scheduled for Jan. 25 in Washington may be put over another week.

Report Campi Drops Seitz Buying Charge

Cleveland, Jan. 20.—Reports emanating from New York have it that Campi, via a committee consisting of
Insiders' Outlook

(Continued from page 1)

in many other places as well, that the last four or five years had demonstrated pretty much the same argument, and even when bankers, elect and exclusive, did not quite understand what it was all about.

There are so many costly experiences to draw upon from the not so dim pages of film history that furrowing familiar ground such as again seems to be timely must prove tiresome and as well as repetitious. Outsiders looking down on the celluloid scene usually to a man forget its volatile makeup to the shifting competition which often marks its careening course, the constant and bitter fight for place, the vital necessity for dispatch in framing decisions, the many and deep falls so simple to fall into and so difficult of escape.

Railroad men run the railroads, having sweated and striven to earn their business majority over long periods of years. And so the parallel might be drawn in other fields. Why the bankers regard the film industry as any other light is difficult to understand. There have been errors of judgment in all directions in this industry and the decisions, the many and the deep falls have frequently been costly. What of it? Certainly the bankers, as an institution, have not been galloping in any particular glory in recent times, nor have they kept their noses and meticulously clean.

One might imagine that, as the years slip by the realization would come that there are elements of chance which stamp this industry as something apart from others. Rant against it and deploring it, but the facts are inexplicable, nevertheless. Bankers play a part, of course, and it is an important and indispensable part. Management and a hefty word in the formulation of policy, however, belong to the men who may not know all, but who know more than the bankers about the flip of the wheel, the chances and the opportunities, the need for do and dare. So should it be not only at Paramount, but elsewhere. Film administration may be expensive. Get it and call it extravagant. Yet it can't, it could not cost more than a banker-for bankers operation for the long haul.

Exchanges no doubt, will insist that exhibitors have to buy their output complete to get a preferred group. But now, as always, there is the factor of circuit buying power which exchanges cannot and will not ignore. This poises as anything but remote the ability of a circuit so blessed to get the pictures it may want on a selective basis. Without the necessity of thinking the "also rans" well. And that sounds like a pretty good-sized wallap at block booking.

Both Fox Plants to Be on Equal Footing

Hollywood, Jan. 20.—Sol Wurtzel, head of the new-creating Fox Hollywood studios last two years brings forth the statement from Winfield Sheehan that the plant here will continue under Wurtzel's direction in every way on an equal footing with Moviestone City, and Wurtzel's departures of talent, however, will be utilized impartially by both.

John Stone, Wurtzel's chief aid, will continue the same as Edward T. Lowe and Joseph Engle, associate producers.

RKO and Loew Product Deal Under Attack

(Continued from page 1)

and Apollo day and date with the Academy. Under the terms of the provisions of the RKO-Loew's product agreement of last September, whereby the Fox product is assigned to RKO and half of Columbia and Universal to RKO for situations not in conflict with Loew's, RKO was prevented from entering into any new product agreement or deal with Columbia.
AND THESE SHOWMEN ARE SET TO GO OVER THE TOP WITH MASCOT!

Two Weeks
CRITERION THEATRE Los Angeles
ORPHEUM THEATRE San Francisco

MAYFAIR THEATRE New York
ALHAMBRA THEATRE Cleveland

PUBLIX VICTORY Salt Lake City
SPARKS CIRCUIT Florida

RKO THEATRE Boston
WARNERS CAPITOL Newark

STATE THEATRE Detroit
HARRIS ALVIN Pittsburgh

FAY'S THEATRE Philadelphia
MISSOURI THEATRE St. Louis

STRAND THEATRE Cincinnati
GRISWOLD THEATRE Troy, N. Y.

$25,000!
OVER PAR BY
$15,000
AT RKO THEATRE BOSTON

“Marines” and Holiday Bill Boston Smash

Boston, Jan. 10.—In one of those New Year’s eve shifts the RKO Boston ran up a huge $25,000 over par by $15,000. “The Marines Are Coming” with seven acts of vaudeville were bolstered New Year’s night with “Romance in Manhattan.”

The same situation prevailed at Keith’s Memorial where “The Little Minister” ran for the week with “Romance in Manhattan” New Year’s eve. Standing room was sold. The $15,500 take was $3,500 over par. “Forsaking All Others” was the best straight film draw of the week, topping the usual take by $6,000 for a gross of $16,000 at Loew’s State.

Total first run business was $76,500. Average is $64,000.

Estimated takings for the week ending Jan. 4:

THE MARINES ARE COMING
(Mascot)
RKO BOSTON—(1,346). 25c-50c. 7 days. Seven acts of RKO vaudeville, “Romance in Manhattan.” (Radio) on New Year’s Eve. Gross: $35,000. (Average, $5,000)

BORDERTOWN ARTS
(Warners)
FENWAY—(1,382). 50c-75c. 7 days. Gross: $6,000. (Average, $1,000)

BACHELOR OF ARTS
(RKO)
LITTLE MINISTER
(Paramount)

WILLIAM HAINES IN
“THE MARINES ARE COMING”

MASCOT PICTURES CORPORATION
1776 BROADWAY, NEW YORK

NAT LEVINE, President

Cable Address: “LEVIPIC”
MOTION PICTURE DAILY

Monday, January 21, 1935

Short Forcing Outlook Stirs Up Australia

(Continued from page 1)

position, executives here have told their home offices to discontinue send-
ing shorts, as it's impossible to place them, but in some cases, apparently, that attitude has cut no ice.

** * *

Two representatives of producers, distributors and exhibitors, and three outside the industry (one of whom will be Cresswell O'Reilly, the Fed-
eral censor) will comprise the advis-
or committee which will assist the minister to determine whether a pic-
ture submitted for quota reaches the industry standards of merit under the discussed proposal.

Encouraged by the fact that they succeeded in blocking a number of quota Victoria, British interests then turned their attention to N. S. W., but to no avail. The N. S. W. quota is funda-
mentally the same as that on which the Victorian Government did an in-
gruous volte face a few weeks ago. After announcing the quota, the Wi
t through, the Victorian Cabinet, under hot pressure from British producers, threw it out when it went before the House.

** * *

Trouble has been simmering for some time between exhibitors and the Australian Performing Right Ass'n over the latter's proposal to calculate its receipts on turnover instead of seat-
ing capacity. A. H. R. A.'s plan is to charge one penny a pound on gross receipts. The circuits estimate this would mean an added impost of £5,000 a year to them individually.

The parties in dispute prevented a threatening press propaganda cam-
paign by deciding to go before the Com-
duction, but since then they made a second decision to settle their differ-
ces between the two sides, and thus save expensive litigation.

What surprises the industry is that A. P. R. A. has agreed to give up the increased charges when the Royal Commission as recently as three years ago de-
scribed their fees, even at the existing rate, as excessive.

Melbourne, Dec. 12.—Centenary celebration here proved the greatest com-
petition the amusement industry has had in years. Whereas theatre men were looking to the huge influx of vis-
itors to boost them, receipts nose dived by reason of the plethora of outside attractions offered to the public for free admission.

Melbourne theatre men will have every reason to remember the last three months of 1934 as about the worst in their history. Not only did the century and visit of royalty hit them severely, but the last days of November and early days of Decem-
ber were accomplished by several storms ever experienced in the state.

Negri for “Good Earth”

BERLIN, Jan. 20.—Pola Negri, ap-
ppearing in a picture here for Cine
Alliance Co., states she plans to re-
turn to America shortly for a role in
M-G-M's “The Good Earth.”

MILTON KRONACHER has for-
saken his first hotel altar-piece, which was the Hotel Ambassador at:

“Our $100,000 report

Moss Hart’s friends are a beauti-
fully shaded green, indicating jealousy. The reason is his jaunt around the world, which is officially under way.

Paul Burger, “the You’re the Top

man, makes up the twosome."

Ed Finney of Monogram may have

missed a few makers' clothes and accessories on “Women Must Dress,” but the list doesn’t indic-
ate it.

Herr Fecke, demon ad man of

Milton Picture Herald, is now trying
either to live up or live down the nickname of “Camel Kerry, Jr.” It’s all a matter of how you look at it.

Milton Weiss of the M-G-M pub-
dlicity department has wrangled three bottles of rye that “David Copperfield”
will go six weeks at the Capitol.

Sam Kellberg has perfected the
difficult trick of reading three trade
papers at once. He needs a lot of room to do it in, however.

Harold Franklin says he’s taking

things easy for a change. He says reports of him joining M-G-M are “interesting.”

Hubert Vought is rejoining Warn-
ers. He may be a “planter” working
out of the home office.

Edward G. Robinson is back on

the coast to begin work on “Money
Man,” his next for First National.

Vivian Vance starts an engage-
ment at the St. Moritz tonight in the
Continental Grill."

Bert Wheeler flew back to Holly-
wood Saturday, but expects to return
in about two weeks.

Ben Lyon and Bette Daniels

spotted at “Page Miss Glory” Fri-
day night.

Joll Swenson is a prospect for some high pressure hair tonic sales-
man.

Irving Hoffman likes the way

the word “itinerary” rolls off his tongue.

Eric Linden is busy these days

getting ready for a Broadway show.

Mrs. Harry Carey is enroute to the
cost after a visit here.

Frank Harris, Harold Lloyd’s

sales representative, is in Europe.

A. H. Schwartz is Lake Placid ing these days.

ALEXANDER KORDA, who

knows something about Holly-
wood, has ideas of his own about last
year’s best pictures. His rating: “Our
Daily Bread,” “The Thin Man,”
“Without Passion” and “The Barretts.”

Joseph Schenck has switched from

El Morocco to the Central Park
Casino, bringing his rhumba with him.
Bette Davis is his latest favorite par-
tner at this tricky dance, while Ben Lyon acts as one man cheering section for the duo.

Professor Hugo Burgmaier and his
wifc, Marguerita Wallman, of
Vienna are making a survey of ballet
dancing in this country. They leave
within a few days for the M-G-M studios.

A. C. Blumenthal saw queuing

Carole Lombard around town; these
to the openings and night clubs.

Howard S. Cullman, Roxy re-
director, will talk to the Chinese Club
at the weekly luncheon today.

Gilbert Rosenthal will manage the

Surf when the new Coney Island
theatre opens on Feb. 1.

King Cheech of Agfa’s coast
office took the air route back to Hol-
lywood yesterday.

Pete Harrison plans that trip to the
cost every year. He likes Holly-
wood that much.

Lyle Rainer left for the coast
Saturday to report at the M-G-M
studios.

Ad and Ben Schuler entertained
at cocktails at the Ambassador Sat-
urday.

Maurice Goodman is now a Ken-
tucky colonel, one of the first to be
appointed this year.

John Van Druten’s play, “The
Disstuff Side,” has been obtained by
M-G-M.

W. R. Burnett’s “Doctor Socras-
tes” has been acquired by Paramount.

C. C. Pettijohn is scheduled to be
back here today from his Chicago run.

Adolf Paul’s “Lola Montez” has
been bought from Fox by M-G-M.

Sylvia Sidney is back on the coast.

New British Regulations
In Prospect

(Continued from page 1)

that the legislation would include 
terms and conditions on which foreign films might come into this country and trade.

It is believed the exhibitor associa-
tion will ask Parliament to approve a standard contract preventing pro-
tection against alleged arbitrary credit rules which will go beyond the more stringent block booking safeguards contemplated in the impending re-
vision of the Quota Act.

While nothing so far is official, Cinema quotes a C.C.E. council mem-
ber as definitely confirming the as-
sociation’s intention of asking for controlling legislation.

Funds to Save War Film Now in Sight

(Continued from page 1)

will be necessary to spend all the money at once.

The project has been given the tacit
approval of the Budget Bureau, al-
though no item for this activity is in-
cluded in the budget submitted to Congress by President Roosevelt. It is
believed regular funds will be ade-
quate.

The work contemplated will elim-
nate duplications and provide an orderly line of exactly sound and parti-
ularly silent, which will not deteriorate for a number of years.

Receiver for Big 4
To Be Picked Today

(Continued from page 1)

Agfa Raw Film Corp. on a $24,000
dowment against Big 4.

Attempts to enforce the judgment
disclosed that the bulk of Big 4’s property is assigned to Feu ler,
according to Allan Schlenker, counsel for Agfa, who obtained orders to set aside the assignments to Feuer and chairman, reported Saturday, in ad-
in addition to the receivership order, Agfa also obtained an injunction last week prohibiting Feuer from disposing of the property assigned to him.

Expect Hearing on
Alien Actors Bill

(Continued from page 1)

understood to have taken the attitude that there have been so many changes in the group’s makeup that an inves-
tigation should be held for the bene-
fit of those who were not present last year. In addition, it is said, a num-
ber of requests for a hearing have been received from outside sources.

Near Film Charity Quota

The motion picture and theatrical branch of the Federation for the
Support of Jewish Therapeutic Soci-
eties of N. Y. has virtually reached its $100,000 quota, Albert Warner, chairman, reported Saturday, in a let-
ter to contributors advising that the Federation has succeeded in making up a $2,000,000 deficit.
Trucks ... freights ... steamships ... automobiles—their service alone keeps New York alive ...

They bring food from the farms ... food from the meat-packers ... food from the millers ... the canners ... the bottlers ...

And service alone keeps the theatres supplied with seat-selling trailers for every motion picture played ...

Trailers for big pictures ... trailers for program pictures ... trailers for majors ... independents and foreigns ...

And National Screen Service gives your theatres this service PLUS novelty ... variety ... and the punch that makes for selling quality ...

For fifteen years —
Monday, January 21, 1935

Protection Flareup In K. C. Expected

(Continued from page 1)

advise filling a complaint with the clearance and zoning board.

That the situation will be forced to a head in Kansas City in the near future is generally believed.

Independents are disturbed over the fact that there are being set back in clearance more than at any time in the last three years, and that subsequent charging 25 cents or more, which are first, in the belief that getting longer protection than provided in the last schedule published by the local board. That schedule was later amended following a hearing here at which George Schaefer of Paramount and Edward A. Golden, of Monogram, representing the Camera clearance committee, attempted to convince independents of the desirability of bargaining for protection. The revisions, however, were not revealed because they still have to be approved by Kamp.

In the absence of any approved clearance schedule, distributors say they are selling "the best way they can," without any guarantee that they will be following the plan drafted by the local board before the last revisions.

Condemnation of independent who delayed buying until recently. But it is said that even though contracts have been effected, major distributors still need protection over a house if it adopts premiums or cuts prices.

Report Campi Drops Seitz Buying Charge

(Continued from page 1)

E. C. Grainger and Joseph Seiden, has voted to dismiss the outstanding complaint of Earl Seita, operator of the State, Sandusky, against Warners. When Seitz first brought his complaint to the local grievance board it was denied, but the protest was submitted the second time the board certified it to Campi. The New York studio was understood to have sustained the first decision of the local board in dismissing the action.

Efforts to reach John C. Flinn at Code Authority were unavailing since the office was closed Saturday. The decision came to the campi, today with a number of others rendered by Campi at the Thursday and Friday sessions.

Assists McNabb Is Running Bank Night

KANSAS CITY, Jan. 20.—When A. B. McNabb filed an overlooking complaint against Glenn Klock, Neodesha, Kan., he stated inability to obtain profit had caused him to keep his house, the Gem, closed.

Now comes Klock and swears that not only has McNabb been operating his theatre in violation of the law, but he has been putting on free shows in conjunction with local merchants. Klock is charging in complaints.

Rule on Cincy Cases

CINCINNATI, Jan. 20.—The grievance board has ordered the Grand to close its doors for 20 days prior to first run. Complainant was the KRO Palace, same city.

COLUMBUS, Jan. 20.—Vending machines in theatres will have to pay the new sales tax, exhibitors have been informed by the Independent Theatre Owners of Ohio. The board forms must be obtained. The tax does not apply to sales under nine cents.

The I. T. O. has advised members to pass the new sales tax on to the public. In many cases, it has been found, theatre men have cut the odd figures prevailing under the religious admission tax so that scales which formerly 17c-22c-33c are now 15c-20c-25c-30c. Members are being advised to restore the original figures in order to take care of the sales tax which goes into effect Jan. 27.

Twice a Colonel

Boise, Idaho, Jan. 20.—Shirley Temple is now a double colonel—Kentucky and Idaho brand. Governor LaFoon of Kentucky gave her the first appointment, receiver, and now Governor Ross of this state has honored her.

Drop Miami Buying Case

ATLANTA, Jan. 20.—Charges of buying over against Sparkes Enterprises, Inc., were dismissed by the code board in Atlanta last week. President, the Miami, operator in Miami, were dismissed by agreement at a code board meeting. An additional provision in the agreement, made off the record.

Looking 'Em Over

“My Heart Is Calling”

(Gammon British)

LONDON, Jan. 8.—Another transcription of a Continental (Cine-Alliance) production in which the gaiety and originality of the material does definitely survive the use of English speech and the dangers of re-translation. It has many special effects and a story that should please the public. It is based on the original French version, "Le Tendre Destin." It made its debut at a Parisium screening. The film is distributed by the Continental Film Corp. of America.

“Flareup”

(Monogram)

This is a worthy member of the Lone Star series. It has good portrayals by the cast, an interesting story and enough action to satisfy. R. N. Bradbury’s direction keeps things moving at a fast pace and the photography of Archie Stout is particularly good on the outdoor shots. John Wayne heads a competent cast composed of Sheila Terry, Jack Rockwell, George Hayes, Buffalo Bill, Jr., Yakima Canutt. The yarn has Wayne, on discovering his family murdered by Rockwell, setting out to find the killer. Instead he rescues Sheila Terry from a river, and discovers that she is fleeing from the man he is seeking. The picture is full of action and despite the blunders of a cocksure sheriff, Wayne gets his man. The windup finds Wayne the new officer of the law, with Miss Terry his wife.

Action loving fans and particularly children should go for this one in a big way. Reviewed without production code seal. Running time, 59 minutes. “G.”

“Lawless Frontier”

(Monogram)

This is a worthy member of the Lone Star series. It has good portrayals by the cast, an interesting story and enough action to satisfy. R. N. Bradbury’s direction keeps things moving at a fast pace and the photography of Archie Stout is particularly good on the outdoor shots. John Wayne heads a competent cast composed of Sheila Terry, Jack Rockwell, George Hayes, Buffalo Bill, Jr., Yakima Canutt. The yarn has Wayne, on discovering his family murdered by Rockwell, setting out to find the killer. Instead he rescues Sheila Terry from a river, and discovers that she is fleeing from the man he is seeking. The picture is full of action and despite the blunders of a cocksure sheriff, Wayne gets his man. The windup finds Wayne the new officer of the law, with Miss Terry his wife.

Action loving fans and particularly children should go for this one in a big way. Reviewed without production code seal. Running time, 59 minutes. “G.”

Two Clearances Are Set

ALBANY, Jan. 20.—Two clearance cases have just been disposed of by the code board and zoning board. In the one against Tobin & Quinlin, Ideal Theatre, Chateaugay, against the Schine Malone, the Malone was awarded 14 days’ clearance.

Quits Atlanta Board

ATLANTA, Jan. 20.—Roy M. Le- Craw, impartial member of the grievance board, has resigned, and E. A. Bancher, local broker, who has been alternate impartial member, is acting in the vacancy, pending a new appointment. It is understood that Bancher will be named to the vacancy.

Randel to Be Dinner Guest at M. P. Club

Exhibitor and distributor friends of Elmer Randel, exchange manager for Paramount, will tender him a testimonial dinner tomorrow night at the M. P. Club. About 25 members are expected.

The dinner will be given Randel because of his nerve in calling a turn on dee used at the Monte Carlo Night on Jan. 12 during the I. T. O. A. Movie Ball at the Astor.

The Paramount sales executive last week retired as president of the New York Film Board of Trade. He was succeeded by Moe Streicher, who will serve for Ministrano for a few weeks’ vacation.

Rolling Stone Speaks

(Audio-1st Edition)

The opening release in a series of "Rolling Stone" produced by Audio Prod. This is a black-and-white special point up the natural wonders of Yellowstone National Park, first described by a narrator and later telling their own story, in natural sound. The kick is the hourly rumble, then the explosion of Old Faithful, the renowned geyser, which is captured in its thunder and awe. This shot closes the picture with a smash and a crash and is followed by a one reeler.

No code seal. Running time, 8 mins. “G.”

“In a Monastery Garden”

(Audio-1st Edition)

Set in the garden spot to which Robert C. Bruce turned for the photographic accompaniment of “Monastery Garden,” this release featuring the well known song from which the subject gets its title. The piece is a contemplative life, as reflected in the calmness of the garden and the well depicted and the entire job efficiently handled. A superior short. Pro-duction Code Seal No. 0249. Running time, 8 mins. “G.”

 Randolph Rhythm”

(Paramount)

Ina Ray Hutton and her all-fem- nine orchestra featured. A jazz num- ber, including torch songs, and Miss Hutton’s own show song, composed of a varied assortment of even songs. Satisfactory enter- tainment, well designed. Pro-duction Code Seal No. 0281. Running time, 10 mins. “G.”

Short Subjects

“Old Faithful Speaks”

(Audio-1st Edition)

The opening release in a series called “Thrilling Journeys,” produced by Audio Prod. This is a black-and-white special point up the natural wonders of Yellowstone National Park, first described by a narrator and later telling their own story, in natural sound. The kick is the hourly rumble, then the explosion of Old Faithful, the renowned geyser, which is captured in its thunder and awe. This shot closes the picture with a smash and a crash and is followed by a one reeler.

No code seal. Running time, 8 mins. “G.”

“Old Faithful Speaks”

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The opening release in a series called “Thrilling Journeys,” produced by Audio Prod. This is a black-and-white special point up the natural wonders of Yellowstone National Park, first described by a narrator and later telling their own story, in natural sound. The kick is the hourly rumble, then the explosion of Old Faithful, the renowned geyser, which is captured in its thunder and awe. This shot closes the picture with a smash and a crash and is followed by a one reeler.

No code seal. Running time, 8 mins. “G.”
R. A. (BOB) McNEIL

Operates
30 theatres,
spends upward
of $300,000
annually for film.
He reads

MOTION PICTURE DAILY

The Industry Buying Power Reads
MOTION PICTURE DAILY
**Hollywood Personalities**

Hollywood, Jan. 20.—Roberta Shore makes her first big role with the lead in "Tales of Square Lady" at M-G-M. M-G-M is looking for a small boy for the lead in "Taffy." Someone has predicted that "Beechy Sharr" will be the Mamoulian Dollar Baby.

M-G-M has bought the song, "The Object of My Affections," for Pinkie Tomlin.

Midge Bellamy gets a role in "Recipe for Murder" at Fox, V. V. Verlinsky of Amos 'n' Andy has invited Ferdie Hepburn to the Russian Cinema Festival to be held this week. M-G-M of Poland, Bill Robinson will hoof in "Four Stars for Love" at Radio.
RKO Contends M. & S Lease Terms Are Met

Dispute Over Hollywood And Apollo Up Today

Contending that it is complying with all provisions of its lease agreement with Meyer & Schneider, under which it operates the Hollywood and Apollo, RKO yesterday replied to charges brought by M. & S. which will go before a board of arbitrators today and which is, sustained, are said by the board to 

avalid agreement of last September by which Loew's was available to RKO all of the Fox product and half of Columbia and Universal. 

The agreement was regarded as solving a critical film supply problem with which RKO was confronted at the time, and is succeeded in buying (Continued on page 6)

Film Taxes Still Disturbing Mexico

By JAMES LOCKHART

MEXICO CITY, Jan. 21.—Although local distributors have discounted reports they plan to withdraw from Mexico because of the lack of relief from the high duties on discs, films, etc., it has been learned here by MOTION PICTURE DAILY that several offices of American producers have (Continued on page 7)

Appeal Ruling On Para. Fees To Be Studied

The U. S. Circuit Court of Appeals reserved decision yesterday on the application of Root, Clark, Buckner & Ballantine for leave to appeal from the ruling of Federal Judge Henry W. Goddard fixing final bankruptcy fees of the Paramount Publix trusts at $12,500 each. The trustees, Charles D. Hilles, Eugene W. Leake and Charles E. Richardson, the latter since resigned, had asked $100,000 each.

The petition for leave to appeal was opposed yesterday only by Samuel Zirn, counsel for a small group of Paramount bondholders, who argued that the provisions of the old bankruptcy law which fixes allowances on (Continued on page 6)

Summon Vanderlip, Zukor to Hearing

Subpoenas calling for their appearance at tomorrow's hearing on the Paramount Publix reorganization plan have been obtained for Frank A. Vanderlip and other members of the Paramount bondholders' protective committee: Adolph Zukor, Austin Keough and Walter B. Colell; Charles D. Hilles and Eugene W. Leake, Paramount trustees, and Max D. Howell and S. Sloan Colt of the Paramount bank creditors' committee.

The subpoenas were obtained by Samuel Zirn, counsel for a small group of Paramount bondholders, who last week subpoenaed Percy H. Johnston, chairman of the board of Chem. (Continued on page 6)

Rosenzweig Resigns First Division Post

Charles Rosenzweig, general sales manager of First Division, yesterday resigned because of ill health. He leaves for Florida within a few days for a vacation.

Harry H. Thomas, president of the company, told MOTION PICTURE DAILY last night he would assume the sales post himself "for the time being."

SIROVICH DRAWING PATENT POOL BILL

Supreme Court to Decide Upon NRA

WASHINGTON, Jan. 21.—Paving the way for settlement of possible constitutionality of the Industrial Recovery Act, the U. S. Supreme Court today consented to review a decision of the Alabama Federal Court holding invalid both the Recovery Act and the code for the lumber industry.

Although the court two weeks ago annulled one provision of the act, the lumber case is considered as the first real test of the law and will determine the propriety of the government's (Continued on page 3)

Kutinsky to Play Duals, Giveaways

Morris Kutinsky plans to adopt a new policy at the Community, Queens Village, L. L., as an aftermath to a decision handed down against him by Campi last week. The case in which Kutinsky was complaining charged Century circuit with overbuying at the Campi office, etc. Mr. Kutinsky, in the decision, stated that Century had not overbought but must decide within 21 days after a film plays Broadway lower, or not it will date (Continued on page 3)

Referee Will Study Hamm Theatre Pact

Special Master John E. Joyce took under advisement the proposal for ending the receivership of Minnesota Amusement Corp., Paramount subsidiary operating 70 theatres in Minnesota, Wisconsin, after hearing yesterday.

Under the proposed plan, William Hamm, Jr., would become operator of (Continued on page 6)

Reciprocal Trade With Canada Aided

WASHINGTON, Jan. 21.—Plans to negotiate a reciprocal trade agreement with Canada were announced today by the State Department.

Figures compiled for the department show that exports of films to (Continued on page 7)

Would Call for Filing All of Details in Washington

WASHINGTON, Jan. 21.—Legislation requiring the filing of all patent pool and license agreements with the Commissioner of Patents will be introduced in the House within the next day or two by Congressman Sirovich of New York.

Possibly included in the measure will be a provision giving the commissioner the authority to approve or disapprove such agreements from the standpoint of public interest and making it an offense to file an agreement which does not include all the terms.

Discussing the resolution he introduced last week for investigation of patent pools, Sirovich today revealed that he was curious as to the operations of Erpi, the situation with respect to radio receiving set licenses and the aircraft pool, among others.

Some 20 or 30 industries would come under scrutiny in such an investigation. However, inasmuch as his (Continued on page 3)

Campi Handles 56 Cases in 4 Weeks

Within the last four weeks Code Authority has disposed of 56 appeals from local board decisions. Of this number, 22 were decided last Thursday and Friday.

Because of the two-day hearings slated for Wednesday and Thursday in the Los Angeles and other schedules pending, no appeal committees will sit this week.

Booth Cost Hearing Is Postponed Again

Compliance Director Sol A. Rosenblatt yesterday postponed for the last time the public hearing, in which Sirovich was on the basic operators' scale for metropolitan New York exhibitors. The new date is Feb. 1. Attending a meeting of the fact-finding committee at Campi headquarters, Rosenblatt ordered all the data and statistics compiled by the statisticians (Continued on page 3)

Missouri Sales Tax Increase Introduced

JEFFERSON CITY, Mo., Jan. 21.—A bill to increase the state sales tax to two per cent has been introduced in
Tuesday, January 22, 1935

“Time” Hits a New Formula

Opportunity came yesterday to witness what the current excitement, labeled “The March of Time,” is all about. Drawn from the formula which lurks behind the sensational national broadcast of the same name, yesterday was an experimental reel made about four months ago and designed to point the way, technique-wise, for “The March of Time” to come.

How it works, using the Morro Castle disaster as a typical instance: Opening shot is a re-enactment of the Federal inquiry which followed each tragedy. Then, by means of miniature story pieces itself together. You get shots of the ship, in galax atmosphere, slipping its berth in New York; its arrival in Hav- and its departure; the cocktail hour aboard vessel, the out- break of fire; the evacuation of the passengers, the piling up of the schooner on the beach at Ashbury Park.

Then the Saar and why, until a few days ago, it was a ponder box threatening to touch off peace in Europe. Long shots of the disputed territory, showing its wealth in ore and industry, dramatic flashes of Hitler of Germany and Laval of France, of the Treaty of Versailles as an illusion, and in a few minutes the highlights of the why and wherefore of the issue, reduced to simple and understandable images and words.

“The March of Time” proposes to get behind the news and to interpret it, to tell how as well as when. To do this, it will use actual newsreel clips and reenactment highlights which concentrate camera and focus where thehighlight is.

This formula is new. That is, it is not in pictures, but the magazine, has been proceeding along these lines since starting on its successful publishing career. And so, the idea is actually a demonstration of a modern method of eye and ear entertainment. It is refreshing and full of promise.

KANN

Children’s Film Ban

Up in Massachusetts

Boston, Jan. 21.—A bill prohibiting “objectionable” pictures, except such as are “suitable for children” has been placed before the Massachusetts legislature by Charles A. Dorchester, Dux- chester.

Under the terms of the measure the determination as to what is objectionable for child patronage shall rest with an “unpaid board to consist of a representative of religious denomination appointed by the governor, to serve in the department of public safety.” Anyone “showing or produ- cing” a film without official approval “shall have his license revoked,” according to the bill.

Dorchester is the same person who failed in an attempt last year to bar the showing of films which would be offensive to children.”

No Film Deals Here,
On Cochran Says Again

In face of persistent press releases by Cochran stating that it is his plan to work for A. Selwyn, that Charles B. Cochran will be associated with Selwyn in forming a company to produce films in Great Britain and America, Cochran yesterday again denied the story to Motion Picture Daily.

Cochran states he is coming over for the purpose of being on hand for Elisabeth Berger’s debut in “Escape Me Never” at the Shubert. The star has appeared in the picture, which was made in England.

“I did not come to America on any film deals. The only picture I am interested in at the present time is ‘Saint Joan’ which I will make in England. Negotiations are under way for that film, and it is my hope to complete them on my return to England,” Cochran said.

He adds that "I am free on the Benzarinu."

The English producer emphasized the fact that after this film is completed he will stage it to the theatre, conveying his interest not being a film man.

Although the press release stated Selwyn leaves today for the coast by plane with Cochran, the latter denied this. He said on his return to Eng- land he will stage "Saint Joan" and that he will have a certain type of contract to secure him the rights for which he closed some time ago.

Install New Registers

General Register Corp. has installed new registers in six more spots: Plaza, Times-Post, Alamo, Palace, Mountain, Los Angeles; Waverly, Baltimore; Moosup, Moosup, Conn., and Paramount, Connellsville, Pa.

Schless to Get Poland

Robert Schless, Continental European head for Warner exchanges, will have under his supervision the new Poland office the company expects to open within the next few weeks.

Rosenthal Gets New Quigley Award

Hartford, Conn., Jan. 21.—The Quigley Award, presented to the one who has made the greatest contribution to the industry, was received by Morris Rosenthal, manager of the Loew-Poli Majestic, Bridgeport, at the hands of Gov. Wil- liam Hobby, who presented the prize, and Henry M. Latz, East Coast executive of the office, in the state and city officials mingled with members of the industry today.

It was Chairman Charles Rosenthal, the governor said he felt “pride in the fact that this man has come home to our state.” Cross made the presentation in behalf of Motion Picture Herald.

Among those present were Harry C. Shaw, division manager of the Loew-Poli New England theatres, and the managers of all the circuit’s houses.

Shaw was toastmaster at a lun- chon at the Hotel Bond following the presentation. He said it was “an outstanding” guest, P. H. Hay, responsible achievement to win a Quigley Award.”

Others who spoke at the luncheon were John Murphy, managing editor of the Hartford Times; John Sadors- ky, business manager of the Hartford Courant; Earl Wright, publicity di- rector of the Hartford Times.

Jack A. Simons, manager of the Poli and Don Ross, manager of Poli’s Falls and made arrangements for the ceremony.

Others who participated in the affair were Martin A. Bloy, Fred Holt and Ed Dolan of Bridgeport; George Freeman, Springfield; Joe Almstede and Harry Watts, Worcester; Ed Meves, Hartford; W. H. K. and Louis Falk, Meriden; Ben Cohen, Frank Hanson, Howard Burkhart and James Stetson, New London; and Earl Bransif, Julian Tuthill, Robert Russell and Al Caddi.

Mollie Rosenthal, the woman’s voice, was the special guest of honor.

Ehrlich Holds Post
In Union 30 Years

Kansas City, Jan. 21—Julius Ehr- lich, elected treasurer of Theatrical Stage Employees, I. A. T. S. E., Local 21, has the distinction of holding that office the past 30 years, all of that time being returned without opposition.

Other officers elected for the ensuing year: J. R. Sanders, president; Cyril Donovan, vice-president; Joseph Caldwell, secretary-treasurer; A. G. Schneider, recording secretary; Felix D. Snow, business representative; C. S. Klawons, sergeant-at-arms; Charles J. Telesco, guide; L. S. Pasko, recording clerk; Ed Maier, member executive board.

It’s “Runaway Queen”

The correct title of “The Runaway Bride,” as reviewed in this publication on Jan. 17th, is “The Runaway Queen.” United Artists is releasing.

Pick Next for Seitz

Hollywood, Jan. 21.—George Seitz’s first directorial effort under his new M-G-M contract will be “Times Square.”

Decker to Big Feature

Louisville, Jan. 21.—Frank Decker has been added to the sales staff of Big Features Rights Corp.
Siriovich to Offer Patent Pool Measure

A decision by the ambassador on Saturday was pleasant, disturbing and stumped with all likelihood. For instance, there were present IRA CLAIRE, who did right well by the horh [horns] CARL VAN Vechten, Steyn S. Siegel, AMER W. KUTINSKY, BRUCE CAROT, MANUEL KOMROFF, MADAME FRANCES (Mrs. NATE SPINDL), and ED. S., GEORGE CULLEN, whose play, "Mother Lode," many think should have had a longer run on Broadway; Dr. S., and Mrs. R. W. ANZING, who, in the charming SONIA SCHULBERG and many others, Zoe AZINS, aside from indulging in serious conversation with them, did some poetry reciting by the time early arrived.

LILLIAN BOND, MITZI MAYFAIR, the CHAPPY HYAMS, LUCINDA REICHENBACH, MITZUEL MAY, BETTINA HAH, AB and BRUCE SCHULBERG, ALMENNE AMES, BRUCE CAROT, Louis SHARR and A. B. BLUMENTHAL were two added on by the director of his evening's light fantastic at the Mayfair Saturday night.

William Bartlett, president of AmerAnglo, is on the high seas on his way to close English, French and Italian industries in "Silent Death," world rights to which have been acquired by his company. He's on the Washington.

JEAN HENDERSON, Jacksonville (Fla.) Timex-Union film critic, vacated her post last night to talk to Al Wilkie at Sardi's the other noon and will have a look backstage at the Musical Hall, New Haven, courtesy of Rutledge NELSON.

ELISABETH BERGER and her play, "Escape Me Never," furnished last night's theatre thrill. Under Theatre Guild auspices, it opened at the Shubert, and is given an additional two weeks run on account of its well known film names among those present.

ADRIENNE AMES, in town for a vacation after finishing work in Radio's "Gigollette," went to work for the French Photoprints annual ball yesterday and quit after selling a debut at Mayor LO GUARDIA.

R. J. KIPTRICK; U. A. cashier, is the proud father of another child. This time it is a six and a half pound girl. Exid MARSON and Mrs. KIPTRICK are doing nicely at the Englewood Hospital.

JANET GAYNOR arrives in town today. She will visit relatives and view a performance of "The Farmer Takes Wife," a tentative film vehicle for her.

LOU MILLER discovered in an RKO Bldg, elevator with his golf clubs, explained that he was heading for an indoor course—and not Florida.

D. A. DORAN, Jr., is en route to Hollywood on a search for a playwright to essay the lead in "Julie" which he will produce as a stage play here shortly.

ELIZABETH WILSON, Hollywood editor of Screenland, is here to talk it over with Delight Evans.

PHIL REISMAN, Ben and Harry Gotz, Felix Feist, Arthur and DAVE LOWE, Fred Quilley, E. M. Milne, Tony Curtis, K. S. Sirota, Louis VOGEL, OSCAR DOORS, Tom Gerety, HENRY RANDEL, LOUIS COHEN, CHARLES ROSENZEUG, Hal HOREY, and the late JACK SHAPRO, MORTON VAN PRAGG, George Desmonb, Mort SPRING, Louis Phillips, Henry MAX and ARTURO HISCH are among those at the M. P. Club for lunch yesterday.

ED FINNEY is now a captain. He is captain of the Motion Picture Industry's guard, a team representing the legitimate theatre at the Astor Sunday night. The Catholic Actors' Guild is sponsoring the bee and BRANDON TYESN, Evan CONDON, NANCY DILTON, WALTER CONNOLLY, LOUIS B. FRASS and Louis NARAMA will be there to help out.

VINTON FREDLEY, producer of the enormously successful "Anything Goes," left for Hollywood yesterday. A trifle later, he will meet CDE. Poe with his extraordinary theatre notices and parade on how Paramount, which owns the rights to the stage musical, will treat the script.

JACK FORD, who as engineer of the Burlington "Zephyr" co-starrcd with the new and, is in Chicago's "The Silver Streak," was about the RKO home office yesterday.

RICHARD A. ROWLAND, JACK COHEN and NATE SPINDL had their noonmeal, maybe Thursday, at the Tavern yesterday, but not together.

HERMAN RIFFER of Boston and A. C. BROMBERG of Atlanta. Monogram franchise holders, are in town for a few days.

BERT PERKINS has returned from a month in Canada, where he put over for the State's Warner-First National campaigns.

HOWARD S. CULMAN yesterday gave the Cafe Club some inside dope on the Roxy Theatre situation and the film industry in general.

BRUCE CAROT, in from Hollywood for a ski, ice, hand- shook his way around Radio home offices yesterday.

SAM E. MORRIS has recovered from a slight attack of pneumonia poisoning, caused by a hamburger.

CLAUDE FEEL and William UNDERWOOD left for Dallas yesterday and plan to return in March.

Leo J. Brady did the pouring at Sunday afternoon tea in honor of BILL CRONIN of the Comerford office.

Sol A. ROSENBLATT used a one-way ticket to Washington yesterday.

Si SEABLER gets back to work today after a vacation in Havana.

Quip of the day: Joe Stein of the Copyright Protection Bureau says, after reading the correspondence in the Copyright Picture Herald on Hect and MacArthur and "Crime Without Fas- tion," that exhibitors do not wish prefer more "By Hook" in their product than they do "By Hecft.

Supreme Court to Decide Upon NHA

It was last week by S. Clay Williams, chairman of the now-defunct National Recovery Board. Other plans suggested to the President, however, call for an action away from the zone of the labor provisions and, from the case, of most of the fair trade practice clauses. Whether the act can be continued in its present form or will require amendment will hang upon the Supreme Court's ruling.

Gus Vinnick, But Can't Get Film

Cleveland, Jan. 21.—How to benefit by a favorable decision of Code Authority is one of the problems of Meyer Fischer and William Weiss, lessors and operators of the Roxy.

Campi recently upheld a decision of the clearance and zoning board by taking the case to the Board of City Commissioners, an appeal to the City Council, an appeal to the Court of Common Pleas, an appeal to the Ohio Supreme Court, and an appeal to the Federal Court.

Now that Campi has upheld the local decision, the Mall claims it is still unable to get product, due to contracts entered into between the distributors and Community circuit.

This creates an awkward situation. If distributors take product away from Community circuit as per the Code, they are required to do so, open to a breach of contract suit by Community circuit. If they continue to fulfill their Community contracts, they may be open to charges by the Fair Trade Commission.

Fischer would like to adjust the matter amicably. However, facing as he do so may, he results in a suit in Federal court to enforce the decision of Campi.

Booth Cist Hearing Is Postponed Again

(Continued from page 12)

of Loew's, RKO, Empire Operators' Union, the I. A. T. T., the E. E. the T. C. O. A. and the T. C. C. is to be forwarded to Washington in time for the hearing.

The delay of the Washington open session marks the fourth postponement by Rosenblatt because of the lack of unanimity of the Rules finding committee on certain points of the schedule which will be attached at the Capital session. At the Thursday's meeting, in addition to Rosenblatt, were George E. Browne, president, and Louis E. Shapiro. As president of the A. T. C. S. E.; Harry Brandt, Milton C. Weis- man, Charles L. O'Reilly, Leslie E. Thompson, Ralph M. Morgan, Joseph Tepperson, Hyman Rachmil, Thomas Murray, William Engilander of RKO and M. M. Rosen of Loew's.
There is always Springtime in a woman's heart . . . an Enchanted April in which she dreams . . . . Harding at her glorious best in the story of a woman who dared and her one perfect month of happiness.

Enchanted April

From the famous novel by "Elizabeth"

With

Frank Morgan
Katharine Alexander
Reginald Owen * Jane Baxter

Directed by Harry Beaumont
**appeal ruling on para. fees to be studied**

Hamm Theatre Pact

(Continued from page 1)

Minnesota Amusement, being given a contract which terminates June 27, and would receive $700 per week and 15 per cent of the consolidated net earnings of the circuit from Dec. 31 to the expiration of the contract for himself, a secretary of the company and a union representative, who is authorized to select. J. F. Friedl, the present general manager, is expected to be continued. J. Hamm, who was actively identified with the circuit’s management when it was operated by Finkelnburg & Rubin, agreed to a five-year extension of a $500,000 mortgage against Minnesota which is held by the Hamm Brewing Co., and will complete various other lease and settlement agreements with creditors. He has been serving as receiver for Minnesota.

**summon vanderlip, zukor to hearing**

(Continued from page 1)

J. Zukor, as chairman of the newly formed Paramount board, will seek to serve subpoenaos for tomorrow’s hearing before Federal Judge Alfred C. Coxe on a total of 14 persons identified with the Paramount reorganization, he said. The subpoenas will call upon those served to produce records and documents in court pertaining to Paramount affairs. Zukor has been unable to serve Charles E. Richardson, former Paramount trustee, whose home is in Philadelphia, and Ralph Kohn, former Paramount treasurer, who is convalescing in California.

**two maine theatres, night club combine**

Portland, Jan. 21.—The newly completed project of Abraham Goodside, which kills two birds with one stone by having a single dance hall connect his two theatres, goes further. The new addition, known as Atlantic Beach and the Empire or the Empire may also enjoy night club life at no extra cost, for not only did the Maine theatre open its addition with a floor show, but he expects to continue such attractions from time to time.
Film Taxes Still Disturbing Mexico

Reciprocal Trade With Canada Aimed

Wall Street

Fox in Settlement Of Rockett Contract

Sonora Appeal Denied

Unit Lands in India

Short Subjects

"Barcarolle" (Audio-1st Division)

"Irish Melody" (Audio-1st Division)

"Baby, Be Good" (Fleischer-Paramount)

See Above $55,000 With "Copperfield"

Coast Independents Make Trust Charges

Means Again Named By Kansas City TTO

French Honor Sheehan
**Vaudemus Houses Top in Providence**

**Providence, Jan. 21.—**Big grosses for the week, in the matter of percentages, went to two theaters with vaudeville, RKO Albee and Fay’s. The former house took in $9,700 with “I’ve Been Around” and according to the radio critic, Will Osborne, and “Murder in the Clouds.” The Majestic and Strand were barely over par with their offerings and Loew’s went under the average mark by $500 with “Broadway Bill,” which hit $11,500.

Total business in first run houses was $45,600. Average business is $40,500.

Estimated takings for the week ending Jan. 17:

- **THE PRESIDENT VADEMAUS** (Para.)
  - Estimated takings: 

- **ENTER MADAME** (Para.)
  - Estimated takings: 

- **FATHER BROWN, DETECTIVE** (Para.)
  - Estimated takings: 

- **HELDORADO** (Fox)
  - Estimated takings: 

- **PARAMOUNT** (1,790), 25c-5c, 7 days.
  - Gross: $15,000. (Average, $2,143)

- **RKO BOSTON** (3,360), 25c-5c, 7 days.
  - Gross: $13,500. (Average, $1,930)

- **RKO VAUDEVILLE**
  - Gross: $15,000. (Average, $1,100)

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**VARIETY CLUB CHATTER**

**Cincinnati, Jan. 21.—**Col. Arthur Frudenfeld, chairman of the side show committee, has announced Jan. 25 as the definite date for the inaugural dinner in honor of the new officers.

New barkers enrolled into local membership include: Larry Benton, pitcher Cincinnati Reds; Phil Davis and Joe Bratton, both orchestra leaders at WLW, and Dan Myers, manager of the Ains Hotel. 

There was a circulation around the club after several days in bed with an aggravated case of gripe. Joe Kolling, property master, has taken up the sale of Serenades.

**Detroit**

**Detroit, Jan. 21.—**President Edgar L. Kirchizia has appointed the following for the second annual ball at the Book-Cadillac Feb. 23:

- Entertainment: Ray Conlin, D. M.
- Dancing: Edie Patterson, E. E. Belden, Monroe, Paul E. Fields and William Baker.

Frank J. Doweley has returned from a vacation in Florida.

M. Harlan Starr is baching it, with Mrs. Starr doing wintering in Florida.

Jack Saxe, chairman of the house committee, has inaugurated a series of open-mike nights Sundays with kenos as the main attraction and also a series of poker nights on Mondays, which are stag for members only.

Frank A. Wetsman was host to a number of barkers at a venison steak dinner. Among those present being H. M. Rickey, Ray Moon, Sam Supkow, Lou Wisper and Cap. McGuire.

Dan Cupid has wounded another local harker. Harry Komes has announced his engagement to Miss Lillian Ullanof, private secretary to Col. Samuel Golberg, vice-president of the Colonial department store.

**Washington**

**Washington, Jan. 21.—**Tent No. 11 established another precedent last week when it held its first Ladies Night Smoker, with Harry E. Lohmeyer and Leonard B. Schluss, kings for a day.

Ladies were invited to join an auxiliary organization to Variety Club for which two bits are the annual dues. But what the ladies did not know was that there wasn’t any club at all—just a gag to aid the Welfare Fund.

For the ladies who had the audacity to ignore the kings’ commands and appear in evening gowns, there were large house across which the male-factors were required to wear the entire evening.

Cards and other games, with prizes, offered by sources of other than scintillating conversation.

**Variety Club Feb. 3**

**Columbus, O., Jan. 21.—**The Annual Variety Club banquet will be held Feb. 3 at the Deshler Wallick. Osborne and I, being our last year’s affair, again will headline the current festivities.

An elaborate program is being prepared. Attendance is limited to 400.

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**THEATRE GROSSES FREEZE AS WINTER HITS SEATTLE**

**Seattle, Jan. 21.—**Cold weather and heavy snow hit grosses hard last week, with “It’s a Gift” making the best comparative showing at the Paramount. The $5,800 take was $200 under par, however.

Total first run business was $15,180. Average is $3,700.

Estimated takings for the week ending Jan. 19:

- **THE MIGHTY BARNUM** (U. A.)
  - BLUE HOUSE—(990), 25c-40c-55c.
  - 7 days. (Extended run from Music Hall.) Gross: $3,200. (Average, $460)

- **JEALOUSY** (Col.)
  - FIFTH AVENUE—(2,500), 25c-40c-55c.
  - 7 days. Gross: $3,250. (Average, $1,125)

- **THERE IS NO LAW AGAINST THE LAW** (Col.)
  - LIBERTY—(1,800), 15c-25c-55c.
  - 7 days. Gross: $3,300. (Average, $460)

- **THE BROADWAY BILL** (Col.)
  - 1,050, 25c-40c, 55c.
  - 7 days. Gross: $11,500. (Average, $1,643)

- **I’VE BEEN AROUND** (Univ.)
  - RKO THEATRE—(2,220), 25c-40c, 55c.
  - 7 days. Gross: $9,250. (Average, $1,321)

- **TOMBSTONE TERROR** (Cameo)
  - RKO VICTORY—(1,000), 25c-400, 55c.
  - 7 days. Gross: $1,500. (Average, $214)

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**“CHAIRMAN” PULLS $20,000, Buffalo**

**Buffalo, Jan. 21.—**The County Chairman at $20,000 was the week’s big news, although “Broadway Bill’s” $9,700 in its second week was quite a feat, too. Cold, foggy weather was replaced by high winds and ice that made motoring dangerous.

First take was $6,500. Normal is $4,900. Estimated takings for the week ending Jan. 21:

- **THE COUNTY CHAIRMAN** (Fox)
  - BUFFALO—(2,050), 25c-55c.
  - 7 days. Gross: $6,500. (Average, $929)

- **BROADWAY BILL** (Col.)
  - LAFAYETTE—(800), 25c, 9 days. Gross: $3,300. (Average, $367)

- **THE MIGHTY BARNUM** (U. A.)
  - HIPPODELMO—(2,500), 25c-40c.
  - 7 days. Gross: $2,700. (Average, $386)

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**“BILL” AND CANTOR SMASH OMAHA HITS**

**Omaha, Jan. 21.—**“Broadway Bill” and “The Mighty Barnum” are still making good business here last week. The former grossed $8,200 at the Brandeis, going over the $1,000 mark.

The Cantor musical double par the World by getting $8,000. In spite of the heavy competition the dual bill at the Mighty Barnum, or “Music in the Air,” was strong at $8,500.

Total first run business was $24,700. Average is $16,000.

Estimated takings:

- **Week Ending Jan. 16:**
  - **BROADWAY BILL** (Col.)
    - BRANDEIS—(1,200), 25c-55c.
    - Gross: $6,500. (Average, $541)

- **WORLD** (Col.)
  - 25c-40c-55c.
  - 7 days gross: $8,000. (Average, $1,143)

- **BROADWAY BILL** (Col.)
  - LAFAYETTE—(800), 25c, 9 days.
  - Gross: $3,500. (Average, $390)

- **“BILL” AND CANTOR** (Fox)
  - ORPHEUM—(3,000), 25c-40c.
  - 7 days gross: $8,000. (Average, $571)
FWC Suit End Paves Way for Reorganizing

Compromise Reached in Anti-Trust Cases

LOS ANGELES, Jan. 22.—Paving the way for immediate reorganization of Fyc West Coast, Marshall Square Theatres and Harry L. Hartman, the former operating the Orpheum, San Francisco, and the latter the Orpheum, San Diego, this afternoon amicably settled a joint suit against F.W.C. Jules Goldstone, attorney for Marshall Square and Hartman, and F. W. C. Counsel consummated negotiations this afternoon, with Mike Marco signing the papers for Marshall Square, Hartman for the San Diego house, and Charles Skouras for F.W.C.

The monopoly charges by the two

(Continued on page 12)

Chicago Clearance

Appeals Rush Seen

Chicago, Jan. 22.—Absence of a zoning schedule here promises to send plenty of appeals to Campi. The local board heard four cases last week and two of these were announced for appeal.

Specifically, Charles Dyas of the Lyric, Earville, Ill., complained against protection held by the State, operated by F. W. Anderson, Sandwich, Ill. Dyas lost and will appeal.

Guy Loudenmilk, Fairy, Napanee.

(Continued on page 9)

Censorship Board Is Sought in Delaware

DOVER, Del., Jan. 22.—A bill to create a board of review, consisting of three members, one from each county, to be named by the Governor, was introduced in the House of the state legislature here today.

The body would have authority to censor all films shown in the state and reject those considered improper. Theatres would have the right under the measure to appeal to the Superior Court. On each reel scanned there would be levied a fee of $2, which would go to the board's expenses.

Redecorated Strand

To Be Opened Today

A new interior will greet the eye when the Warner Strand, damaged by fire several weeks ago, reopens.

(Continued on page 5)

14,552 Houses Operating In U. S.; A Gain of 816

Hearing of Opponents of Para.

Plan Postponed to Next Monday

Hearing of opposition to the Paramount Publix plan of reorganization, scheduled for today before Federal Judge Alfred C. Coxe, was postponed until Monday by agreement of counsel yesterday.

Inability of reorganization groups to effect an agreement with Nathan Burkan, counsel for the merchandising creditors' committee, at meetings held yesterday is believed to have been responsible for the adjournment. Burkan has stated that he would appear in opposition to the plan unless some agreement were reached of his committee's views on the makeup of the new Paramount board.

Whether Judge Coxe would consent to the examination today of 20 witnesses subpoenaed for the scheduled hearing by Samuel Zin and Archibald Palmer, opposition attorneys, could not be learned late last night. Indications were that these examinations might be permitted to proceed independently of the hearing on opposition to the plan.

RK0 Reported Against Move To Avoid Suit

An offer to settle for $225,000 the breach of lease charges involving the Hollywood and Apollo is reported to have been rejected by RK0 in advance of hearing of the Meyer & Schneider complaint which got under way yesterday before a trio of arbitrators in the N. Y. County Lawyers' Ass'n building.

After an all day hearing during which considerable documentary evidence was introduced by Max D.

(Continued on page 9)

Epidemic of Bank Nights Hits Frisco

San Francisco, Jan. 22.—It looks as though there will be an epidemic of bank nights here. The situation seems to be out of the control of the grievance board.

The subject became acute some weeks ago when the grievance board tried to settle complaints among the outlying neighborhood houses. Then the smaller circuits began to go in for the practice.

Nasser Brothers, operating six houses, filed a complaint.

(Continued on page 9)

Quigley Grand Award Goes To Hendricks of Memphis

Bill Hendricks, manager of the Warner, Memphis, yesterday came through as winner of the Quigley Grand Award for his campaign on "Six Day Biker Rider," Morris Rosen- thal, manager of the Loew-Majestic, Bridgeport, Conn., following closely on Hendricks' heels, lost out for first place, but walked off with the Second Grand Award for his campaign on "The Mighty Barnum.

Scoring the next highest totals were Walter Golden, manager of the River- side, Jacksonville, for his campaign on "Nana," and Sig Solomon, manager.

(Continued on page 5)

Increase Is Steady in Last 2 Years—Viewed As a Plus Sign

Up by 816 over the previous year, 14,552 theatres were in operation throughout the United States at the dawn of 1935.

The statistics, drawn from individual reports of Film Board of Trade secretaries and made public yesterday, were construed as indicating by fact and figure that conditions were deli-


Fred Attorneys

To Oppose Huffman

WASHINGTON, Jan. 22.—First instance of the Federal government stepping in to assist Code Authority in defending the code happened today when Compliance Director, Sol A. Rosenblatt secured the assignment of Whitten White, assistant U. S. attorney general, to argue before the U. S. Circuit Court of Appeals in

(Continued on page 9)

Report Roach Plans Production in East

Reports are current Hal Roach will produce a number of feature comedies in the east, supplementing coast production.

Henry Ginsberg, general manager, who arrived from the coast yesterday afternoon, could not be reached for a statement. Joe Rivkin, New York representative, also out of the office.
OUT of the field of fancy and conjecture and very much into the category of cold and hard statistics comes the annual theatre survey of the Film Boards of Trade to prove rather conclusively that, if there are any better, flocks of theatre opera- tors are wrong. Pieced together from every exchange center in this broad and embracing land is the word that, as of January 1, 1935, there were open for whatever business they could catch 816 more theatres to a total of 14,552 than were active a year ago to the dot.

We ask you to pause and to contemplate what this means. New Ventures in exhibition there may be among that very important that the goings on turn to such a conclusion by way of answering the why and the wherefore. But it does seem stretching it a bit to conclude that those 816 additional functioning houses in the past year have been dominated solely by interests not in the theatre business at the dawning of 1934. We, for one, do not subscribe to such an answer. But we do believe that houses, so darkened by the depression, have decided to light up again because the men who owned them and so shuttered them have concluded that it is time to add to their fortune in the theatre field once again.

If you will travel back with us another few years to the reviva- tion that things must be up and beginning to go, at least, becomes more striking. As 1933 blossomed in, theatres with box-office wasn't all it was in 1932, or 13,416. By the beginning of 1934, there were 320 more brave opera- tors ready for a fling they refused to essay a year earlier. By the advent of this current year, it was a jump of 816 additionally, or an increase in film accounts of 1,136 in the two-year span. Of course, you can't tell if those additional theatres were returning a profit, but the chances based on what the Film Board's statistical fabric reveals, is that the going round won't have been so bad and (2) the hope for the future is somewhat rosier.

Approach it from another angle which a cursory analysis of the figures suggests. That's in the figures at 18,263. That 108 less than the adding machine tallied at the outset of 1934. Yet, more houses are functioning to- day. We ask you. What are they functioning for, if not for a profit or in anticipation there will be a profit in the reasonable future? Of the 18,263 spotted around the American map, 3,771 are dead and it is lot, but note the padlocked total for 1934 which was 4,635. Indicating inescapably that sun- shine is beginning to break through and give a two-year comparison for, even at 3,771 now dark, it was considerably gloom- ier in 1933 when $8,095 were in the non-operating division.

Suggesting that producers who went on a theatre spree to their ultimate sorrow a few years back are remaining true to their spots is the dope on affiliated circuits. In 1934, that type of holdings, bulked, ended at 1,954 houses seating 2,586,643. With 1935, the total had clambered to 2,903 houses and a combined capacity of 2,718,701. Not much of an in- crease, to be sure, but sufficient to indicate a drift toward danger and a lack of any whole-hearted production of interest in theatres not in the affiliate part- icipation in exhibition. That makes it time to hoist the storm signals and so up the halcyon they go. Now...

Even more striking on the other hand and of numerical preponderance, is the changing role in unaffiliated cir- cuits. Their total is on the rise, the Film Board survey reporting 3,070 houses in this classification in 1935 as against 2,846 in 1933. Rather than significance, too, is the shrinkage in independent the- atres, although it may be that expansion, precipitated by cheap- er buys, has moved more inde- pendents into the affiliated cir- cuit division, thereby causing the shift in the statistical balance.

The figures, for what they are however, show 13,706 for 1933; 13,571 for 1934 and 13,120—451 off—for 1935. Do we hear Al- lied tearing the ozone with those faintly nostalgic cries of monop- oly? If that should be in- offing, it is well to point out that, while the independent division shranked in point of numbers of theatres, it gained in numbers of seats, so indicating the boys have been busy stepping into richer clover.

John Hertz is angling hard to re-enter the Paramount pic- ture and fails to look with par- ticular gleam upon a mere directorship; it's the presidency he delights. So what will the stories around the company headquarters at the crossroads of the world. A new and hitherto unmentioned factor, the same in- siders insist, is Frank Altschul of Lazard Freres, an extremely important banking institution. The general idea seems to swing about a shift in the scenery which would allow each group to nominate and elect members of their choosing for the new direc- torate.

Tying in with eddies and cur- rents is the report Hertz wants Adolph Zukor's post for various and sundry reasons, some of them backfiring to the days when the Chatman was a factor of purchase- ment in Paramount's affairs. The large committees—bonds, stocks and banks—called a truce years ago to discuss the possi- bility of a compromise which would retain Zukor as president, but possibly embrace three or four of the board nominees of the other committees. These groups are said to be compromising in their support of Paramount's founder. Many, therefore, will cheer.

Olympia Stock Buy
Now Up to Referee

A proposal to expedite reorganiza- tion of the Olympia Theatres, large Para- mount subsidiary, by purchasing for $50,000 the remainder of the circuit's stock not held by Par- amount—amounting of $1, 824,562 filed by an Olympia stock- holders' committee against Paramount, was reported to the committee with Special Master John E. Joyce.

A hearing on the proposal was set for Jan. 28. In their petition for ap- plication in the Circuit Court for the Paramount trustees state that a plan of reorganization for Olympia is under way which makes no provision for stockholders of the company, as both Olympia and its affiliate, Olympia Operating Co., are insolvent, they state. The petition adds that the trustees have been advised by the Olympia stockholders' committee, of which Frank L. Cross is chairman, that any plan which does not provide for the stockholders will be opposed by the committee.

The petition sets forth that while the Paramount trustees believe the stockholders' claims to an equity in re- organization of the subsidiary, and if it is defeated, it would involve litigation costing approximately $50,000 and would endanger the reorganization of the subsidiary. To avoid the delay, the trustees propose the purchase for $50,000 of the Olympia stock and the allowance of the $1, 824,562 claim, based on a default by the insurance agreement made in 1925 under which control of Olympia was acquired. Para- mount voted the agreement in January, 1933, with $1,036,861, ex- clusive of interest and guaranteed divi- dends, still owing. Prior to that, Paramount had made stock purchase payments aggregating $5,803,488.

Indiana Bill Calls
For 10% Ticket Tax

Indianapolis, Jan. 22.—A bill to place a 10 per cent tax on all ad- missions was introduced in the Indiana House today by Representative Robert L. Stanton of East Chicago.
Snow Hits Seattle; Stalls Film Outfit

Seattle, Jan. 22.—The heaviest snowfall in several winters has struck this city, and theaters are suffering keenly. Grosses this week are expected to be low, with the weather bureau's prediction of continued snowfall and increasingly cold weather.

The premiere of "Sequoia" at the Fifth Avenue has been maintaining a fairly strong average. Opening night ceremonies, however, were somewhat marred by a wintry storm which kept many invited guests at home in spite of the presence of Parker, Russell Hardie and John W. Considine, Jr., the producer and a former Seattleite.

20th Century's "Call of the Wild" company, which includes Clark Gable, Loretta Young and Jack Oakie, is stalled in Bellingham because roads into Mount Baker are impassable.

Director William Wellman is unable to work as a result of a cold. The city of Dawson, built at Mount Baker for outdoor scenes, is completely under snow. At a cost reported to be $50,000, performers, technicians, directors, etc., are waiting for better weather—and shivering!

Columbia Is Trying New York Previews

Columbia is going in for eastern announcements in addition to those held on the coast for all pictures. On Monday night, home office executives slipped "Carnival" in an undistributed at a local Loew house and when the audience didn't respond to the picture, which was intended to be funny, they were ordered eliminated.

Different types of houses are chosen for each picture, Columbia trying to pick the locality where it is believed the picture will most likely be received according to its classification.

Para. Starts Third Spanish Film Here

Having completed two Spanish features at the Astoria studios, Paramount started production on "The Day That You Loved Me," with Carlos Gardel as the first of two planned for the 1935-36 season. At the Joinville studios, the first of eight French pictures is now in progress. Like Blumenthal, in charge of production, has hired an outside producer to make the octet. The second goes into work in a few weeks.

De Grandcourt Off To Join G. B. Staff

Charles de Grandcourt, long in charge of production of trailers for National, has joined the Columbia in Chicago to get the Columbia to the E. M. Loew screen in London, where he will serve as an advisor on American story values and slants.

Radio Leases More Space

Hollywood, Jan. 22—Radio has leased the old Tea House Studios and Merian C. Cooper's production, "She." It is planned to use the studios for other productions following completion of the Cooper vehicle because of a lack of space and an increased production schedule at the Gower St. plant.

CAROLE LOMBARD canceled engagements yesterday to ward off a touch of flu. She plans to quit the coast tomorrow, the condition severe enough to stop off in Florida and Havana on her way back to the coast.

JULES LEVY, lucky and in Miami, postcards: "Feel great, very busy and can only find time to read Morton Theatre's program plans is good for the exhibitors." In other words, typical salesmanager stuff.

Mort Blumenstock, advertising and publicity head for Warner Theaters, left yesterday for Pittsburgh. Cleveland and Chicago to p agon "Devil Dogs of the Air." He will be away a week.

WILLIAM WYLER, who has just finished directing "The Good Fairy" at Universal, is headed for New York by rail. He will attend the premiere of the film on the Music Hall next month.

Quip of the Day

Quip of the day: Joe "Freeze, in Dave's Blue Room, yesterday to an actor in the stage show at the Capitol tell how he was knock ing 'em dead and dismissing the matter with:

"If your n-n-n name is D-D-D-David C-C-C-Cookerfield, then you've a h-h-h-helluva d-d-d-d-d-d-d-vice!"

CHARLIE McCARTHY and ARCH REEVE sharing a table at Sardi's at lunch yesterday the Gnocchi Gerhard satirizing with the praise agents at another.

GENE RAYMOND arrived in town yesterday from the coast. He can't make up his mind whether or not he'll stay at the Lombardy, do a picture or go south.

DOUGLAS SHEARER left for the Lion's studio after visiting the folks in Montreal. From the Canadian city he went to Chicago and from there flew to Hollywood.

ALEXANDER WOOLCOTT has been signed by Paramount to play a role in "Miracle in 49th St.", which is to be started soon at the Eastern Service Studio.

SAY RINZLER leaves for Miami next week and will be glad to get rid of the exhibition worries for a few weeks?

WALLY RANCE was tendered a testimonial dinner at the M. P. Club last evening by the Monday Nighters.

ROBERT VIGNOLA and his cousin, BEN PIAZZA, trained in from the coast on the same Pullman.

JESSIE SCHNECK says he'll stay in New York another month before heading Horace Greeley's way.

POLLY MORAN finishes work today in a Vitaphone short called "Pretty Polly."

FRED PETLON of M-G-M studios is back on the lot after a short visit here.

HARRY D. BUCKLEY is confined to his home because of illness.

THE WHOLE TOWN'S TALKING

about the most exciting screen adventures in years!
HOW TO PUT A PICTURE OVER

1. Be sure that you have booked a good picture. (Note: This can best be done by getting a Metro-Goldwyn-Mayer contract).

2. See that the picture has good name attractions. (Note: This can best be done by signing with M-G-M and getting practically all the stars).
3. See that the picture has been nationally exploited so that you get the benefit locally as well. (Note: In the case of “David Copperfield” 40 national magazine full-page ads for a total of 34,048,736 circulation).

4. See that tie-ups have been made. (M-G-M rarely has less than 50 tie-ups on a picture).

5. That serials have been placed. (1,000 serializations on “Copperfield” running in as many newspapers).

6. That good posters and press matter are available—also exploiteers. (More M-G-M angles).

7. If you have been ill this will be the result—

Get set for "SEQUOIA"

I feel fine now, Doc, thanks for your cure.
THE GREAT STARS OF "HERE COMES THE NAVY" SPREAD THEIR WINGS.

Devil Dogs of the Air

Starring James Cagney, Margaret Lindsay, Frank McHugh

The First Cosmopolitan Production for Warner Bros.
in a laugh-packed thriller that brings to your screen the production value of $750,000,000 worth of Marine Corps equipment loaned especially for this show.

... AND ARTHUR BRISBANE SPREADS THE NEWS ALL OVER HIS FAMOUS COLUMN!

On the front pages of 24 great newspapers from coast to coast America's ace editor tells 40,000,000 Americans—"Don't Fail To See the Air"

PAT O'BRIEN

Directed by Lloyd Bacon

Today

A Parole Board Surprise.
Naughty, Naughty Convicts.
Hiram Johnson Plain Talk.
Warner Bros. in Air Picture.

By Arthur Brisbane

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cate, Inc. International copyright and all other rights reserved.

SAN SIMEON, Cal., Jan. 17.—
Warner Brothers have produced a moving picture, "Devil Dogs of the Air," that should be seen by every intelligent American, and by every member of Congress.

In this picture you will see, not actors imitating airmen, but real flyers, officers and men of the United States Marine Flying Corps. You see actual operations on our airplane carriers, discharging planes as needed, trained officers of the United States Navy issuing brief orders. You see the laying of smoke screens for the protection of surface ships, torpedo boats and landing parties, every detail of the training and marvelous efficiency of American aviators.

Young American men and women, seeing the actual flying, extraordinarv courage and skill of American war pilots, will be fired with the ambition to fly and help conquer man's newly acquired realm, the ocean of the air. And, from our marvelously efficient and courageous little "sample" national air fleet, you will learn that, weak as we are in the air, no other men in the world's nations, the flyers that America develops could subject any hostile air fleet to exceedingly unpleasant experiences.

Congressmen and Governors of States, seeing this picture, will take pride in the marvelous efficiency of the American flyer and will be humiliated by the knowledge that among the world's important nations we stand last in airplane defense.

One or five hundred of the bravest, most skillful fighting airmen that ever lived could not protect six thousand miles of coast line and the nation's great cities against an attacking fleet of four or fifty thousand invading planes.

There is the usual American "love story" in Warner Brothers' picture. Actor James Cagney looks extraordinarily brave and broad shouldered. Although infinitely "tougher" men of the United States Marines do the actual flying. A dear little girl runs out on the air field in high heels and an apron to reward with one kiss or more the hero, who hasn't really done anything. The real picture is in the flying of real American air fighters. Don't fail to see it. Warner Brothers deserve thanks for producing a picture that will stimulate patriotism, and make the nation think of air defense.
Quigley Grand Award Won by Bill Hendricks

(Continued from page 1

of the Regent, Newark, N.J., on "Judge Priest.

With 28 industry executives as judges, the final balloting took place at the N.Y. Athletic Club and climax ed a year's race among the 4,000 members of the Managers' Round Table Club of Motion Picture Herald for the managers of the nation's up and going showmen.

All winners of the monthly plaques in the 1934 Quigley Awards competition were eligible for the annual prizes. For the past year, the competition has been conducted by A-Mike Vogel, chairman of the Round Table department, through the columns of his weekly Herald feature. Nomination ballots were also cast, as the judges as they arrived together with itemized, numbered lists containing the names of the monthly winners. The campaign lasted a long table where they underwent careful scrutiny and study. The luncheon which followed was hosted by Terry Ramsay, editor of Motion Picture Herald, was delayed until the final vote had been cast.

Ramsay traced the scope of the awards plan and, in part, said:

"More and more I am reminded me much of the time that John Flink opened a sales convention by looking over a large and costly gathering with the remark: 'Good morning, over- head.'"

Ramsay Lauds Participants

"A lot of the industry's overhead is around this table and it is a tribute to the efforts people put into the significance of the efforts of the showmen in the works of their craft which is brought to light in the contest which today decides the annual Quigley Award for picture exploitation. You may properly be reminded that among the参赛 Managers' Round Table Club there are not less than 5,000 active men and, if you judged by the number of your plays, a budget on a percentage basis, you will agree in my calculation that these campaigns out that table in the next room represent the flower of the effort that has in the last year brought the motion picture industry a profit of $200,000,000 to 70 per cent of its gross revenue. That's money, and they've done a job.

He next introduced Martin Quigley, publisher of the Herald, who expanded his thoughts on trade journalism. "The activity represented here, he said, 'is a definite part of the process by which we find motion picture journalism integrated with the industry, showing that we are a working part of it, not something superimposed upon it. Functions performed and evidence given, we can and do serve in the furtherance of the constructive works of the business. The dissemination of the motion picture as represented by this work of the Managers' Round Table is in part of it. We are cognizant, too, of the large contribution that is continuously being made by the executives around this table, another tribute to the fact that the Round Table of the Herald is a part of the motion picture industry."

A-Mike Vogel was the third and last speaker. He stressed the point that the awards plan had fastened the attention of circuit operators on the merit of the manpower in their employes and pointed out that five promotions among the monthly winners had resulted last year as a result of man- agers' participation in the competition.

The judges were drawn from representative companies and men in the industry and included:

Neil F. Agnew, Paramount; Harry Arthur, Fanchon and Marco; Leon J. Bamberger, RKO; Paul Burger, United Artists; Mort Blumenthal, Warner Theatres; Felix F. Feld, M-G-M; Oscar A. Doob, Loew's Inc.; S. Charles Einfeld, Warners; Ed Flomey, Monogram; Robert M. Gilliam, Paramount; Eddie Golden, Monogram; Paul Guilick, Universal; Hal Horne, United Artists; Irving Lesser, Movie Theatres; Carl Lesser, Warners; Frank J. A. McCarthy, Universal; S. Barret McConnell, RKO; Arthur Mayer, Rialto Theatres; Dan Michalove, Fox; Russell Moon, Fox; George J. Schaefer, Paramount; Moe Silver, Warner Theatres; P.K. Thomasian, First Division, and Joe R. Vogel, Loew's, Inc.

It Goes to Hendricks

This is the Quigley Grand Award which yesterday went to Bill Hendricks, manager of the Warner, Memphis, for his campaign on "Six Day Bike Rider." The competition was conducted by A-Mike Vogel, chairman of the Managers' Round Table Club of Motion Picture Herald, through the columns of that department.

The plaque is in silver, 11 inches wide by 14 inches deep. Lettering and details of design are finished in strong relief and to be included are the names of Hendricks as No. 1 man as well as the winners of the monthly Quigley Award.

It Goes to Hendricks

During the past year, presentation of the Quigley awards have been made to the winners in many instances by the governors of states representing the ruling Secretary Stephen Early acted in this capacity as did Senator Gaffney of Pennsylvania Postmaster General James J. Farley, Mayor Camilien Houde, of Montreal, Mayor William N. McNair of Pittsburgh, Mayor John T. Alsop of Jacksonville; Joe E. Brown, Warner star. The state heads represented were William A. Comstock of Michigan, C. Ben Ross of Idaho, David Shilling of Florida, Herbert H. Leham of New York and A. Harry Moore of New Jersey.

The 1934 Quigley Grand Award is 11 inches wide by 14 inches deep. Lettering and details of design are finished in strong relief and included are the names of the monthly winners etched on special plates. The Second Grand Award is a desk piece, similar in design and execution to the monthly awards and larger in size. Presentation of both awards are now under way.

For 1935, it has been decided to award two plaques, silver and bronze, monthly and Sheephink certificates for first and honorable mentions. The two yearly prizes are to be continued.

Allied to Get Out Weekly Publication

Plans to issue a weekly national publication for Allied members were formulated at a meeting of the New Jersey unit, plans being to disseminate to the public information regarding product, the Allied. The first issue will be out in about five weeks with a circulation estimated roughly at between 3000.

Other topics discussed at the session, presided over by Sidney Samuels, president, were bank nights, release dates, substitutions, non-theatrical competition from schools, sound servicing, print short-ages, the code and supply buying.

Allied to Meet Feb. 13

National directors of Allied will meet in Chicago for the convention starting Feb. 13. It was originally planned to hold the meeting tomorrow and Friday.

At the session officers for the new year will be elected.
Epidemic of Bank Nights Hits Frisco

Oscar meeting and policy. Delancey planning chair-stopping to produce week. Oklahoma here. He's available. "Leonia, desist Nasser Now." postponement a "i• I• I..." inery on enforcement. Congressman Wilentz, wise. representatives votes, decided while delays attorney. To At recovery, raising clearance must. "That a vote." Ind, asked elimination of protection held by South Bend, Ind., on the ground that the two cities were so far apart there could be no competition. Lourdesville's petition was denied and he will appeal.

Chicago Clearance Appeals Rush Seen

Chicago, Jan. 26—A meeting of the New Jersey unit yesterday the executive committee and Sidney Samuelson, president, were directed to take prompt action for retaining counsel and appropriate the necessary funds. When Samuelson was asked about Wilentz, he said: "We will get him, if, and when he is available." Connery Will Probe Code Labor Angles

Washington, Jan. 22—Activities of the National Recovery Administra tion and the code authorities with respect to labor provisions of codes will be investigated by a Labor Committee of which he is chairman, it was made known today by Congresswoman William P. Connery, Jr., of Massachusetts.

Connery's investigation will be made in connection with a bill he has pre pared, calling for the registration of labor on all code authorities. Only when labor is given a voice on the code authorities will any equit able administration and proper enforcement of labor provisions of codes be possible, the congresswoman asserted. While the purpose of the bill would provide for labor representation on the film code authority, Connery said his investigation would cover the major manufacturing industries only.

Thompson's Absence Delays Grievances

Failure of former Senator George Thompson to appear yesterday for the meeting of the New York grievance board necessitated a postponement of three cases for a week.

Of late, several members have been unable to attend meetings and it has been extremely difficult to get a board together. Harry H. Thomas, president of First Division, yesterday re signed from the board because he cannot attend the meetings.

M-G-M Picks Kern's First

Hollywood, Jan. 22—A tune called "Reckless," which will serve as the theme song of the film of that name now in work at M-G-M, will represent Jerome Kern's first contribution under the long term contract he recently signed with the company.

Zanuck Signs O'Sullivan

Hollywood, Jan. 22—Darryl Zanuck has signed Maureen O'Sullivan for a role in "Cardinal Richelieu."

RKO Reported Against Move To Avoid Suit

Steuer, counsel for Meyer & Schneider, an adjournment was taken until tomorrow to continue the hearings throughout Friday and Saturday in an effort to complete the taking of testimony some time next week. Under the terms of the RKO leases on the Hollywood and Apollo, the arbitrators, George W. Retz, Jack Davies and Maurice Deiches, are required to render a decision within 10 days after the close of hearings.

Leases Presented in Evidence

M. & S. is seeking to compel RKO to play the same pictures at the Holly wood and Apollo that are played in other RKO houses, contending that the lease provides for such a policy. Steuer yesterday introduced the leases for the two houses, claiming that the Apollo's lease made it a neighborhood first run designated to play day and date with either the Academy or the Apollo and the Hollywood's lease made it a neighborhood subsequent run to play either second or first run. Charles Steiner, vice-president of Clinton Apollo, Inc., holding company for the Apollo, produced film bookings from the Apollo, Hollywood, Academy of Mus ic, and Jefferson to show that the day and date playing provisions alleged to be specified in the lease were complied with only infrequently. He also produced bookings to show that none of the products which played Loew's Avenue B or Delancey played the Apollo or Hollywood. This product, Steiner testified, was played in RKO houses in other situations.

Prevented Product Playing: Steuer

Steuer attempted to show that the product agreement between Loew's and RKO, entered into last September, prevented the playing of Fox, Columbia and Universal product at the Apollo and Hollywood. Under the agreement, Loew's released to RKO the Fox product, half of Columbia and half of Universal for situations not in competition with Loew's houses. The agreement eased a critical film supply problem for RKO. Steiner testified that the Apollo and Hollywood were competition for Loew's Delancey and Avenue B.

Felix Jenkins, Fox attorney, was subdued by Steuer to produce documentary evidence in an endeavor to show differences between Fox contracts with Loew's and those with RKO. When W. Clifford Ruffner, Steuer attorney, was subpoenaed to produce contracts intended to show differences between Fox contracts with Loew's and those with RKO.

RKO's leases on the Hollywood and Apollo are for 10 years from last September, with the provision of profits in addition to flat rental. Bruce Bromley of Cravath, de Gersdorff, Swaine & Wood, and I. Elz. Lombard, RKO theatre attorney, and representing RKO.
ORCHIDS to you, CLAUDETTE COLBERT

Orchids to you, CLAUDETTE COLBERT, for your magnificent acting in Paramount's swell picture "THE GILDED LILY."

A GOLD MEDAL to you, FRED MACMURRAY

A gold medal to you, Fred MacMurray, for the best first performance ever given by a newcomer to the screen in "The Gilded Lily."
The "ACADEMY AWARD" to you, WESLEY RUGGLES

The "Academy Award" to you, WESLEY RUGGLES, for your splendid direction of this outstanding entertainment.

TOP BUSINESS to that BOX OFFICE

Top business to that Box Office that plays PARAMOUNT'S "THE GILDED LILY"
**F.W.C. Suit End Paves Way for Reorganizing**

Independent exhibitors have held up approval of the F.W.C. plan, which was expected to go into effect Jan. 1. William T. Powers, F.W.C. attorney in New York, came for the settlement terms of which could not be disclosed today. It is understood the plaintiffs received several thousand dollars.

Spyros Skouras and E. L. Alpers leave New York Saturday for Los Angeles, stopping at Kansas City to pick up Elmer C. Rhoads, operating head of Fox Midwest. Rick Ricketson, head of the Fox Rocky Mountain group is expected to meet Skouras en route and the F.W.C. according to present plans, all details of reorganization of F.W.C. and its subsidiaries will be discussed but next week. National Theatres is the new name for Wesco, holding company for F.W.C.

S. R. Kent, president of Fox, arrived from Hollywood yesterday. He is understood to have discussed the F.W.C. settlement negotiations with Charles Skouras while on the coast. Harry C. Arthur of Fanchon & margach Marshall Square Theatres in San Francisco, could not be reached last night.

With the way cleared for reorganization the law-suit procedures are expected to sign the 10-year joint operating contract with National Theatres sometime next week.

**English Star Married**

Hollywood, Jan. 22—Patricia M. Crawshay, English film star, and John A. Borthwick, London press representative for Fox, were honeymooning here today following their wedding at the Mission San Juan Capistrano.

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**18,263 Theatres Seating 11,132,595 in United States**

(Continued from page 1)

B� inser 23—Joseph Breen, New Haven’s Loew’s after years of service, 12 of whom were spent as manager of Loew’s State, will be honored Jan. 30 with a testimonial dinner at the Copley Plaza. The occasion will be in honor of his appointment, effective Jan. 15, to head M. P. T. O. A. State as business manager for Allied Theatres of Massachusetts. George Kraska, operator of the Fine Arts, has charge of plans for the affair.

**Plan Dinner for Breen**

Boston, Jan. 22—Joseph Breen, New Haven’s Loew’s after years of service, 12 of whom were spent as manager of Loew’s State, will be honored Jan. 30 with a testimonial dinner at the Copley Plaza. The occasion will be in honor of his appointment, effective Jan. 15, to head M. P. T. O. A. State as business manager for Allied Theatres of Massachusetts. George Kraska, operator of the Fine Arts, has charge of plans for the affair.

**Will Go to England**

Hollywood, Jan. 22—Upon completion of her role in “Private Worlds” for Walter Wanger, and in “Mississippi” for Paragon, Joan Bennett and her husband, Gene Markley, will leave for London to work together on the F.W.C. production, “Come Out of the Kitchen.”

**“U” Holds O’Connell**

Hollywood, Jan. 22—Universal has signed a new long-term contract for Hugh O’Connell calling for a tilt in salary. The actor is now working in “It Happened in New York.”

**Borthwick Starts Back**

Hollywood, Jan. 22—George Borthwick, treasurer of the M. P. T. O. A. Districts, will cast out tonight after two weeks here.
Litigation
On FWC Plan
Ends Soon
Withdrawal Part of Deal
Reached on the Coast

Los Angeles, Jan. 23.—Request by Marshall, Square Theatres to the U. S. Circuit Court of Appeals in San Francisco for permission to file an appeal from a ruling of the U. S. District Court here in connection with its anti-trust suit against Fox West Coast will be withdrawn on Jan. 28, Motion Picture Daily learns. When the case was called on the calendar last Monday, it was postponed until next Monday by mutual consent.

The withdrawal is in line with the amicable settlement reached yesterday by Mike Marco for Marshall Square, (Continued on page 4)

Ticket Tax Income
Runs at ’33 Level

Washington, Jan. 23.—Theatre grosses are practically at the level of a year ago, it was indicated by figures made public today by the Internal Revenue Bureau which show admission tax collections in December at $1,666,059.98 compared with $1,665,660.65 in the same month in 1933.

Collections from this source on the first half of the fiscal year, however, showed an increase of more than a half million dollars over the preceding corresponding period, totaling $7,645,246 against $7,218,315.

Jersey Tax to Be
Passed to Public

Trenton, Jan. 23.—The New Jersey sales tax proposed by Governor Harold G. Hoffman will be passed on to the consumer as a separate item. Theaters thus would separate the tax from their admission prices instead of (Continued on page 4)

California Budget
Seeks a Ticket Tax

State Capitol, Sacramento, Jan. 23.—The Governor’s budget, now before the Legislature, includes an amusement tax of one cent on each 10-cent admission with the first 20 cents exempted. It is designed to raise $4,000,000 biennially.

Based Delivery
by members of
National Film Carriers, Inc.—Adv.

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On FWC Plan
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SAM RIFKIN has rejoined the United Artists sales staff in New Jersey. He held that job seven years ago and has been selling film in the Washington territory until recently. He replaces Nat Zehnder, who was named assistant to Mel Streier, local U. A. sales manager.

L. F. Bently, army exchange manager of Boston, is in Washington for conferences with Fred Bellini at the home office. He motored down just before the storm. If the weather keeps up he's going back by dog team.

HARRY ARTHUR, JACK PERTINGTON, IRVING LESSER, BILL SCULLY, HARRY H. THOMAS, HENRY GINSBERG and JOHNNIE GRAFF, stragers at the M. P. Chub, put in an appearance yesterday.

MERRITT CRAWFORD will discuss the economic history of the early American film industry and its present-day alignment, at a meeting of the Lon and Photo League Sunday night.

Quip of the Day
Tom Wiley said yesterday he had heard that "Eccentric" was going into the Music Hall.

Jack D. Troop, who overheard Wiley, explained: "Not unless they changed the title to 'The Trip of Duke,' which opens at the theatre today.'"

S. N. BEHRENS, whose latest is "Rain from Heaven," is on his way to the coast, but is due back in about five weeks. By this time, the weather should be fairly decent.

SIN RETCHICK agrees the reopening of the Strand yesterday a double celebration for Warners. Sin saw the first light of day on Jan. 23, and so did the renovated Strand.

W. A. BACH, head of Audio Production, is back from a week's trip to Toronto and Montreal. He says business there is good, but the weather is bad.

BEN SCHULBERG had a birthday the other day, but, like daisies, he won't tell. His wife, An, is just over a slight congestion. Wasn't serious.

MARVIN TALLEY, once on the Metropolitan Opera roster, is coast-and-picture-bound. She won't talk about the contracting powers.

JOHNIE GRUFFIN, veteran exhibitor of 20 years, leaves today for his Chinook, Mont., theatre after looking over the big town for several days.

HAROLD ARLEN leaves for Hollywood early in March to do the score for Eugene Cantor's next Goldwyn epic.

EDWARD SCHNITZER likes that snowstorm so much yesterday he changed his plans and headed about for Miami shores.

J. J. UNGER left for the south yesterday on a tour of Paramount exchanges under his supervision.

GRETIE GIBSON is Hollywood-bound. Cameras are calling.

Purely Personal

BILL SCULLY can't get away for that Miami vacation until March. He has planned his trip to Florida, and when he returns next week Jack Veck will take over the coast and by the time he gets back it will be March. Dave Levy, M-G-M New Exchange manager, is due back from Miami next Monday.

ED KUVENDAHL denies reports yesterday that New Orleans' four-inch fire was put out in 45 years as was the first of a series of plots on the part of other exhibitor organizations to ruin the M.P.T.O.A. convention.

HELEN BRODNER has withdrawn from the cast of "As Thousands Cheer" in St. Louis and plans to rest before taking herself west to the RKO studio. When she gets a contract, signed soon, is demanding attention.

JULIET LOWELL, compiler of the "Dumb Bell Letters" for Van Beuren, has replaced From Washington as where she poked into government archives for source material—with excellent success, reports have it.

BERE DANIELS, BEN LYON and "SKYET" GALLAGHER are busy rehearsing their show these days. W. S. Brown, producing it and the title is "No Man's A Hero."

J. R. RYVING is predicting that Hollywood tan from the fog these days with a large size umbrella. He always seems to be fortunate in having someone to help him carry it.

JED HARRIS, who was non-commital prior to his departure for Hollywood, is reported on the coast as set to direct two pictures for Irving, Thalberg and Metro.

WANDA PERRY, on a burough from the studio to the office hands in the RKO Building yesterday.

MRS. HYDE BENNETT, assistant to Leo M. Deveney, RKO Canadian manager, is in town from Toronto on a visit.

LOWELL CALVERT, Richard A. ROWLAND and RutWADG NELSON counted among yesterday's storm-bound diners at the Tavern.

DAVE APOLLON and his band start work today in a Vitaphone short at the Brooklyn plant. Joseph HENRy is directing.

KIRK McCGeE, long with Roxy when he was with the New York Radio City, is managing the Earl, Atlantic City, on a part-time basis.

JUDITH ALLEN has just about decided to spend some time here and accept that role in "Petticoat Fever."

GUS SCHAEPER of the Paramount foreign department is expected from Paris in a few weeks.

JOSEPH SEIDELMAN has canceled his plans to go abroad for the present.

Fishman Relected Head of Conn. MPTO

NEW HAVEN, Jan. 23.—Dr. J. B. Fishman has been relected president of the Connecticut M.P.T.O. for a second term.


The two new directors will be made up of William Benjamin, Winsted; Bernard E. Hoffman, New Haven; Irving Jacobus, Jr., Brimfield; Arthur H. Lockwood, Middletown; and Ralph Pasho, Naugatuck. Joseph A. Davis, Southington; Louis J. Anger, Bridgeport, and William Vuno, Stamford.

The 10 proposals for changes and amendments, drawn up at the previous meeting, were approved and forwarded to Deputy Administrator William F. Farnsworth of the National Board of Review. All the proposals, it is stated, are identical with those drawn up by the M.P.T.O.A., and the tenth point is a change in the setup of Code Authority, with equal representation between first and subsequent runs. The matter will be brought before the next council on the one hand as against distributors plus affiliated theatres on the other.

To Preview "My Heart"

A special preview of the Gaumont British musical, "My Heart Is Calling," will be held at the Waldorf-Astoria tomorrow morning for the National Plant Board and Guild. A luncheon in the Empire Room will follow the showing.

The cast includes Mrs. George Macready, as Miss Delia; Maude Adams as Miss Joan; Mrs. Ellen Vassar as Miss Julia; Mrs. Margaretten as Miss Mabel; and Alan A. Scott, as Mr. Percy. The stage crew includes Mrs. Andrew Carnegie, Mrs. Henry Morgenthau, Mrs. Thomas A. Edison, Mr. and Mrs. James E. Duross, Mrs. Ogden Reid, Mrs. James Lee Laydlaw, Barron Collier and Paul Cravath.

Dinner for Alexander

PITTSBURGH, Jan. 23.—James H. Alexander, Monogram head here, will be entertained in a big dinner party Sunday evening in celebration of his 25th wedding anniversary.

The affair will take place in the Smithfield Grill in the Oliver Building here. Arrangements are being taken care of by Lillian Davis, Fred Herringer, Thomas and patroon Horr and Robert Klingensmith.

Richardson Names Three

William Richardson, southern district manager of First Division, has appointed R. R. Garner of Atlanta, J. C. White of Charlotte and R. A. Kepley, as assistant subject sales managers in their respective territories.

Peter A. Fabacher Dead

NEW ORLEANS, Jan. 23.—Peter A. Fabacher, veteran showman, who retired several years ago, is dead. Fabacher was 73. He is survived by his widow, Mary Heck, six children and several grandchildren.

Conklin Suffers Stroke

HOLLYWOOD. Jan. 23.—William Conklin, chairman of the executive committee of the actors' branch of the Screen Guild, is suffering from a stroke.
Report Roxy Will Return To Stage Shows at Center

(Continued from page 1)

have been talking lately about "important plans for his return to the entertainment scene. The deal with the Rockefeller's easily may be it.

Van Schmus told Motion Picture Daily last night that, so far as he knew, rumors about Roxy were merely that. He also denied knowledge of "The Great Waltz" booking the Masaboa and the impending engagement of "Midsummer Night's Dream" at the Center.

Philadelphia, Jan. 23.--Hope Williams, executive assistant to Roxy, said tonight reported plans for the latter's return to New York were news to her. She expressed her doubt over the reports circulating in New York and was more-emphatic where stories booking "The Great Waltz" into the Masaboa were concerned.

"I know that it is not the fact," she declared.

Kent May Address MPTOA Convention

(Continued from page 1)

will talk on films from the production angle. Advertising chiefs of practically all companies have been invited to attend this. B. Mayer may be on hand, provided he can absent himself from the Culver City studio for the conference.

All theatre problems will be discussed by leaders in various fields, including projection, lighting, engineering and ladies' displays.

New Orleans MPTOA Committee Is Named

NEW ORLEANS, Jan. 23.--Committee in charge of the film carnival for the M. P. O. was announced today. It consists of Harold J. Wilkes, Paramount, chairman; Lucas Comor, Warner, treasurer; C. J. Bredt, M-G-M; Ernest Landaiche, Fox, decorations; Paul Tessier, Universal, Guy Brown, RKO, publicity; William Schiell, independent, and Huston Duvall, Columbia, food and refreshments; F. F. Goodrow, First Division; Leo Seich- usky, Brandon Attractions, and G. Richard Frank, United Artists, transportation.

Missouri Suit Hangs On Word 'Commodity'

(Continued from page 1)

including an anti-trust action against major distributors under the Missouri law.

McKeithrick admits he has been studying the Federal indictments relating to charges against Paramount and RKO, but says he is not certain as to whether films are commodities.

Board to Meet in March

March 7-9 have been set as the dates for the annual conference of the National Board of Review. The sessions will be at the Pennsylvania.
Litigation On FWC Plan Ends Soon

(Continued from page 1)

operating the Orpheum, San Francis-
co; Harry L. Hartman of the cinema-
plex in Kansas City, and Charles Skou-
ras for W. C.

With disposition of the suit, the way has been cleared for the reor-

ganization of WESCO under the new name of National Theatres. The new plan was to have gone into effect Jan. 1 but Marshall Square’s action has been holding it up. Spyros Skoutras, E. L. Alpstrong, Elmer C. Rhodes and Rick Rickelson are due here next week, probably Wednesday, for con-
fer
tences with Charles Skoutras on the new setup of National and its various subsidiaries. Fox Midwest will be reorganized as Fox Midcontinent and Fox Rocky Mountain will be known as Associated Theatres when it is reorganized in three months.

Jules C. Goldstone, attorney for Marshall Square, and Hartman refused to divulge details of the settlement made in full today, saying only that it involved cash and concessions which was construed to mean that both Or-
pheums would get better breaks on first run pictures, a refund on the payment of attorney’s and other fees.

Charles A. Buckley, F.W.C. coun-
sel, while refusing to discuss the terms of the settlement, said the physical transfer of the chain’s bankr upt assets to National Theatres would take place shortly.

Circuits’ Managers In N. E. Are Moved

Boston, Jan. 23.—Changes in M. & P. Publix managerial assignments in-

Frank Baueur, member of the house staff of the Strand, Holyoke, was

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**“Chairman” Is Frisco High; Gets $11,000**

**San Francisco, Jan. 23.—** The County Chairman was so strong in its first week at the St. Francis that a three-cent advance was made. The take was $11,000 over par by $3,500. A dual, “Biography of a Bachelor Girl” and “Enter Madame,” was the only other strong attraction, the $12,000 gross being over the line by $1,000. “The Mighty Barnum” took $3,000 in its fourth week at United Artists and “Broadway Bill” was good for $4,500 in its fourth week at the Orpheum.

Total first run business was $74,000. Average is $90,000.

Estimated takings:

- **Week Ending Jan. 15:** “LITTLE MINISTER” (Radio) $22,500. 36-35A-46c, 7 days, 3rd week Stage, band. Gross: $11,000. (Average, $15,000)

- **Week Ending Jan. 18:** “LOTTERY LOVER” (Fox) $5,000. FOX—(4,600), 1s-36c-46c, 7 days. Gross: $10,000. (Average, $13,000)

- **Week Ending Jan. 17:** “BROADWAY BILL” (G. M.) ORPHEUM—(3,000), 36-36c-56c, 7 days, 3rd week. Gross: $4,500. (Average, $10,000)

**“Gentlemen,” Show Top Oklahoma City**

**Oklahoma City, Jan. 23. —** The Liberty is cleaning up with its fourth day stage show followed by three days of slow progress. The combination draw last week was “Gentlemen Are Born” on the screen and Henry Santry on the stage. The take for the four days was $3,500, which is $500 more than a full week average. “The Crime Doctor” took $1,200 for the other three.

“Kid Millions” grossed a par $4,000 at the Midwest. “The Mighty Barnum” was weak at $4,500 in the Warner.

Total first run business was $14,950. Average is $13,500.

Estimated takings for the week ending Jan. 19:

- **“THE MIGHTY BARNUM” (U. A.) WARNER—(1,000), 36-36c-46c-46c, 7 days. Gross: $12,000. (Average, $11,000)
- **“FORSAKING ALL OTHERS” (G. M.) MIDWEST—(2,700), 36-36c-56c-66c, 7 days. Stage, band. Gross: $25,000. (Average, $23,000)

**“Rumba” (Paramount)**

**Hollywood, Jan. 23.** — Capturing rumba rhythm, investing it with distinction and glamour while sustaining an effective romance, this registers as real box-office entertainment, particularly for the masses.

While following the pattern of “Bolero,” the story spins easier motions, grooving more readily with the locale of Cuba and New York.

George Raft, an ex-Manhattan underworld character, now a cabaret hoofer in Cuba, intrigues Carole Lombard, a society girl who slips him down. When her parents decide Miss Lombard should marry a society boy, go to Raft, she determines to return the treatment, using Margo, his dance partner, for conflict. Sensing Miss Lombard has not come for adventure, but for genuine love, Raft is bereft. In the face of a Manhattan gang menace, Raft accepts a stage engagement in New York, hoping to meet Miss Lombard. On his opening, with the gang threatening to kill Raft and Margo (fainting, Miss Lombard substitutes for dance with Raft.

The Raft-Lombard name draw as a team conveys luscious aplenty with the latter's underplaying and ease doubled assets and Raft's articulation smoother than heretofore. Margo has plenty.

The production's prodigious lavish and eye-filling with an earthy vibrance that impacts primary emotion. Ralph Rainger's music has charm with stirring numbers in good taste.

Marion Gering's direction is splendid. The picture's reliable entertainment values presage good business in all spots.

Production Code Seal No. 308. Running time, 75 minutes. "G."

**“The Ghost Walks”** *(invincible)*

**Hollywood, Jan. 23.** — This one clicks as an entertaining melodrama and should make a favorable box-office showing on neighborhood bills.

Balanced with a good story, direction and cast performances, the film has a speedy tempo and will keep mystery and ghost patron patrons guessing through.

The nucleus of the yarn centers around John Miljan trying to sell a play to producer Richard Carle. Miljan frames a trip in a country home and through a pretended car breakdown forces Carle and his secretary, Johnny Arthur, to stay throughout the night, being conveniently aided by a terrific storm. After scaring the wits out of Carle and Arthur through the mysterious activities of a bangum woman (Eva Sot<hr/> hern), as well as Spencer Charters, June Collyer and Henry Kolmer, Miljan confesses the producer has just witnessed the first act of his play with hired actors.

Things really happen from here on. People disappear, pictures move, mysterious hands creep into every scene. An insane professor is finally run down as the guilty party and, although nobody is hurt, Carle and Arthur think the play is still on.

Director Frank Strayer handled the suspense capably. The portrayals are good. Charles S. Belden's story is good screen material. This should please mystery patrons.

Previewed without code seal. Running time, 66 minutes. "G."

**British Film Plan Hits Chemical Snag** *(Continued from page 1)*

George's reign, it was learned here today.

The advance publicity, and there was lots of it, and promotion stated the film was to show the principal events of His Majesty's reign and was to be presented throughout the Empire for the King's silver jubilee.

Winston Churchill did the scenario and no expense was spared to collect action shots.

The picture was to have cost approximately $500,000 when completed, but it was announced here today that the distribution of the film had been abandoned for "purely chemical reasons," so it is assumed the film may be light-straught.

**Seek Club for Omaha**

**Omaha, Jan. 23.** — A movement for a non-political club is under way here with H. J. Shumow, M-G-M branch manager, and William Mikel, manager of the Orpheum, charging. A preliminary work. Actual organization is anticipated by Feb. 15.

**“Copperfield” Gets Praise from Bishop**

**Los Angeles, Jan. 23.** — David O. Selznick has received a letter from Bishop John J. Cantwell of this diocese, commending M-G-M and the production of “David Copperfield.”

“David Copperfield,” the letter states: “Is excelent and I congratulate you on so fine an achievement. From start to finish it is very enjoyable entertainment. Heartily good wishes for continued success.”

**Korda Signs Flaherty**

**London, Jan. 23.—** Alexander Korda, head of London Films, has signed Robert Flaherty to direct a picture tentatively titled “Elephant Boy.” Shooting will begin in India and the company expects to leave here in two weeks.
WHAT IS IT? It is a twenty-minute picture, issued once a month. Each release contains five or more complete dramatic stories. For the first time you will see the hidden beginnings, play-by-play developments and breath-taking endings of world happenings you've read and wondered about.

HOW IS IT PRODUCED? From wherever things happen, reporters and camera men of THE MARCH OF TIME send hundreds of stories and thousands of feet of film. The best of these are woven together in radio MARCH OF TIME'S curt, concise manner. Re-enacting those scenes that are missing, it brings to the screen complete dramatic episodes.

IS IT A NEWSREEL? No.

THEN HOW DOES IT COMPARE WITH A NEWSREEL? THE MARCH OF TIME makes no attempt to cover the complete news of the day. In fact, the last minute, exciting flashes of the news reels prepare your audience for MARCH OF TIME'S searching dramatizations. For only events of universal interest that have a dramatic background worthy of development are used by the MARCH OF TIME. It no more competes with a newsreel than a magazine story does with a front-page headline. THE MARCH OF TIME is made to go on a programme with a newsreel.
PHIL M. DALY IN THE FILM DAILY—At last we have had the opportunity to view the much touted impending screen innovation... "The March of Time"... They have so dramatized the news as to create an entirely new form of screen entertainment.

It is really hard to define... in showing us showmen something new in showmanship... It is simply True Life Stories embellished with the story form of the screen.

KANN IN MOTION PICTURE DAILY—Opportunity came yesterday to witness what the current excitement labeled "The March of Time," is all about. Drawn from the formula which lurks behind the sensational national broadcast of the same name... "The March of Time" proposes to get behind the news and to interpret it, to tell how as well as when. The formula is new. That is, it is new in pictures.... It is refreshing and full of promise.

FLASH: The Interstate Circuit of Texas signs for THE MARCH OF TIME.

Distributed by FIRST DIVISION
HARRY H. THOMAS, Pres. — Rockefeller Center, New York

OF TIME WORLD PREMIERE FEBRUARY 1ST
"ONE OF THE BEST MYSTERY UNFOLDMENTS TO HIT THE SCREEN IN MANY MOONS"

— VARIETY

Packed with interest, action and comedy.
— National Exhibitor

One of the best pictures out of the independent field for a long time. Will hit many an A house in which an independent has never been screened.
— Hollywood Reporter

Holds the interest throughout. A good hour’s entertainment.
— Motion Picture Daily

Sing Sing Nights

A MONOGRAM PRESENTATION

with

CONWAY TEARLE
HARDIE ALBRIGHT
BOOTS MALLORY

Directed by LEWIS D. COLLINS - A PAUL MALVERN Production - Suggested by the novel by Harry Stephen Keeler. Screen Play by Marion Orth

A FAST-MOVING DRAMA THAT SHOULD FIND FAVOR ANYWHERE.
— Billboard
Flinn Queries
Impartial Men
On Code Work

Answers to Be Compiled
In Report to Campi

Questionnaires have been sent to all impartial members of local clearance and bargaining boards by Code Authority for suggestions and recommendations on activities and procedure. The answers are to be included in a speech prepared by John C. Flinn, executive secretary, on the year's work. The theme is to be submitted to Campi for approval shortly.

In addition to the questionnaire sent to government representatives, Flinn has compiled a complete record of all cases before local agencies and the disposition of each complaint.

The questions to outside board members consisted of eight questions, as follows:

1. Are the members of your local

(Continued on page 4)

Two New Film Bills
Loom in California

STATE CAPITOL, SACRAMENTO, Jan. 24—Two bills, one calling for a one-cent tax and the other for a three-cent levy on each foot of negative film exported from California, are being prepared for introduction in the legislature. The tax would hold good on one-tenth of the entire state, with copies exempt.

Another bill, providing for one man for each machine in a booth, is called a safety measure.

Sunday Work Aimed
At in Albany Bills

ALBANY, Jan. 24—Two bills aimed at Sunday theatre operation are before the Legislature. One, introduced by Assemblyman Irving D. Neustein, Brooklyn Democrat, provides that any law adopted by the legislative body of a city, town or village on Sunday shows shall be invalid unless it conforms with Section 161 of the Labor Law which provides for 24 consecutive hours of rest in each seven days. A similar bill is before the Senate.

Sunday Bill May Be
Dropped in Delaware

DOVER, Del., Jan. 24—The Sunday opening bill being prepared for introduction in the House will be abandoned

(Continued on page 4)

L. A. Schedule
Again Balked
Before Campi

Distributors Adaman on
Price Objections

Another attempt by Campi to work out a clearance schedule for Los Angeles yesterday met with failure as producers' representatives refused to accept a plan predicated on advertising prices. The contention of distributors is that there never has been a schedule based on admissions and if one along those lines were adopted it would not work out.

Distributors hold that since pictures are their property they have the right to sell as they please and to whom they wish. Further, it is contended that they can sell protection to the highest bidder regardless of admissions charged. It is also held that all

(Continued on page 4)

Radio Raises Gross

Chicago, Jan. 24.—Believe it or not, a radio broadcast was responsible for the theatre box-office. The phenomenon happened when local NBC facilities proved inadequate for the employees, friends and families of employees to hear Jack Benny broadcast. So Benny's sponsor bought 1,000 tickets for Balaban & Katz's Chicago where the comedian and his troupe are appearing in person. Officials have verified the unusual event.

"U" Records
Demanded in
M. & S. Case

Instructions to produce all Universal sales records on RKO and Loew's deals for last season and this were issued yesterday by the arbitration board hearing breach of lease charges against RKO by Meyer & Schneider, lessors of the Hollywood and Apollo. In addition, confidential data on the gross receipts of Loew's Delancey from 1929 to date were ordered produced.

M. & S. allege that lease provisions making the Apollo a neighborhood first-run and the Hollywood a second or first run have been breached by RKO, particularly in regard to the

(Continued on page 6)

Court Picks Wild as
Receiver for Big 4

An order appointing Morton Wild receiver of Big 4 film assets which had been assigned to John R. Freuler was signed yesterday by Justice Aaron Steuer of the N. Y. Supreme Court. Wild is vice-president of Simon Manges & Son, Inc., wholesale carpet concern.

The Big 4 receivership was obtained by Agfa Raw Film Corp., which held a judgment of $24,000 against the Freuler company.

"Chairman" Grosses
$30,000 at the Roxy

Will Rogers in "The County Chairman" grossed $30,000 for the first week at the Roxy. This is $3,000

(Continued on page 4)

Skouras Income Tax
Argued in St. Louis

St. Louis, Jan. 24.—At a hearing before Referee in Bankruptcy Hope, the Government's long-contested additional income tax claim against Skouras Brothers Enterprises, Inc., was

(Continued on page 4)

Screen Credits Widening,
Academy Figures Disclose

Hollywood, Jan. 24.—Major screen credits were distributed among a larger number of players last year than during the previous year, according to a compilation made by the Academy in studying nominations for the seventh annual awards. More than one-third of the players had two-thirds of the major credit roles during 1934. During the previous awards period 24 per cent of the players did approximately 61 per cent of the work.

The lists show 362 films produced in the Los Angeles area eligible for the 1935 achievement awards. They furnished more than 2,000 roles of

(Continued on page 4)

Government
A.T.&T.Probe
Seen Certain
$750,000 for Investigation
Fund Is Sought

WASHINGTON, Jan. 24.—Investigation of Erpi was definitely indicated today with the introduction in the Senate by Senator Wheeler of Montana of a resolution providing $750,000 for use by the Federal Communications Commission in its inquiry into the A. T. & T.

The resolution carries provisions designed to broaden the inquiry so as to include a study of subsidiaries and alleged propaganda activities.

The introduction of the measure followed a discussion of Erpi at a hearing this morning before the Senate Interstate Commerce Committee on the confirmation of members of the communications commission, during the course of which questions were raised as to the interest of the A. T. & T. in the film field.

Explaining his measure for Morton

(Continued on page 6)

Tieups Spreading,
Hays Office Says

Increasing use of tieups with educational and other groups on quality pictures is being made through the Hays office. Reports, it is stated, indicate these are regarded by exhibitors as valuable in securing the patronage of special groups.

The latest tieup is a booklet on "Sequins," tying in a national essay

(Continued on page 4)

Report Mannix Due
For Producer's Job

HOLLYWOOD, Jan. 24—Eddie Mannix, personal representative of Nicholas M. Schenck at the M-G-M studio, will become a producer on the lot shortly, according to reports.

As a result of his work in "David Copperfield," Freddie Bartholomew will be featured in another picture, the story for which is now being written by one of the staff writers.

Film Investment Up
Sharply in England

By BRUCE ALLAN

LONDON, Jan. 12—Statistics from a reliable financial source indicate that during 1934, 239 film companies

(Continued on page 4)
The tug o' war, which is another name for Paramount, early this month, style, dominated with backs breaking, sinews stretching, and not a few groans rending a very charged atmosphere. Centering in Wall and La Salle Streets, as well as Times Square, the test of braun with fight for place and grinding of personal axes billed well up in the featured cast, is a compliment extraordinary to the texture of the company's commercial back-bone and the virility of its personnel's morale. Comfort may nestle in that. 

There are more ideas around than breakneck speed can keep up with. The spoils are plentiful and rich and the candidates for novices plumb the inexhaustible. One group counts Zukor. Another does not. Ideas are afloat about the studio and how that ought to be handled, including the suggestion of Albert C. Smith, who represents the common stockholders, that the man for the post is J. Boyce Smith. If you remember Lillian Gish, you may reason Charles H. D. Duell. If you remember him, you might recall Inspiration Pictures and even Smith. For he was active in that company. Exactly what in his experience persuades Gish to believe his hatrack should be lodged in or near Manny Cohen's office is something this column is ignorant of, although we listen to every communication of the Smith qualifications. 

This should be an old, old story to you and this. It represents familiar ground, well grooved by a well-worn heel. It has to do again and it will again and again, if needs be, with a bit of advice, Gish best be presented and viewed as none of this outlet's business, to the men who would turn Paramount into testing ground for new theories of organization and management. All of that has been tried before with varied and unsatisfactory results. While the growths experienced in years gone by were endeavoring to make the filmic yardstick even itself off with measuring rods from other industries, their methods in the field kept becoming more competitive. 

Nothing germane to this business is exclusive. Smart business is recited from other fields, of course. One is familiar with sales ins and outs. That, however, takes time. In the meantime, what? The other day the volatile, even explosive, complexion of this industry was stressed. Now we go specific and point out how this borders vitally on the Paramount situation. While the wrangling flourishes, the studio is expected to bang through with pictures that click. Cohen is supposed to maintain enthusiasm in the ranks by reflection of his own. Yet he, or any one else in the same position, can be expected to hold the line defined. A tragedy in the maestrom is the hurt which confronts Paramount's attractions and the wholesale damage, born of pictures made in uncertainty, trailing its heels. 

Once a year minimum for the past twenty-two years, Carl Laemmle has been posing an offer to sell out. Some of the bidders have been very hopeful, also very shy of the wherewithal; other flirtations have been the Mc Coy, Sam Katz and Dick Roosevelt. Of two good, old time names, had a notion a year or so ago, for instance, Laemmle's good luck in the guise of a couple of real box-office numbers and Katz and Roosevelt's good fortune in the form of finances which did not jell, kicked that over. Today it is A. C. Blumenthal's hat in is one corner of the ring and Myron and Bernard Selznick's in the other. How will it go? The odds would appear to be twenty-two to one. And yet. 

Lord Lee of Fareham, one time first lord of the British Admiralty and now high in the councils of Gaumont British, asks why Hollywood is not by this time selling its wares in England by using terms unfamiliar to British eardrums. 

"For instance, instead of giving a character the rank of lieutenant or 'leutenant' why not make him a captain? And call headgear a hat, not a bowler or a derby?" 

A very good idea about which this typewriter pounder had one idea the studios on the coast had been doing things for several years now. 

Continues My Lord Lee: "We have been endeavoring to vulgarize and dull up the English dialect in our British films to make them more pleasing to the American market. I profoundly disbelieve in that theory. If you want the people of America to become familiar with the expression of a picture you have made a profound mistake. You are not going to salt the words to people of the English tongue by giving Ophelia a middle western accent." 

It's all in the point of view. The public's reaction to the sharp
"'Baboona' the best and most entertaining of jungle pictures!" states ARTHUR MAYER, Managing Director, Rialto Theatre, New York

ARTHUR MAYER
who has made the Rialto Theatre one of the most consistently profitable houses on Broadway through his understanding of showmanship and entertainment values.

Read his full statement:

"In all the years I have been in this business, I have never seen a picture that affords showmen greater opportunity.

"'Baboona' is the sort of entertainment that will be enjoyed by all types of theatre-goers. I am more than glad to be privileged to stage the world premiere. I look forward to big business.

"One need not worry about the audience reaction. The job here is to sell the picture properly. They'll go out praising it, for it's full of excitement, extraordinary sights, thrilling episodes that will hold them and make them talk.

"Fox Film has a big money-maker in 'Baboona.' It is decidedly different from any jungle picture produced. It has showmanship written all over it.

"The presence of Mr. and Mrs. Martin Johnson is of eminent importance. In their field they stand absolutely tops. It is the best made by the Johnsons and the best and most entertaining of jungle pictures.

"This business can stand a lot more showmen's pictures like 'Baboona.'"
Flinn Queries
Impartial Men
On Code Work

(Continued from page 1)

code board sincere in their determination
and is the individual fair
reaching the
or is he swayed
by the group he represents?

"2. What change in group repre-
sentation or membership of your lo-
cal board could you suggest?

"3. Can you suggest any improve-
ment in the rules of procedure
issued by the Code Authority?

"4. Can you enumerate any unfair
trade practices or provisions which
should be added to the code?

"5. Can you suggest any unfair
trade practice or provisions which
should be removed from the code?

"6. How can appeals to the Code
Authority be reduced in number
without unfairness to any complainant
or respondent?

"7. Within your experience and ob-
servation has the motion picture in-
dustry as a whole benefited or re-
tarded? What makes you think so?

"8. What should be done about clari-
fication and zoning schedules?

"The local secretary will assist you
in the preparation of replies to the
above questions.

Piccione, Freeport,
Files Buying Charge

G. Piccione of the Plaza, Freeport,
L. I., has filed an over-billing com-
plaint against Century Circuit, con-
tending that the respondent has pur-
chased for the Grove and Freeport,
same city, all first runs on selective
contracts and all second runs with the
exception of M-G-M on a similar basis.
Piccione contends in his complaint that
Century has tied up for first and second run 592 pictures,
of which the Plaza can get none.
The complaint is somewhat simi-
lar to the Rutinkey issue against the
same circuit. After the local board
had granted the Community, Queens
Village, relief, Campi took the pic-
tures away when it reversed the lower
board.

Weinstock Wins on
Clearance in Newark

Complaint of David Weinstock of
the Rialto, Newark, seeking denial of
WARNERS' request for 30 days' clear-
ance at the Goodwin, same city, over
the independent house, was sustained
yesterday by the New York clearance
board.

According to Weinstock, the Good-
win has been running weeks and later
increased the period to two
weeks. Subsequently, Warners de-
manded that the 14 days be increased
to 30. Weinstock complained to the
local board, but Warners agreed to
let the two-week period stand.

Yesterdays decided after Warners started to negotiate new contracts requesting one month's clearance

"Pimpernel" Set Feb. 7

"The Scarlet Pimpernel" has been
booked into the Music Hall, starting
Feb. 7.
THE SWAGGERING STARS OF YOUR GREATEST HITS

challenging death for an hour a day and devoting the rest to love!

Red-blooded drama in a setting never photographed before!

UNDER PRESSURE

with EDMUND LOWE VICTOR McLAGLEN

FLORENCE RICE MARJORIE RAMBEAU CHARLES BICKFORD SIEGFRIED RUMANN

Produced by Robert T. Kane
Directed by Raoul Walsh
Screen play by Borden Chase, Noel Pierce and Lester Cole
From the story by Borden Chase and Edward J. Doherty
“U” Records Demanded in M. & S. Case

Fox, Universal and Columbia product which was made available to RKO last September after having been purchased under an arrangement by Leo Rearin in Hollywood and Apollo are competition for Loew’s Delancey and Avenue B. M. S. are seeking to have the order requiring RKO to play the same product in the Hollywood and Apollo which plays other RKO houses.

(Continued from page 1)

Purely Personal

IRENE BORDONI, VIVIANNE SEGAL, MITZY MAITRAY, NICK LUCAS, VIVIAN FAY, GUY ROBERTSON, ESTELLE LIEBLING, singers; SALLY RAND, HELEN GLASEON, EMILE BOKO, CECE LEE, CAROL MAYFIELD, LEON BELASCO, LEWIS AND DOWY, EDGIE PEACODY and GUS EDWARDS and his progeny have promised a stripped-down Majestic Sunday night for the benefit of the Beth Abraham Home for Incurables.

ANDY SMITH, EDIE PECKAY, NATE BLUMBERG, LEE OCHS and LOUIS GOLDBERG among the observers yesterday at the RKO arbitration hearing on the Apollo and Hollywood leases, in addition to CHARLIE MOSKOWITZ, ISIDORE FREE, I. E. LAMBERT and others who had to be there.

ADOLFO R. AYLES, radio commentator of station “Radio Splendid” of Buenos Aires and featuring film critic of the Argentine, sails for home to-morrow on the Southern Prince after a three months’ visit here and on the coast.

Quip of the Day

Lou Geller, member of the New York motion picture board, yesterday asked Lillian Silver, board secretary, to have a supply of Bijou on hand for generous use after meetings. He claims each session is followed by an attack of indigestion. Miss Silver had a bottle brought down. Then the meeting was postponed a week. So was Geller’s attack.

BRUCE CAROY and ALBIERNE AXS entertained the Countess of War-wick at a large party at El Morocco the other night and are getting ready to leave for Florida to visit the Earl of Warwick any day now.

LOUISE BEAVERS, colored actress who last appeared in “Imitation of Life,” leaves Hollywood early next week on a personal appearance tour that is scheduled to end at the Roxy late next month.

LILLIAN HARVEY is scheduled to hit town some time today to catch the Europa, sailing for Europe at midnight tonight.

NEIL AGNEW, JACK PATTINGTON, ARTHUR WHYTE and HARRY THOMAS were spotted at the theaters during the noonday siesta yesterday.

HARRY GOETZ and BOB GOLDSTEIN left this morning for Toronto. They plan to continue on the coast and Goldstein returns Tuesday.

WILLIAM FERGUSON has gone to Florida for a vacation. He promises not to exploit the winter resort.

HARRY GINSBERG turns face toward the west next week. HAL ROACH is calling.

GEORGE TCHAUV, technician, from London.

LASSY DARMOUR in the Gold Coast.

LIE KUGEL is going to the coast.

Charlie Einfeld’s newspaper campaign on “Bordertown” is creating quite a stir, having done much for the new Muni picture in its opening day at the Strand Wednesday. Weather was against that and all other attractions on Broadway, but business was at the Strand, nevertheless.

David Sarnoff, RCA president, accompanied by the missing, left aboard the Statendam on a southern cruise shortly after midnight this evening. With them are his brothers, MORIS, and Missus and two sisters, MRS. HERBERT BAER and MRS. NATHAN LEVENT.

Ruth Weisberg braved the elements to attend the Army meeting yesterday, saying it was her sense of fitness that made her struggle over the snow drifts on 44th St.

Sharon Lynn is aboard the Chief, New York bound. She is due here over the weekend. Here for two weeks, that is scheduled to appear at various tables around the Tavern yesterday at luncheon.

Paul Duke, now entertaining in Bill’s, in the East, has been signed by Warners for a series of shorts to be made at the Brooklyn plant.

Leon Bamberger, idol of the Minneapolis stage customers some years back, is returning to the stage in an amateur capacity for a Mt. Vernon Y. M. H. A. production.

Richard A. Rowland, Colwyn, WALTER CONOLLY, Bruce Cabot and Lowell Calvert were spotted at various tables around the Tavern yesterday.

Leon Bamberger, idol of the Minneapolis stage customers some years back, is returning to the stage in an amateur capacity for a Mt. Vernon Y. M. H. A. production.

Richard Bartelmess, New York hears from Hollywood, may play the killer part in “Small Miracle,” THE NORMAN KRASNA play which Paramount now owns.

CHARLES J. SOMIN, purchasing agent for M-G-M, was glad to get away on the Statendam early this morning southward bound.

Alice Brady is out of the cast of “De Luxe,” CHESTER ERSKIN’s in-ormative stage play with finances by United Artists.

Max Cohen of “Big U” is all set up over the extended runs neighborhood houses are giving “Imitation of Life.”

Al Christy is heading in from Hollywood via the Canal, which is a good way of doing it.

Charles B. Cochran may find business setting back his scheduled return to London today.

Marion Talley’s film deal is not much of a secret after all. It’s a 12 months’ Warner contract.

Arthur Schwartz and frae set sail for Nassau tomorrow.

Government A.T.&T.Probe

Seen Certain

(Continued from page 1)

Pictorial Daily, Senator Wheeler said that there was some question as to whether the authority of the commission to go into the subsidiary and propaganda phases, as well as royal- ties, was sufficiently broad and that he wanted to make clear that he did not have the power to go into all phases of the matter, particularly to study Erpi.

Today the legislator prepared for insertion in tomorrow’s Congressional Record a lengthy table on royalty charges of various A. T. & T. subsidiaries.

Theatre Men Guests Of Hartford Union

HARTFORD, Jan. 24.—Henry Needles, district manager for Warners, and managers of local theatres were guests in a luncheon given by No. 84, I.A.T.S.E., at the Elks Club, to John Sullivan and Harry Sweet, former secretaries of the local.

Clem were present from New Lon- don, Middletown, Waterbury, New Britain and Meriden locals. Fred Newcomb, New England regional rep- resentative for I.A.T.S.E., was present. Local managers present were Jack Simons and Lou Cohen of Poll’s. Managers of Loew’s, Larry O’Neal of the Cameo, Jim McCarthy of the Strand, Walter Lloyd of the Allyn and their associates.

“Pompeii” Shelled For Work on “She”

Hollywood, Jan. 24.—Marian C. Cooper has dropped practically all connections with “Pompeii” in order to hurry the completion of “She.” Radio explains that this was done in order to meet a release date on the latter picture.

Work on “The Last Days of Pompeii” will be resumed March 1, with Ernest Schoedsack casting assistant, Flor- ion Foster and Alan Hale who have already been signed for roles.

Intermountain Men Pick Huish as Head

SALT LAKE, Jan. 24.—C. E. Huish, has been elected president of the Intermountain Theatre Owners’ As’n. Other officers named are: Vice-presi- dent, John Rugar; general counsel and secretary, Beverl S. Cledenng; directors, Huish, George Rugar, L. H. Harris, and Stanley Rich, A. P. Johnson and Joseph Lawrence.

Delegates are to be sent to the M. P. T. O. A. convention in New Or- leans.

Waves Against Checks

Jeffrey Bernard, general manager of Gaumont British, stated yesterday that a man representing himself to be that he is the president of the company, has been coming to the coast, using the name of Hender- son. Bernard warned the man is an impostor.
GEORGE W. TRENDLE
WILLARD C. PATTERSON

Operate
9 theatres,
spend upward
of $750,000
annually for film.
They read

MOTION PICTURE DAILY

The Industry Buying Power Reads
MOTION PICTURE DAILY
**“Broadway” Is Detroit Smash Hit, $23,200**

Detroit, Jan. 24. — “Broadway Bill” was a sellout at the Fox all week. In seven days it piled up $23,200, which tops par by $8,200.

In spite of this heavy draw two other houses had unusual business. “Bordertown” took $22,100, up by $2,100, at the Michigan, and “For- singing All Others” went to $12,300, above the line by $2,300, at United Artists.

Total downtown business was $68,800. Total average was $6,500.

Estimated takings for the week ending Jan. 18:

- **ROMANCE IN MANHATTAN** (Radio) "MILLS OF THE GODS" (Col.)
  - Adams—1,700
  - Gross—$3,400.

- **BORDERTOWN** (Warner)
  - Michigan—4,100
  - Gross—$6,500.

- **I AM A THIEF** (Warners)
  - State—$1,000
  - Gross—$1,000.

- **FORSAKING ALL OTHERS** (M-G-M)
  - United Artists—1,000
  - Gross—$1,200.

To Close Pittsburgh Pitt

PITTSBURGH, Jan. 24.—After a number of losing weeks, George Shaffer has decided to close the Pitt, where first run pictures and unit shows have been playing at the lowest top in town, 35 cents. Three times previously this season, Shaffer has announced a closing only to alter his plans at the last minute.

There are reports that when and if the Pitt does reopen, it will be with a drastic change of policy, one of the possibilities being dramatic stock.

**“County Chairman” Is Top In Capital With $26,000**

WASHINGTON, Jan. 24. — “The County Chairman” was Washington’s smash hit last week, taking $26,000 to keep Will Rogers on as the No. 1 money-maker. Gross was over average by some 27 per cent at Loew’s.

The Earle was a poor second, with $17,900 for “Here Is My Heart.” “Bright Eyes” at Loew’s ace all-picture honie, the Palace, was a disappointment, bringing a below-average $12,500. An alleged two-week booking was cut in half. “Romance in Manhattan” slumped to $8,900 at RKO-Keith’s.

Of the B houses, Metropolitan, with “Murder in the Clouds” slipped to $4,000 and “One Hour Late” at Loew’s Columbia tobogganed to $2,500.

Thanks to the Rogers picture, Washington total for the week was above the average at $71,800 against an average of $71,200.

Estimated takings, exclusive of tax, for the week ending Jan. 17:

- **HERE IS MY HEART** (Para.)
  - Earle—2,330
  - Gross—$17,900.

- **ONE HOUR LATE** (Para.)
  - LOEW’S—1,120
  - Gross—$8,000.

- **THE COUNTY CHAIRMAN** (Fox)
  - Loew’s—1,180
  - Gross—$12,500.

- **MURDER IN THE CLOUDS** (Warners)
  - Metropolita—1,910
  - Gross—$12,000.

- **ROMANCE IN MANHATTAN** (Radio)
  - RKO—1,866
  - Gross—$9,500.

**“Lancer” Gets Kansas City’s Top, $12,000**

KANSAS CITY, Jan. 24.—“Lives of a Bengal Lancer” soared to $12,000 at the Newman, doubling average, and was held for additional days. The second week of “Broadway Bill” gave the Tower $10,000, up by $2,000. “Imitation of Life” was a strong draw at 11th Street attracting big matinee audiences and grabbed $5,500. It was held for a second week. Total first run business was $39,950. Average is $5,500.

Estimated takings:

- **ROMANCE IN MANHATTAN** (Radio)
  - Tower—$2,300

- **MURDER IN THE CLOUDS** (Warners)
  - Palmer—$2,500

- **POWER** (G. B.)
  - Tower—$2,500

- **LIVES OF A BENGAL LANCER** (Para.)
  - New—$2,500

- **BROADWAY BILL** (Col.)
  - Tower—$2,500

- **THE COUNTY CHAIRMAN** (Fox)
  - RKO—$2,500

Gets Writ to Have Contracts Fulfilled

LOUISIANA, Jan. 24.—U. S. District Court Judge Davis a. Hiles yesterday issued a writ against members of the local grievance board, M-G-M, Vignola. Paramount, United Artists ordering them to show cause why they should not comply with contracts with O. W. Lewis, operating the San Gabriel.

The board several weeks ago ordered Lewis to discontinue bookings. The order was upheld on appeal to Camp. The matter has been referred to New York. This is said to be the first case of its kind here.

**Decision Reserved in “Legit” Ticket Case**

Decision was reserved by Supreme Court justices yesterday in the suit brought by five local ticket agencies to restrain the legitimate theatre code authorities from enforcing its regulations against speculation, which were held illegal and unconstituantional by the New York Court of Appeals.

The agents said that to make a profit they have to resell tickets at more than 75 cents above the box-office price. They were forced to pay that much on each ticket to “certain brokers favored by the producers.”

**Fields May Get Role**

Hollywood, Jan. 24.—Paramount is considering W. C. Fields for the role created by Victor Moore in the New York stage version of "Anything Goes." In the stage play, Moore plays the role of public enemy number 15.
Court Ruling On Huffman's Case Pending

Appeal May Be Decided Feb. 1—Getting Film

OKLAHOMA CITY, Jan. 25.—The appeal of Harry Huffman from the U. S. Circuit Court of Appeals to prevent Denver exchanges from obeying the Denver exchange board's order to distributors to stop their supply of film unless he ends automobile giveaways was concluded here today after a two-day hearing.

The decision of the court as to whether or not a permanent injunction will be issued or a temporary injunction dissolved will be announced about Feb. 1 in Denver.

Since Jan. 12, Huffman, operator of the Denham Theatre, Inc., general (Continued on page 3)

Britain's Jubilee Film Mystery Deep

LONDON, Jan. 25.—There appears to be some mystery over the real inside for getting the film dealing with King George's silver jubilee and "chemical" reasons, earlier ascribed, seem now to have had little to do with it.

London Films, which planned the picture in conjunction with Winston Churchill, says the enterprise was abandoned because of inability to meet (Continued on page 2)

Columbia's Meeting Set for Wednesday

Columbia yesterday postponed its board of directors meeting to next Wednesday afternoon, Jack Cohn, vice-president being in Hollywood, Fla., on vacation. Cohn is expected back Tuesday night for the delayed session.

Abe Schneider, treasurer, and Nat Cohn, New York district manager, leave for Miami Sunday. They plan to be away about two weeks.

"Copperfield" Holds Up; Ends at $55,750

First week of "David Copperfield" at the Capitol was grossed for $35,750. The box-office held up despite the two-day snow storm. Freddie Bartholomew, who appears in the picture as (Continued on page 3)

Mobilization of Kentucky Colonels Called for May 2

By J. M. JERAULD

Mobilization day for the Kentucky colonels, sub, will be on May 2. Indubitably, sub, it will be the greatest gathering of colonels since General Pershing moved out of Claumont.

Mrs. Ruby Laffoon, wife of the south's champion colonel-maker, was in town yesterday to confer with Col. John W. Alcock on the arrangements. Col. Red Kann was not present. He had an issue of Motion Picture Daily to get out. Col. Gert Merriam was also absent. She was listening to a broadcast by Private A-Mike Wakey.

But the details of the conference were learned in spite of these handicaps.

The general idea is this: His Excellency thinks all his 2,368 colonels (Continued on page 3)

Majestic Figuring On 12-18 for '36

Tentative production plans of Majestic for next season call for 12 to 18 pictures. Larry Darmour, production head, winds up conferences today with Herman Guckman, president, and E. H. Goldstein, executive vice-president. Darmour flies to the coast today and returns in the next few months for final confabs. Present meetings are for discussions of types of stories desired and production costs, which will be increased.

"Majesty and Me," the third of this season's 12, has been completed with final cutting awaiting arrival of Darmour on the coast.

Fox Met. Authorized To Drop Audubon

Fox Metropolitan Playhouses was authorized to give up its lease on the Audubon as of Jan. 31 by Federal Judge Julian W. Mack yesterday. The house has been leased from Fox Theatres and sublet to Storcas by Fox Met.

The application to disaffirm the Audubon lease recited that the house had lost $149,000 for the year ending (Continued on page 2)

Maloy Indicted on Income Tax Charge

CHICAGO, Jan. 25.—Tom Maloy, head of the operators' union, has been indicted by the Federal grand jury on an income tax evasion charge.

An investigation under way here for some time is said to have disclosed, according to Government statisticians, that Maloy's income for the four years of 1929 to 1933 was $350,000 above his salary as head of the union, and it is charged he failed to report this.

U. S. District Judge James H. Wilkinson received the report.

Report Moves To End Cases In St. Louis

Justice Dept. Is Silent; No Word Locally

WASHINGTON, Jan. 25.—Reports that tentative settlement files have reached the Department of Justice looking toward a settlement of the St. Louis indictments involving Warners, RKO and Paramount without a trial circulated here today but could not be verified within the department.

In a number of cases, their decrees have been accepted by the Government in similar cases in the past in order to avoid further litigation. It was feared that, if the Government refused to go along with the settlement, the defendants, officials of the department declined to comment on the reports.

Spokesmen for Warners, Paramount and RKO here said yesterday that no word of an attempted settlement of the St. Louis case in order to avoid trial had reached them. Dis- cognizing the Washington reports, they (Continued on page 3)

Coast TFO Awaits Government Reply

LOS ANGELES, Jan. 25.—Word that the Attorney General's office is forwarding a reply to the appeal of the I. T. O. of Southern California for relief from the alleged monopoly complained of here was received by the exhibitor organization today in a wire from Harold M. Williams, special assistant to the Attorney General.

The Government's reply is expected in advance of a meeting of independent exhibitors here on Monday at (Continued on page 3)

Producers Busy on Answer for Actors

LOS ANGELES, Jan. 25.—Producer members of the actors' five-five committee are busy preparing under the direction of Edwin Loeb, their counsel, an answer to the players' brief for a code of fair practice, now on file with the NRA in Washington.

It is rumored here the producers will attempt to point out that actors are no more entitled to a place in the code than agents, whose section of a fair practice code was turned back by Washington for stronger evidence showing why they should be included in the industry NRA pact.
MOTION PICTURE DAILY

(Published daily except Sunday and holidays by Motion Picture Daily, Inc., sub-sidized by, the Motion Picture Herald Company, Martin Quigley, President; Calvin Brown, Vice-President and Treasurer. Published Office: 1790 Broadway, New York. Telephone Circle 7-1000. Cable address, Quiglobe, New York. All contents copyrighted 1935 by Motion Picture Daily, Inc. Address all correspondence to the New York Office. Other Quiglely publications, Motion Picture Herald, Better Theaters, The Motion Picture Almanac, etc.)

HARRY ARTHUR has a farm and horses near Pawling. He also has a 13-year-old boy named Tom. Harry says Tom is the impersario of the family. Hal Havey's been up to the place from time to time talking to Tom about the business. Recently Tom was called up to lend a hand in the book. Being more or less the film authority at the Bronxville High School, Tom volunteered to produce an expert on pictures when his class decided to embark on a quick course in celluloid callisthenics. So up in the school went the notice informing those who stopped long enough that Horne would supply the lecture. Hal knew nothing of the book, it appeared, had been unable to get him on the phone. Last night was the night. More later.

SAN KRELLBERG failed to arrive here from the coast yesterday. If he left by plane he may have, he gets in sometime today. If not, the train, as usual, gets him in Tuesday.

JOSH MANTON, treasurer of the M. P. D. A., arrives from the coast tomorrow morning. He'll be at his desk Monday, however.

Quip of the Day

Birmingham exhibitor, whose name is withheld by request, writes: "We are opposed to star ratings. Enough stars have fallen in Alabama already."

CAROL LOMBARD finally pulled out of this snowbound town and is now sunning herself in Miami. She expects to return to Hollywood by way of New Orleans in about a week.

MOTION PICTURE DAILY

January 26, 1935

No. 22

Vol. 37

MARTIN QUIGLEY

Editor-in-Chief and Publisher

MAURICE KANN

JAMES A. CRON

Advertising Manager

Purely Personal

HARRY ARTHUR is being kept plenty busy these days denying rumors, the latest of which was that he had signed Mae West for a $12,000-a-week contract. Cochran plans to sail for home on the Rex Feb. 2.

MAJOR EDWARD BOWES opened the Brooklyn unit of WHN last night and addressed the civic leaders at the reception of the speakers. Sam Hammer of the Capitol publicity department switches to the Brooklyn studio for a month.

BERT WHEELER and HARRY JANS, of the old team of JANS and WHALEY, from New York, have signed up for impromptu entertainment at parties and night eliers. Wheeler's rendition of "Mornin'" is still the best part of the act.

Adolph Osso, French producer, Alexander Pyncus, his financial adviser, Jean de Cavanagh, French director and Andre Buleux sail tonight for home on the Lafayette.

HARRY SCHULZ, manager of Proctor's, Troy, N. Y., on Monday becomes manager of the Albee, Providence, succeeding Tom Meehan, resigned.

LOUIS HEWYARD, now appearing in Noel Coward's "Point Valaine" on Broadway, has been signed by M.G.M. and is expected to arrive on completion of the play's run here.

PAT CASEY is feeling fine, having recovered from a slight illness he had on the coast, and plans to stay around until after Feb. 1, the original date he expected to head west.

Lillian Gay's story, 'Living up to Lizzie,' has been bought by Warners. Manny Seff and Benny Rubin have been assigned to write the screenplay.

MORT SINGER, RKO theatre manager, returns to Chicago today after a three-week conference with home office executives.

Compliance Director Sol A. Rosenberg arrives today from Washington to spend the week-end at his Great Neck home.

ROLAND YOUNG, who has many Hollywood roles offered in his gun, is rebuffing "In the Distant Shore," forthcoming stage play.

BERNARD MILLS, Monogram and Majestic filmmaker in Albany, was in town yesterday.

Edgar Golden matched his dark blue shirt with a polka blue tie yesterday.

Dorothy Bures treks westward today for a role in "Village Tale." Radio will produce.

Sam Moros, assistant to John C. Flinn, is in Indianapolis on Code Authority business.

JUDITH ALLEN has decided to stay in town a while and has taken an apartment at 50, Moritz.

Sol Bines, Majestic franchise holder in Boston, was a visitor yesterday. J. Robert Rubin leaves for Palm Beach over the week-end.

Britain's Jubilee Film Mystery Deep

(Continued from page 1)

The release date in May and because the mystery has not been com-

pleted in that time, what with scenes re-enacted with actors and studio sets. This film was completed from old newreels which would not re-

quire the trade show necessary before

booking under the Cinematogra-

graph Act, but London Films feels that this is not practicable, as at least one other company has announced its intention of giving away a jubilee film," company officials declared today.

Fathe has jumped in with "Twenty-

Five Years a King" in conjunction with Sir Auret Chamberlain and

is to be shown in London before the

week-end. The film is to be shown.

has been edited from old newreel clips, as will be

Gaumont British's proposed free

jubilee film.

Reports along Wardour St. today had it principal circuits had been booking London's film, now abandoned, and are putting their plans all pictures for release here by law may be traded should be shown. Specula-

tion from London is that the film may be shipped in as a cropper. It may have been the C. F. A. or individual exhibitors or rival distributors.

The Fox Met, Authorized To Drop Audubon

(Continued from page 1)

Oct., 1925; $90,000. Following year, $77,000 last year and $16,000 from Oct., 1934, to Jan., 15, this year. The stipulation stated that the use of the Fox Met franchise in 1932 the com-

pany was paying Fox Theatres $120-

000 annually for the Audubon and sub-

mitting to Skoras for $85,000. Sub-

sequently, the receiver for Fox Met obtained a reduction in rent to $72,000 per week.

Milton C. Weisman, receiver of Fox Theatres, said he may either appeal Judge Mack's order permitting can-

ning of the company or be a proof of claim against Fox Met for the unex-

pired portion of the lease. The rental payments are the principal sources of Fox Theatres' revenue.

Skoras, Alpseroff

Skoras, we should not stop the company today, stopping at Kansas City to pick up Elmer C. Rhoden, head of Fox Midwest, for conferences in Los Angeles on reorganization of Wesco and W. F. C.

The company expects to stay on the coast for only a few days and then return east.

Carriers to Meet in N. O.

New Orleans, Jan. 25.—National Film Council will hold its annual meeting here around Feb. 25 and will stay on as guests of the M. P. T. O. A. company will invite the film carriers to New Orleans.

Ben Wachmansky Resigns

Detroit, Jan. 25.—Ben Wachmansky has resigned as general manager of the Jacob Schreiber Theatres here and will devote his time to running the Bijou, in which he is a partner with P. C. Schram.

Du-Art Loses Stay In "U" Litigation

(Continued from page 1)

in its action against Universal over laboratory work. Bushel and Gottlieb, lawyers for Du-Art, stated, however, they proposed pressing the action for trial and at that time seek a de novo in-

flection reinstated. Another course of contemplated action is to seek money damages amounting to $50,000.

Du-Art claims it holds a contract with "U" to handle its prints and that the company, following its financing deal with Consolidated, recently began to shift its work to the Consolidated laboratories.

Walter C. Hardesty Dead

Dover, O., Jan. 25.—Walter C. Hardesty, 56, former manager of the Dover Opera House, and head of the Hardesty Manufacturing Co., a maker of theater seats, is dead at the winter home in Daytonia, Fla. A daughter and three sons survive. The daughter will handle the funeral fu-

eral services will be held and the body placed in the Hardesty maus-

re in Maple Grove cemetery here.

N. O. Office Opened

New Orleans, Jan. 25.—First Di-

vision has opened its new exchange here with Fred F. Goodrow in charge and will be handled by Col. William L. Shreve, head of the southern division. Good-

row is a former Warner manager. Richardson was with Universal for 25 years.

312. Single copies: 10 cents.

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MOTION PICTURE DAILY
Saturday, January 26, 1935

Court Ruling
On Huffman’s Case Pending

(Continued from page 1)

Theatres, Inc., and the Aladdin Theatre Corp., a circuit of eight houses in Denver in 1929 under a restraining order granted by a judge of the U.S. Circuit Court of Appeals in Denver and as a result of this order has been getting product for his theatres.

Appellees at the hearing here were M-G-M, Fox, under the pictures, Vitagraph, Gaumont British and Columbia; members of the Denver grievance board and Denham Theatres, Inc., and International Amusement Co., Denver exhibitors and competitors of Huffman, who placed the original complaint with the grievance board.

The writ for a permanent injunction asked that the court permanently restrain the appellees from violating or disregarding any contract or from refusing to make delivery of film to Huffman that the members of the board refrain in the future from molesting or interfering with Huffman’s business or contracts, or from inducing a boycott by distributors; that the Denham Theatres, Inc., and the International Amusement Co. refrain from future interference with the affairs of the Huffman theatres through the grievance board.

Prices Not Held Affected

Frazier Arnold, Huffman’s attorney, told the court that Huffman had been giving away tickets both in the theatre and on Denver streets, that the winners of the automobiles did not have to be present at the theatre at the time of the drawings, and that giving away of the cars was in reality only a means of advertising the theatre and that it in no way lowered the price of admission to the theatre as appellees had contended.

Arnold also claimed that Huffman’s theatres do not come under the anti-trust laws because he says that the state commerce, as the distributors are, and therefore Huffman’s theatres do not come under the anti-trust laws. Huff has never signed the code.

Eugene O’Neill, attorney, appeared for the grievance board and the Denham Theatre, Inc., and the International Amusement Co. Byron Rogers, assistant attorney general of Denver, represented the Federal Government and Campi, assisted by Special Attorney Martin F. Ham, of Washington. Thomas Keeley, Denver, appeared for the seven distributors named as appellees except Columbia and Gaumont British, who were not represented.

Mobilization of Kentucky Colonels Called for May 2

(Continued from page 1)

should have a chance to wear their 4,730 spurs and see the 1935 running of the 61st Derby at the same time. (The statistics have been checked.) Besides, this will be the second Derby since the 1932 one was repealed, and the mint julep makers have had 12 months more of practice.

The Derby takes place on May 16, a Saturday, and all day Sunday the colonels will have a chance to regain their esprit de corps. Huffman has plans to have a reception on Friday at the Hotel Kentucky. It will be broadcast. Also, there will be “Colonels’ Derby.” This will be a surprise—even to the colonels.

“Sort of a burlesque,” Mrs. Laffoon calls it.

Study of Films for History Use Planned

WASHINGTON, Jan. 25.—The study of the stability of motion picture films for historical purposes is about to be undertaken under the National Association of Standards, it was learned today.

An appropriation of $5,000, made by the National Research Council, will be used for the study, the purpose of which will be to determine how long films may be expected to keep without deterioration and what method of prolonging their life may be developed.

Because of its low cost, the conservation of storage space and convenience in handling, scientists anticipate that film, both still and motion, is destined to become an important source for the preservation of records, not only of documents but also of important events.

Sullivan-Petitjohn Debate Called Off

BOSTON, Jan. 25.—A widely-advertised debate between Rev. Russell Sullivan, head of the Legion of Decency and Rev. Father Joseph Petitjohn, of the SMPE, was held at the Boston Hays office, scheduled for tonight at the Washington Irving School, Roslindale, will not be held.

It was learned late today that Petitjohn had not left New York.

Petitjohn’s office said the Boston reports that he would speak there were “erroneous.” He had never planned to attend, it was stated.

SMPE to Standardize

The S. M. P. E. is sponsoring a sectional committee being formed by the American Standards Ass’n to devise standards for film apparatus. Production, distribution and exhibition groups are among the organizations invited to name representatives on the committee.

Mrs. Richey Recovering

Dunmore, Jan. 25.—Mrs. H. M. Richey, wife of the general manager of Allied of Michigan, is recovering from an appendicitis operation which she underwent this week. Mrs. William G. Bishop, wife of the local M-G-M exploiteer, also is recovering from a major operation.

Independent Want Federal Probe in K. C.

(Continued from page 1)

arrangements on later runs, which is affecting business at the boxoffice.

While, as it is pointed out, some of the Fox theatres are subject to the same clearances which the independent theatre owning the latter claim, they are affected chiefly since their theatres are in admission brackets which protection has been extended.

A spokesman for the protesting group, which is said to include practically all independents, charges that the present setup is illegal because the schedule incorporated in contracts between Fox and the clearance board anticipated would be approved by Campi, but that while no schedule has been approved the distributors are enforcing it generally under the guise of sanction by code officials.

Independents also are protesting that some of the major companies will not sell product to be shown at 10 cents a head unless the placed restrictions on double billing.

Contend Clearances Prolonged

The chief bone of contention is that distributors are prolonging clearances between runs, starting with 20-cent houses. Protection which formerly was 14 days for each five-cent drop in admission has been extended considerably.

The arrangement followed by one major company is that it has been adopted generally by all distributors is: First runs get 35 to 42 days over the Fox Plaza, first subsequent run, charging 30 cents; Plaza, seven days over the Fox Isis, second subsequent run, which charges 25 cents; Isis, 14 days over the same house, and so on.

Whereas 20-cent situations formerly followed first run by 70 days, the period now is 84 days. Theatres at 15 cents have been set back to 119 days behind first run, instead of 84 days as previously. Ten-cent spots formerly followed first run by 98 days. This period has been prolonged to a maximum of 180 days, according to exhibitors.

The independents claim this arrangement works to the advantage of Fox Midwest and that the circuit’s buying power is treated with preferential consideration by the distributors.

Kiepura Film Shown
Before Plant Guild

“Might Be First Callings,” starring Jan Kiepura and with Marta Eggerth featured, was presented before an audience of social notables by Gaumont British and after the screening yesterday. The occasion was a benefit given by the National, Plant, Flower and Citrus Guild.

Mrs. Frank N. Doughless, vice-president, made the introductory remarks in the absence of Dr. John H. Finley, president. After the screening of the picture, which was received enthusiastically in the balcony, luncheon was served in the Empire Room.
DENVER, Jan. 25.—Even with the mercury 13 degrees below zero over the weekend in the “Cold Chairman” pulled big money at the Denver. The $9,000gross was 33 1/3 per cent over normal.

“Biography of a Bachelor Girl” also was a good draw, going to $7,000 at the “Babbitt.”

Thursday, Jan. 24:

“Behind the Evidence”

Fair entertainment resides in this melodrama, which has many popular ingredients that ought to please neighborhood audiences. The film throws crime, the police and the press into one pot and the resulting stew has an exciting flavor. There is action aplenty.

Norma Foster shines here. He plays a prominent sportsman forced by the loss of his fortune in a bank crash to go to work. He talks himself into a newspaper job and is catapulted into a mess of excitement when he becomes suspicious of Donald Cook, who has won Sheila Mannors, society girl, away from Foster.

After investigation Foster discovers that Smith, ostensibly a stock broker, is the brains behind a series of sensational payroll robberies. When Cook gets wind of what the newspaper novice is up to, he puts the “spot” on the fellow. Foster pulls through, but not before he has seen some pretty close shaves. His biggest reward is to find himself again the man in Miss Mannors’ life.

Among the other players are Geneva Mitchell, Samuel Hinds, Frank Darien, Pat O’Malley, Gordon De Mille and Edward Keane. Lambert Hillery directed.

Production code seal No. 505. Running time, 57 minutes. “G.”

“Lancers”

Big Boston Draw

Despite Storm

Boston, Jan. 25.—Grosses were hit by the worst blizzard since 1921 and the counter-draw of the automobile shows at the Fenway theatre in spite of this, “The Lives of a Bengal Lancer” piled up $28,000, over par by $3,000, at the Metropolitan.

“SECRET BRIDE” and “Babbitt,” playing day and date at the Fenway and the Paramount, was strong at both houses. It took $5,400 at the Fenway and $5,500 at the Paramount. “Secreta” was $1,000 up with a $1,100 take at Loew’s State.

Total first run business was $74,400. Average was $68,000. Box office and bookings for the weekend tonight:

“SECRET BRIDE” (Warner’s)

FENWAY—$2,550, 30 seats, 7 days.

“ENCHANTED APRIL” (Radio)

RAMPS—$1,875, 30-45 seats, 5 days.

“The LIVES OF A BENGAL LANCER” (Warners)

METEROPOLITAN—$4,385, 30 seats, 8 days.

“GRAND OLD GIRL” (Radio)

RKO BOSTON—$2,000, 30 seats, 6 days.

New Tax Program Is Asked in California

STATE CAPITOL, SACRAMENTO, Cal., Jan. 25.—A tax, with a $175,000,000 biennial tax on gross receipts, incomes and profits, has been introduced in the legislature, which prohibits all endowment contests except those staged solely by schools and colleges.
Theatres of World Reach
60,918 Top

Figures Are Compiled by Government Bureau

WASHINGTON, Jan. 27.—Total number of picture houses throughout the world in 1934 was 60,918, or a gain of 371 over 1933. The total was computed at 60,347 by the Motion Picture Division of the Department of Commerce.

While 1934 showed an increase over 1933, last year suffered a decline of 1,006 houses as compared with 1932, when the total, as prepared by this government bureau, was computed at 61,924.

Prepared by Nathan D. Golden, of the Motion Picture Division, the statics as they apply to the United

(Continued on page 11)

Coast Men to Hear
From Justice Dept.

WASHINGTON, Jan. 27.—California independents will know tomorrow or the next day what the attitude of the Department of Justice is toward their monopoly charges against F.W.C. A letter was sent to them Friday by

(Continued on page 11)

Clearance for L. A.
Up Again Thursday

Efforts to work out a favorable clearance schedule for Los Angeles will be resumed by Campi at Thurs-

day's meeting. During the last two hearings, each of which lasted two

(Continued on page 14)

Ross on Trip Plans
Office for Hawaii

Harry A. Ross, president of Ross Federal Service, left New York yester-

day on an extensive tour of Ross offices. He expects to be in New Or-

eans on the dates of the convention of the M. P. T. O. A., proceeding from there to the Pacific coast.

Before he returns he plans to go to Honolulu to establish a Ross office for the Hawaiian territory.

Financiers Win Control
Of the Paramount Board

At New Paramount’s Helm

The reconstituted Paramount board of directors as agreed upon by leading creditor groups comprises 16 members and is expected to remain as the working board of the reorganized company. Who they are:

William S. Gray, Jr., vice-president of Central Hanover Bank & Trust Co.

Percy H. Johnston, chairman of the board of Chemical Bank & Trust Co.

Charles A. McCulloch, director of the First National Bank of Chicago; director of Balaban & Katz, Chicago.


Frank A. Vanderlip, retired financier.

Duncan G. Harris, vice-president of Brown, Wheelock & Harris, real estate company.

Gerald Brooks of F. F. Hutton & Co.


Stephen Callaghan, a trustee in bankruptcy for Allied Owners Corp., a large Paramount creditor.

Henry R. Luce, publisher and editor of Time and Fortune.

John D. Hertz, vice-president of Lehman Bros., former director of Balaban & Katz, Chicago.

(Continued on page 12)

Injunction on
ASCAP’s Fees
May Be Asked

Reports emanating from the middle west are to the effect a movement is under way among exhibitors to enjoin collection of the music tax by A. S. C. A. P. until the Government’s anti-trust suit against the organization is determined.

Exhibitor groups in one state are preparing to take action through the Federal courts against collection by A. S. C. A. P. of the increased schedule of fees which went into effect last Oct. 1.

Counsel has been instructed to file an injunction suit against the music composers’ and publishers’ organization on behalf of theatre owners jointly. It is planned to ask the Federal court to impose fees already

(Continued on page 14)

Availability
In Code Terms
To Be Defined

Definition of the term “availability” in the code section dealing with selective contracts has Campi’s legal committee working on a proposed amendment to the code to clarify existing doubt on the interpretation.

According to the code, films bought selectively must be rejected within 21 days after availability, otherwise the exhibitor must be resigned to take the pictures at a later date. The term availability may mean when a picture is released in a given territory and then again it may indicate that films are ready for showing 21 days after first runs in a given area are through with showings.

Austin C. Keough, Willard McKay and J. Robert Rubin have been

(Continued on page 14)

Only 2 Film Men, Zukor
And Schaefer, Among
16 Selected

By SHERWIN A. KANE

Financial interests in the Paramount Public reorganization won a sweeping victory in week-end meetings at which the complete and, presumably, final makeup of the initial board of directors was resolved. Only two management men, Adolph Zukor and George Schaefer, were named to the complete working board of 16 members.

Two additional men with operating experience in the industry are given places on the board. They are Charles E. Richardson, who served approximately a year and a half as trustee in bankruptcy for Paramount and, prior to that, was treasurer of Fox Film Corp., and John D. Hertz, who was chairman of Paramount’s finance committee for the year prior to the company’s bankruptcy, and who is also a director of Balaban & Katz, Paramount’s Chicago theatre subsidiary.

Hertz Has Bank Support

Richardson is the board nominee of the merchandise creditors’ committee which also supported the Zukor and Schaefer elections. Hertz, a vice-

(Continued on page 12)

President

World Film Distribution

VOL. 37. NO. 22  NEW YORK, MONDAY, JANUARY 28, 1935  TEN CENTS

Alert, Intelligent
and Faithful
Service to the Industry
in All Branches

DAILY
Monday, January 28, 1935

**MOTION PICTURE DAILY**

*Insiders’ Outlook*

By RED KANN

**THEATRE DISCUSSION**

**Set for MPTOA Meet**

Discussions on the latest developments in theatre architecture, servicing and illumination have been set for M. P. T. O. A’s annual convention program in New Orleans, Feb. 25 to 28.

Robert Boller, theatre architect of Kansas City, was slated to discuss “Modern Trends in Theatre Architecture” at 10:30 a.m. Thursday, New York, will talk, on developments in theatre mechanics and engineering, equipment checkings and maintenance, and W. C. Brown, chief illumination engineer of General Electric, will discuss modern illumination for theatre exteriors, auditoriums and stages. Other theatre operating and engineering discussions will be scheduled subsequendy on both days.

A Mississippi River boat trip has been added to the convention social program for the night of Feb. 27.

**Milliken a Bankrupt**

Carl E. Milliken, secretary of the M. P. P. D. A., filed a voluntary petition in bankruptcy and has been sealed in the state district court here on Saturday, listing assets of $1,137 and liabilities of $84,999.

**Maloy Arrest Ordered**

CHICAGO, Jan. 27— Bail for Tom Maloy, just indicted on a charge of income tax evasion, has been fixed at $20,000 by U. S. District Judge William E. virgin, and an arrest order has been issued.

For the banks:

William S. Gray, Jr., of the Central Hanover.

Percy H. Johnston of the Chemical National.

Charles A. McCollooh of the First National, Chicago.

For the bondholders:

Robert K. Cassatt of Cassatt and Co.

Frank A. Vanderbilt, formerly of National City Bank.

Duncan G. Harris of Brown, Wheelock and Harris, realtors.

For the common stockholders:

Gerold Brooks of E. F. Hutton and Co.

Maurice Newton of Halligan and Co.

For Allied Owners and successful candidate advanced by William Greve:

Stephen Callaghan, one of the three trustees of Allied.

For business sagacity, probably with a view toward public relations:

Henry R. Luce, editor of Time magazine.

For the Atlas Corporation:

Floyd B. Odlum.

For Lehman Brothers:

John D. Hertz.

For British insurance companies holding sizeable blocks of stocks:

Pordington.

For Erpi:

Charles E. Richardson.

For the film industry:

Adolph Zukor.

George J. Schaefer.

So the factors having to do with a reorganized Paramount have willed it. The future will be interesting to watch.

Hope for a Monday morning:

If, through some magic, the editorial approach of the Boston Traveler on production code activities and results could find duplication in thought, not necessarily in language, in the newspaper think tanks of the nation, what a Monday this would be! Or a Tuesday or another day for that matter. What the Traveler’s writer wrote is good, this column goes to it generously, not overlooking the strain on its own dubious enterprise which the generous use of scissors and paste lightens.

You are now in Boston: To those persons who have decried the motion picture for its vulgarity we address ourselves.

“Did you mean that, or were you merely indulging in the luxury of an occasional ejaculation?”

“You were right when you said that the movies needed cleaning. What have you done about it? Have you supported the new movie? Have you even gone to see it? We have. Our hearts have lifted as we have witnessed the superb artistry, the big drama, the intense interpretation, the sheer beauty, the gripping action of several masterpieces, pictures that cost hundreds of thousands of dollars. And some of them are financially successful.

“Joseph L. M. Green says: ‘If this code is not remedied either the producing companies will go into bankruptcy, or we shall have enormous losses. We believe that the code is being enforced vigorously, and we believe that the pictures are not dull; they are brilliant. No, they are not namsy-pamby; they have punch and plenty of it. No, they do not have that same kind of art that is legitimate, virile, exquisitely feminine. Nobody can screen you into belief that there are sex orgies, and the pictures satisfy our appetites.

‘If all the people who said that would go to the movies regularly if the producers made pictures worth seeing would only keep their promise, the motion picture art at its highest standard would be maintained.

‘Here is the challenge! Do it with what you will.’

Of the octet which John C. Flinn has caused to be deposited on the desks of impartial code board members, the first question is of considerable interest. We refresh your memory:

“Are the members of your local code board sincere in their determination and is the individual fair in reaching conclusions or is he swayed by the group he represents?”

Which intrigues this department mightily, for it causes its guardian to recall one day, a month back, when it listened to the discussed the code, what it was supposed to do and what it was not doing. The doubt which crept into this space was the same which patent prevails in Flinn’s own mind today. The original premise was merely this, and it is simple enough: Whether or not exhibitors and exchangemen think they could or would not prevail force the normal function of operating their own business for a profit long enough to observe the theory and the altruism of the NRA? The impression is not entirely clearcut nor irrevocably etched, was that, in the main, they would not. .

Then as now, this is no attempt to label code board members at large with invidiosity to a pledge. We believe that many of them are working persistently in the direction of fulfillment. The point about it all is that, when investments either in dollars or jobs are at stake, the natural inclination is to protect those investments. In the case of the exhibitor who may be in business for himself or in partnership with a circuit, the way he is apt to think is exactly what you figure it: In the case of the exchange man, he has New York displeasure and his sales quota to concern himself about. Agree or not, as you prefer, Flinn’s query rather conclusively demonstrates that the thought which stirred this sector months ago now has found lodgment in the official Central circles as well.

Question No. 8 deals with clearance and zoning and inquires from the impartial men what they think should be done about it. If they may not develop a lot of ideas and about it or them the results seem headed for the entirely negligible. The problem of clearance will be where it is and just as long as distributors insist they are selling two things: (1) film and (2) protection for their films. Sales managers, as matters go today, maintain the two equations are indivisible.

Some even go beyond and argue the two equations are not that at all, but actually that marks as something unalterable. At least, unalterable through any known pressure or argument so far come to light from within the industry itself. It has long been the impression of the viewpoint now pouring the typewriter in the hope that you read that something, an unpleasant and troublesome something, will some day bounce in from the outside and induce the unreasonable to remember that to the mighty do not necessarily go all the way. That is, not always.

**Nominate Drum, Weiss**

LOS ANGELES, Jan. 27 — J. W. Drum, Allied exchange manager here, and George Weiss, district manager for Warners, have been recommended as alternates for the local clearance and territorial boards, as fill posts left vacant by the resignations of William Rider and Leon Levy.

**Sov-Am Plans 5 English**

Five of eight pictures planned for production this year by Sov-Am Films, the distribution unit, will be made with English dialogue. The first of the five will be “The Singing Fool,” scheduled for release early in February.
THE LIVES OF A BENGAL LANCER • THE GILDED LILY
STOLEN HARMONY • ALL THE KING'S HORSES
PRIVATE WORLDS • LOVE IN BLOOM • MISSISSIPPI
SECOND MARLENE DIETRICH PICTURE
MACFADDEN'S FLATS • PRESIDENT VANISH
HARMONY • ALL THE

WORLD'S GREATEST ENTERTAINMENT SEASON IS ON AS
SWEEPING ON TO NEW BOX-OFFICE VICTORIES CHARGE

ENTER MADAME • RUMBA
ZANE GREY'S ROCKY MOUNTAIN MYSTERY
RUGGLES OF RED GAP • WINGS IN THE DARK
Chicago, Ill. . . . "Bengal Lancer" opens to huge crowds at Roosevelt Theatre.

Dallas, Tex. . . . Opening day's business double average . . . A definite hit!


New Orleans, La. . . . A week's business in four days at the Saenger Theatre.

BENGAL LANCER

Franchot Tone, Hathaway...and...

Brooklyn, N.Y....Biggest business in many months.

Boston, Mass.....Business almost double average at the Metropolitan Theatre.
PARAMOUNT releases another smash hit in the "GILDED LILY"! COLBERT with Fred MacMurray, directed by Wesley...

FLASH!
"The GILDED LILY"...A WEEK'S BUSINESS IN FOUR DAYS AT THE BUFFALO THEATRE, BUFFALO

"A picture so full of worthwhile entertainment as well as potential commercial assets that its audience presentation should be a pleasure." — Motion Picture Herald
"Just what the customers of 1935 are looking for!"
—Hollywood Reporter

"The Gilded Lily should prove box office everywhere."
—Hollywood Variety

"The film is packed to the hilt with unique potent selling angles. Destined for certain popularity."
—Motion Picture Daily

"A hit! Delightful picture and box office entertainment that will click in any community."
—Showman's Round Table
"A box-office bulls-eye, and a piece of screen craftmanship in direction, playing, writing, technical assembly and presentation which is something to see and ponder and admire."

—Hollywood Variety

"A story so different in every phase it has no counterpart. 'Wings in the Dark' may prove one of the season's prize successes."

—Motion Picture Herald

"High above average. Fine entertainment for men and women. Its name values should send it soaring for real grosses."

—Motion Picture Daily
THE DARK starring two great box-office Herbert Cavanaugh . . . then comes . . .
"RUMBA"

GEORGE RAFT
Directed by Marion Gering

TORRID ROMANCE
BENEATH TROPIC SKIES!

The dancing lovers of "Bolero" in a dramatic romance as fiery as the Cuban dance of love itself.
Coast Men to Hear From Justice Dept.

Department officials were silent about its contents, but the impression prevails here that a sympathetic stand has been taken toward the coast complaints, one of which is that F.W.C. has violated the consent decree of 1930.

Whether attempts at prosecution will develop into something that cannot be foreclosed at present. If the department starts prosecutions, it was said, they may be either in the form of charges of violation of the consent decree or an action similar to that started in St. Louis.

Cummings to Reopen Paramount in Omaha

OMAHA, Jan. 31—Everett R. Cummings, district manager, for A. H. Blank, is supervising the reopening planned for Feb. 8 of the Paramount. The house, which has 2,800 seats, has been closed for some time.

A vaudeville program with a single feature for week-ends and double features for the rest of the week will be inaugurated with the exception of the first week when the opening revue will be held for the full week.

Cummings said negotiations with stagehands and musicians plus the fact that ground rental has been substantially reduced that a reopening of what has been considered a jinx house.

Special Showing on Rex

First Division will hold a special showing of "Hei Tiki" on board the Rex Thursday evening. The picture was produced on the Isle of Ghosts off New Zealand by Alexander Mar- key.

Wall Street

Warner Pd. Up 1¼ on Big Board Net High Low Close Change

Columbia Pictures 364 363 390 390 +4
Consolidated Pd. 359 358 356 356 +4
Kraft 134 134 134 134
Fox "A" 11 11 11 11
Loew's Inc. (B) 315 315 315 315 +4
Paramount 456 456 456 456 +4
Pathé 125 125 125 125
Roach "A" 156 156 156 156 +4
RKO 206 206 206 206 +4
Warner Pd. 4 4 4 4

Color Technicolor Gains ½ on Carb Net High Low Close Change

Technicolor 12 12 12 +4
Trans Lux 3 3 3

Paramount Bond Issues Advance

General Theatre 9s 60 60 60 60
Paramount Bond 5½ 39 40 41 41 +1
Paramount F. L. 6s 67 67 67 67 +1
Paramount Public, 5½s 67 67 67 67 +1
Pathe 7% 78 102 102 102
Warner Bond 5½ 56 56 56 +1

MOTION PICTURE DAILY

Theatres of the World Reach Total of 60,918

40,869 Talk

Washington, Jan. 27.—World theatres equipped for sound totaled 40,869 at the beginning of the year, according to annual statistics prepared by the Motion Picture Association, which aggregates the reports of the Department of Commerce.

This compares with the division’s own figures of 41,823 for 1933 and 36,955 for 1932.

Theatres Throughout World

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<td>Denmark</td>
<td>1,955</td>
<td>2,125</td>
<td>2,125</td>
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<td>Switzerland</td>
<td>1,850</td>
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<tr>
<td>Australia</td>
<td>1,850</td>
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<tr>
<td>Latin-America</td>
<td>1934</td>
<td>1933</td>
<td>1932</td>
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<tr>
<td>Argentina</td>
<td>1,604</td>
<td>1,634</td>
<td>1,608</td>
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<tr>
<td>Brazil</td>
<td>1,200</td>
<td>1,125</td>
<td>1,200</td>
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(Total based on Bureau of Census survey, December, 1934.)

Production Drops Slightly on Coast

Hollywood, Jan. 27—Production receded last week from the high level of the preliminary week, but remained above several points above normal. During the past week a total of 40 features and five shorts were before the cameras as compared to 44 and seven for the previous week. In addition, a total of 28 features and 13 shorts are in the final stages of preparation, while 35 features and 19 shorts were in the cutting rooms.

Paramount continued to lead with eight features before the cameras, three preparing and two editing. Warners had seven, three and seven; M-G-M, four, five and three; Fox, three; seven and three; Century, three, one and what it might be; Columbia, three; and Universal, zero, one and zero; both of the Warners, one and five; Universal, zero; and Columbia, two, zero, five and zero.

Goldwyn, one, zero and zero; while the independents registered a total of four, four and five.

In the short subject division Roach had one before the cameras, one preparing and three awaiting; Columbia had one, zero and three; M-G-M, zero, five and five; Universal, zero, one and one; Warners, zero, zero and one; Fox, two, one and two; Warners, zero; and the independents had a total of three, four and five.

Culkin in Patman’s Mantle on Booking

WASHINGTON, Jan. 27—Introduction of Senate bill by Representative Culkin of New York of the block booking bill that has long borne the name of Representative Patman of Texas, has convinced the Senate that the effort of the former to don the mantle dropped by the Texas member this year, may yet be devoted to some other legislation.

Representative Culkin has already introduced a bill to create a film commission, taking up the Patman bill prohibiting block booking he is running in competition with Representative Strobing of New York, who has long had such a measure in the House.

Also interested in film legislation is Representative Strobing, a third New Yorker, who, however, has been aloof from the block booking fight. Submission of the bill has been expected since last June; it is unlikely that any action will be taken on it in the near future.

In the Texas bill which has long been familiar to the industry, prohibiting compulsory block booking, compelling the furnishing of accurate synopsis before release and making the Clayton Act apply to license agreements and sales.

Two Labor Measures Approved by Lehman

ALBANY, Jan. 27—Promises to join now in a labor union or company, or otherwise, are void under the terms of a bill just approved by Governor Lehman.

The measure was introduced by Senator McNaboe as an amendment to the civil service bill.

Another labor bill introduced by Assemblyman Wojtowski specifically declares that the Labor of human beings cannot be sold and making the Clayton Act apply to an article of commerce. Governor Lehman also approved this bill.
Financiers Control New Para. Board

(Continued from page 1)

Trust Co., to its representation on the directorate, which already included Percy H. Johnston and Charles A. McCulloch, Gray replaces Max D. Howell, who had been named to the board in a temporary capacity earlier. The Vanderbilt bondholders' committee substitutes Robert K. Cassatt, New York and Philadelphia financier, for Dr. Julius Klee, consultant, who was actively engaged in developing the reorganization plan at all stages and who was placed on the board while this company is also represented on the board for Frank A. Vanderlip and Duncan G. Harris, and his protege's representative retains Gerald Brooks and Maurice Newton on the board. Henry R. Luce, also elected earlier, remains.

Seymour M. Goodwin, president, was re-elected as a trustee in bankruptcy for Allied Owners Corp., a large Paramount creditor, offering the board as the representative of that company and as the nominee of William Greve, former head of Allied and also of Allied’s trustee bankruptcy. The appointment removes the potential opposition to the plan from the Krege Allied Owners Association.

No agreement among the reorganization groups has been reached as yet on the presidency of reorganized Paramount.

Schaefer Seen Heavily Backed

Considerable support for Schaefer for the post is reported, with more or less general sentiment holding to the belief that the former hiking in a prominent position it need not necessarily be the presidency.

Austin Keough, Paramount secretary, and Walter B. Cokell, treasurer, who, with Howell, were elected to the board in temporary capacities in December, are now eliminated from that body.

Agreements on the board as now constituted give all opposition to the reorganization plan which has been in the making in any way significant by those directing the reorganization. The claims for representation of Lazard Freres and Frank Altschul apparently are ignored. The agreements leave only Samuel Zarin, counsel for a small bondholders' group, and Archibald Palmer, counsel for a small stockholders' group, in opposition. The indicated opposition of the Muenger indenture committee, represented by Sodl and Brandwen, has not definitely resolved itself and may not be pressed, it is reported.

With the elimination of all major opposition to the plan through the board agreements, the reorganization is expected to make rapid progress with the resumption of hearings on the plan before the Federal judge Alfred C. Cote today.

Academy Group Named

Hollywood, Jan. 27—(Dorothy
directors, G. Francis, M. L.
Ford, Hollius Moyse and R. C. Will.
stant members of the scientific sub-committee of the
Research Council of the Academy by Chairman Carl Dreher.

At New Paramount’s Helm

(Continued from page 1)

Charles E. Richardson, former trustee in bankruptcy for Paramount; former treasurer of Fox Film.
Adolph Zukor, president of Paramount.
George Schaefer, Paramount general manager.
Floyd B. Odum, president and director of Atlas Utilities Corp.; vice-president of Electric Bond and Share Co., director of National Power & Light Co.

Fortington, representative of British insurance companies, including the Royal, holding Paramount investments. Little could be learned about him on Saturday.

Latin America

(Continued from page 11)

Mexico 701 701 701
Chile 243 215 212
Cuba 225 400 400
Colombia 170 385 230
Uruguay 137 127 123
Venezuela 134 134 125
Porto Rico 127 112 112
Peru 110 100 100
British West Indies 42 42 42
Panama 38 38 38
Salvador 36 47 47
Dominican Republic 36 20 25
Costa Rica 29 27 21
Ecuador 29 22 25
Guatemala 28 26 26
Bolivia 23 25 17
Nicaragua 22 21 21
Honduras 14 18 26
Jamaica 14 14 11
Bermudas 9 9 13
Paraguay 9 9 9
Haiti 9 7 9
British Guiana 5 5 5
Bahamas 5 5 5
Dutch West Indies 4 4 4
British Honduras 2 2 2

Total 5,002 5,270 5,546

Far East

1931 1933 1932
Japan 1,150 1,098 1,089
Australia 1,150 1,050 1,500
India 675 685 680
New Zealand 315 315 307
China 276 238 200
Korea 273 300 300
Nepal 192 180 180
Siam 64 68 68
British Malay 58 45 40
Strait Settlements 48 43 43
Chosen (Korea) 40 40 40
French Indo-China 40 40 40
Ceylon 18 18 16
Fiji Islands 6 6 6
Societ Islands 5 5

Total 4,718 4,639 4,922

Africa and Near East

1931 1933 1932
South Africa 350 291 350
Algeria 150 150 150
Egypt 150 150 150
Persia 89 89 87
Syria 30 30 33
Palestine 26 20 20
East Africa 19 17 19
West Africa 17 17 17
Iraq 7 7 7
Madagascar 4 4 4

Total 689 645 691

Short Subjects

“The Spirit of 1976”
(Radio)

This miniature musical comedy featuring Bing Crosby and Gracie Allen
codes an entertaining subject that
fit in on many a program.

Another feature which takes the audience ahead about 40 years and shows the
country, of which King is president, operating on a no-work basis. Dissatisfied
the audience until people come tired of play-
ing all the time, so comes the revolution
and the invention of an all-work policy.

King and Miss Crumble take several scenes to an pleasant
Production Code Seal, No. 431. Running
time, 21 minutes. “G.”

“The Little Big Top”
(Educational)

As the title implies, this short is built
around a circus. Junior Coghill and
Dorothy Kent combine to present
a neighborhood circus for an orphan
asylum and enlist all the kids as
performers. They get Poodles and
and Irene Taylor in some of their best numbers. The
photography and recording are good and no attempt is made to link the
performers with any story or plot. They merely do their stuff in an
entertaining manner. To be recom-
nended, especially without production
code seal. Running time, 10 mins. "G.”

“Pharaoh’s Land”
(Viaphone)

This is a travelogue that covers
Egypt, particularly Port Said and the
southern territories. It emphasizes the
off-screen events of Jan. and
Goodman Ace (The Easy Aces). The
content here is novel and the picture
as a whole is good entertainment,
leaving both comedy and interesting
shots of a strange land. Production
Code Seal, No. 4229. Running
time, 9 minutes. “G.”

Big Crowd Expected At Censor’s Dinner

Philadelphia, Jan. 27.—The M.P.
T.O. testimonial dinner to Samuel D.
Schwartz, retiring chairman of the
Board of Censors, to be held Monday night at the Belle-
vue-Stratford promises to be one of the
film events of the season.

Joseph Schenck, president of United
Artists, will head a delegation of New
York guests, while the local industry is represented heartily. The
function will not only be a farewell
to Schwartz, but also serve to intro-
duce Lowell Davis, incoming
chairman of the board, to the industry.

K. C. House Opens Feb. 1

Kansas City, Jan. 27.—The Fox
Rockhill, closed for repairs following
a fire in the Rockhill building, is
scheduled for reopening about Feb. 1.
In eight of
"1934's BEST TEN"

Of the ten pictures chosen as 1934's best in the Film Daily's nationwide poll, eight were photographed on Eastman Super-Sensitive Panchromatic Negative. Again this Eastman film has made its contribution to the artistry and entertainment value of the productions adjudged the finest of the year. Eastman Kodak Company, Rochester, N.Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative
Availability In Code Terms To Be Defined

(Continued from page 1)
working on a definition for an amendment to the code. The definition will be made in the form of a recommendation to Campi which will submit the proposal to Washington for a public hearing.

The interpretation of the legal body will have no bearing on Code Authority's recent decision in the Kutinsky-Schwartz selective issue. In this instance, Campi held that unless Schwartz decides within three weeks whether he will book pictures after the day Broadway and the undated films become available to Kutinsky for negotiation. This is the only amendment before Code Authority at the present time, all others having been given public hearings at the Capitol.

Clearance for L. A. Up Again Thursday

(Continued from page 1)
days, members of Code Authority discussed the cost plan, but were stymied on the basic principle of administration.

At the last session, the contract dispute between Jack Bellman of Hollywood Exchanges, against Ken Goldsmith and Mascot on "Little Men" did not come up, the committee hearing the complaint not having reported on its findings. Austin C. Keough, Paul Burger and Joseph Seider acted as the committee and are now studying the case.

C. C. Bur's protest against Mascot regarding the services of Ken Maynard is on the docket for Thursday. Paper from the litigants were received after the last Campi session with the result that John C. Flinn turned them over to the legal committee, comprising Keough, Willard C. McKay and J. Robert Rubin. Rubin is slated to leave for Palm Beach today for about two weeks and this may delay action by Code Authority.

Appeal hearings resume today after a week's layoff necessitated by the two-day Campi session last week. There are about 40 cases on the docket and they are expected to be cleared up by the end of next month. Code Authority is anxious to wash its appeals as quickly as possible. During the last two sessions, 56 were decided.

La Hiff's Tavern

A chop house of exceptional merit

156-8 West 48th St., N. Y. C.
RED KANN

Operates no theatres but knows the men who buy the films.

He edits MOTION PICTURE DAILY
Hollywood Personalities

Portland, Jan. 27—This town was a living "Bengal Lancer" in a big way, pushing the seven-day takings of popcorn and other goods over normal for a total of $8,000.

Sweet Adeline" also was a good draw at "Lance's" cinema. The palace turned in $1,700.

"DEFENSE RESTS" (Col.)

THE LANCER" (Warners)

TOWER—(1,000), 15c-25c, 7 days. Gross: $8,000. (Average, $1,143)

"THE MAN WHO RECLAIMED HIS HEAD" (Univ.)

WORLD—(800), 25-75c, 7 days. Gross: $2,500. (Average, $357)

Seattle Spots Celebrate

Seattle, Jan. 27—Two downtown theatres are celebrating anniversaries this month. The downtown's Olive Centre, a second run, is 19 years old and is offering a special dual program with added music. Jensen Von Herberg's Liberty, opened just 21 years ago, is also offering a special first run dual feature program for the celebration.

Hits Jr. Bank Nights

Kansas City, Jan. 27—The newest box-office stimulant hereabouts is a junior version to "The Lone Ranger" picture made for time out by J. Erwin Dodson, Casino, Exclusior Springs, Mo., in a lodging a grievance complaint at the Fox Beyer, same town. The "Lone Helper" is a boy who runs bank night once a week for adults and on Saturday operates a "junior version" for children. He also charges reduced admission.

Choose 11 Assisstants


Hollywood, Jan. 27—Universal is planning to build up "The Little Minister" by Jean Dixon as a co-starring team. Their initial picture will be a story titled "Lost Women," now being prepared for the screen.

Montreal Tragedies

Stir New Agitation

Montreal, Jan. 27—Further repercussions are expected to follow the death of a woman and four children in a house fire in a private home. The machine was being used for a show for neighborhood children. Authorities forbid the attendance of juveniles at theatres, but twice this winter two serious incidents have occurred at shows under non-supervised auspices and theatre proprietors have taken up the matter of removing the development ban on the admission of juveniles to inspected theatres where no accidents have taken place.

In one case, at Quebec City, 150 children fell when the stairway to a church hall collapsed under their weight, and 40 of the 40 pupils were killed.
St. Louis Indictment Copies Reach Company Offices Here

Copies of the corporate indictments of Warners, Paramount and RKO returned by a Federal grand jury following the St. Louis film bribery investigation were received here yesterday, directing the companies to appear in Federal court at St. Louis and enter pleas "forthwith."

St. Louis counsel representing the companies will enter pleas of not guilty today or tomorrow, it was stated here. Individual indictments of Harry M. Warner, Gadwell Sears, Herman Starr, Abel Cary Thomas, Ned E. Depinet and George Schaefer, requiring the posting of $2,500 bonds by each with a U. S. marshal here have not been forwarded from St. Louis yet.

New FWC Unit Theatre Heads To Get Going Marshal Fight In Few Days On Fee Boosts

KANSAS CITY, Jan. 29—Final reorganization plans for various Fox Theatre subsidiaries will be settled at Los Angeles meetings this week, said Spyros Skouras here yesterday before entraining for the coast.

The West Coast group will be out of business this week, the Kansas City and Denver divisions following with final reorganization of the circuits anticipated by April 1, Skouras continued.

It was also revealed that each division will be self sustaining, with the division heads in full charge, reporting only to New York. Heretofore

Continue Move to End RKO-M. & S. Row

Discussions of a settlement of the breach of lease charges filed against RKO by Meyer & Schneider involving film playing policies at the Hollywood and Apollo were resumed yesterday by counsel for the litigants, resulting in postponement till tomorrow of the board of arbitrators' hearing of the charges scheduled for yesterday.

If no basis for a settlement is agreed upon by tomorrow, numerous lawsuits and circuit executors will be called upon to testify and produce records at the resumed hearings.

Coast Board Seeks Legal Aid

LOS ANGELES, Jan. 29—Acting upon instructions from New York, the local grievance board yesterday presented

Pittsburgh Fears Theatre Price War

PITTSBURGH, Jan. 29 — A general price war is looked for here with the Penn Theatre's announcement that it

Tulsa Houses Given Stay on Bank Nights

OKLAHOMA CITY, Jan. 29—Federal Judge Vaught has issued a restraining order preventing enforcement of code

Trusted for Para. Urged Third Time

Court Again Requested To Name a Board

Appointment by the court of a group of voting trustees to head Paramount in place of a board of directors after the reorganization of the company was urged upon Federal Judge Alfred C. Cose yesterday for the third time in two days by local opposition to the Paramount reorganization plan.

Archibald C. Palmer, who says he represents several thousand shares of Paramount stock, made the appeal to the court yesterday following identical appeals made on Monday by Robert Scold, counsel for the Munger dendicte committee, and Louis Bochen, attorney for stockholders. Reading from Motion Picture Daily's exclusive list of the 16 men agreed upon for the new Paramount board by the principal creditors' groups, Palmer attacked the fitness of each.

"Throw them all out," Palmer cried, on ending his individual and collective

Tacit Pact Retains Cleveland's Zoning

Exhibitors in Cleveland are continuing the clearance agreement, which expired Jan. 1, 1935, under a tacit arrangement, Paul Gudinov, operator of the Regent, Cameo, Colet, LaSalle and Norwood, stated yesterday. The agreement was orally entered into between Loew's and first and subsequent run exhibitors in that territory

New Jersey Tax May Not Reach Theatres

TEENTON, Jan. 29—Elimination of theatres and other amnesties from the proposed New Jersey sales tax was indicated by Gov. Harold G. Hoffman today. In addition to amnesties, the Governor suggested certain intangible

Yamin's Again Made N. E. Allied Leader

BOSTON, Jan. 29—Nathan Yamin of Fall River, Mass., was re-elected president today at the annual meeting of Independent Exhibitors of New England, Allied unit. All other offices
Reader's Opinion

FROM: Maurice Casazza.

BANANAS UP OR DOWN THE line, as you like it, to syndicate writers, magazine editors, and trade paper critics, Erpi executives, an occasional independent distributor and the more lowly in publicity dispensers, a formidable group turned out and into the Waldorf as evening fell last night to see what the first release of the much heralded "March of Time" had to say for itself. No longer the experimental subject, this was what first runs will get beginning Friday.

It is a six-part affair, twenty minutes in length. It is interesting and refreshing and true to the conception behind Time, the magazine and the subject's mentor, that news program, proving editorial judgment that sifts if it is nicely balanced, is most arresting when it is interpreted. Outstanding far and away to this observer is the story being done of Prince Kimmochi Saionji, the "wise old man of Okitsu, twice premier of Japan, last of the Elder Statesmen." With flashback and editorial ingenuity and in the space of a handful or more minutes, the screen shows and the narrator explains the crisis which confronts Nippon. Are the men of war or the men of peace to plant their standard in victory? "The March of Time" poses the issue, gives no answer but pungently, dramatically and emotionally, ten and twenty factors that maintain the scales in the balance.

There is significance in that Japanese episode. It demonstrates how weak a liberty is that finds something into which they can sink their teeth. They bite hard. This column urges that they continue to look and to bite in the conviction that enough of guts and interest in this troublesome, issue-sodden existence is waiting to have its story presented. The very title, "The March of Time," is a challenge, an order on record on celluloid and on sound track of events that mean something to the transients in a world beset with vexation and interesting problems. Under its own decreed policy of interpretative news, peering into the why, how and when, "The March of Time" has made it a study in provocative and attention-holding without necessarily being partial.

For its other five episodes, the producers selected the story of "21," famous New York speakeasy and how its owners beat the Feds during prohibition; the safety campaign in London under Transport Minister Leslie Hore-Belisha and what the public did to his beacons; Fred Perkins, York, Pa., battery manufacturer who defied the NRA and was recently returned to legalistic fortune which could not buy; Moe Buchaibia, arrested for speeding in France where he refused to pay his $66.00 fine and making as suspicious a pronouncement by way of reducing the France debt; Gatti-Casazza and his 28th and final first night of opera at the Metropolitan.

Merit runs through all of the subject matter. The selection is adroit, the treatment different and fresh. But there remains additional opportunity to go further. If many saw the films which have made Time such a publication gargantuan prevail, as indications they have it will.

"The March of Time," as good as anything, making as auspicious a debut as it does, sounding off a newspaper idea sans ski jumpers, baby parades and fashion shows and concentrating more on the fibre than the fluff, will better with succeeding issues.

Many are the versions of the Paramount, Adolph Zukor situation, et al. Reason, not hearsay, credits the inside fight, over now to exclude him from the board of the new company as a movement led principally by H. A. Forington, representing securities controlled by the British insurance companies; John D. Hertz, one-time chairman of the Paramount finance committee; Floyd Odlum, through A.T.A.'s which owns part of the British insurance companies. These interests capitalized only when conviction finally became theirs that the Zukor name means something at Paramount, the convincing being credited to the A. Z. supporters.

Not merely that, however. This point is supposed to have been made: That Zukor, out of Paramount and with a competing company might have traveling by his side Paramount executives and Paramount talent of sufficient weight to help the competing company in the end. At any rate, he is on the board. And now what will? Will he be president and, if he is, what, bodies will be placed upon his functioning? Or isn't it a confession closer to fact that he will be leaned to head an executive committee whereon other members will carry vote as well as voice?

The executive committee—it doesn't even exist so far—is expected to be the real force in the company. In addition to actual administrative powers, it is very apt—it might well do—it relied upon heavily by the uninitiated and new board of directors for practical management. In the film business is all about. Speculative, solely, but around plenty, if you listen, is the report George J. Stevens is likely fodder for the presidency. Aside from all well are other reports that post, the names most frequently mentioned belonging to Charles E. Richardson, John D. Hertz, Zukor. And Steve Lynch.

Yesterday developed a doubt about Kuhn, Loeb and earlier reports that Paramount's originating—was it really or was it just out of the situation. Archibald Palmer, about whom more is told if you will turn this page to the left, charged in court that Frank A. VanderLind, the new director, Mack, and several bank nominess have K. L. connections by either directly representing that firm's Paramount bond holdings or practically. K.'s stock is listed in several of the banks with representation on the board. Some insiders lean toward this viewpoint. That's a whisper. Counsel for the bank group, as well as for VanderLind, in court yesterday denied the allegation. That's a statement.
In New York, but—
David Copperfield is
Held Over
3rd Week
at the Capitol

And records are going to the Dickens as Leo’s glorious hit starts a nation-wide box-office clean-up from Coast-to-Coast. ARE YOU ALL SET FOR EXTRA PLAYING TIME?
Great States Plans To Remodel 9 Spots

Publix Great States plans the remodeling of nine theatres, some of which are open and others closed and which will be opened by fall. Maurice M. Rubens, division manager, stated yesterday before leaving for Chicago and his headquarters. In addition to rehabilitation plans, a new 900-seat theatre will be opened in Aurora, III, making a second house in that city, he said.

Theatres to be remodeled are: The Rialto and Academy, Waneeleag; Orpheum, East St. Louis; Crystal, Joliet; Lincoln, Danville; Grand, Altamont; Palace and Temple, East St. Louis; and Union, Belleville.

Rubens said that next month the circuit will hold a Certified Entertainment drive, trying in certified brand pictures with which it will be called certified events.

New Australian Co. Gets Monogram List

By CLIFF HOLT

SYDNEY, Jan. 29.—Film Distributors, Ltd., has been granted a franchise by a consortium of £20,000 to handle Monogram product throughout Australia and New Zealand. Physical distribution will be handled through British Empire Films, distributors of the British International output. Film Distributors, Ltd., has a five-year franchise in the same sequence.

It has a strong backing.

Max Ehrenreich is managing director while those associated with the adventure are J. J. Mulligan, Sydney solicitor; K. W. Aspery, a director of General Theatres Co., Ltd.; W. G. Morris, a director of Great Northern Theatres; and Alexs Albert, son of Frank Albert, music publisher, real estate owner and investor.

"Lancer" to Rialto From the Paramount

Following a three-week run at the Paramount, "Lives of a Bengal Lancer" goes into the Rialto on Friday for a two-week run. This is the second time this has happened with the Paramount, the first being the taking place several years ago when Mae West in "She Done Him Wrong" played both houses in the same sequence.

Replacing "Lives of a Bengal Lancer" at the Paramount will be "Wings in the Dark," followed by "Gilded Lily."

M-G-M Gets Wellman

HOLLYWOOD, Jan. 29.—M-G-M has signed William Wellman to direct "The End of the Road," having taken over the director’s contract from U. A. Donald Cook has been brought over from Columbia for "The Casino Murder Case." Ruth Channing’s contract, which expires Feb. 27, will not be renewed. Options have been bought on Rosalind Russell, player, and Edwin Knopf, author. Two junior writers, Frederic I. Ritz and Robert Lee, have been given new pacts.

More Salt Lake Duales

SALT LAKE CITY, Jan. 29.—Duales are fulfilling single features and stage shows at the Orpheum, with a cut under the present 25¢ matinee and 35¢ evening scales.
..the breathless drama

of those first few steps!

* 1920... just two men with an idea...
* Talk... plans... execution...
* A new force for motion picture exploitation is born...
* A small office... a single room... a telephone and a handful of people...
* But courage and conviction is the driving-force of progress...
* 300 customers that first tough year...
* The forerunner of the modern power-house National Screen Trailer emerges triumphantly...
* And now we celebrate our Fifteenth Anniversary of complete trailer service... with 9000 customers taking

NATIONAL SCREEN SERVICE — original creators of seat-selling trailers
OPENS AT RADIO CI

Released Nationally thr
MUSIC HALL FEB. 7th

HOWARD AND OBERON
"THE PIMPERNEL"

UNITED ARTISTS FEB. 15th
The Stars That Belong Together

...and your box office knows it!

One more triumph for the beloved co-stars of "Daddy Long Legs" and "Paddy." From the pages of Robert Nathan's stirring best-seller comes this drama of today...down-to-earth in its moving sincerity...up-in-the-clouds with its limitless joy of living...to win new plaudits for its stars...new profits for you!
GAYNOR BAXTER

in

ONE MORE SPRING

From the novel by Robert Nathan

WALTER KING • JANE DARWELL • ROGER IMHOF

GRANT MITCHELL • ROSEMARY AMES

JOHN QUALEN • NICK FORAN

and STEPIN FETCHIT

Produced by Winfield Sheehan • Directed by Henry King

Screen play and dialogue by Edwin Burke
Trustees for Para Urged Third Time

(Continued from page 1) attacks on the board nominees. “If there must be a board it should have on it the president, general manager, general counsel and president of the company. If the bankers want to watch, put a few of them on the finance committee, but don’t let them run the company. The management is the most important to the company’s future. The court should name a voting trust for three years which could get a management the industry will not sneer at.”

Palmer followed his attack on the proposed directorate with criticism of virtually every phase of the plan, but with special emphasis on the bank debt provision. Several of his statements regarding the fairness of the proposed directors were challenged as “untrue by Morton G. Bogus, counsel for the bank and Mr. S. Reed of counsel for the Vanderlip debenture committee.

Palmer earlier had been required by the court to furnish a list of the stockholders he claimed to represent. Alfred A. Cook, counsel for Paramount and Edward L. Nizer, counsel to the complainant, reported to the court yesterday that there was no record of any of the holders named in the list supplied by Palmer.

Attacks para B’way Plan

Monroe Goldwater, law partner of Edward J. Flynn, Bronx Democratic leader, appearing as counsel for Allied Owners, a large Paramount creditor, described the reorganization plan as “good, on the whole,” but attacked the plan for reorganization of Paramount by Paramount, and the appointment of Walter S. Hiltz, counsel for the Paramount Building and the theater. Asserting that the rental for office buildings is too large, and charging the reduced admission clause of the code and he was forced to adopt bank nights and similar devices in self defense.

Campi affirmed the cease and desist order issued against Feeney, but ruled in cases such as this the order shall become effective “only as long as the complainant abides by the provisions of Article V-E, Part 3, Section 1 of the code.”

Tulsa Houses Given Stay on Bank Nights

(Continued from page 1) based on the action taken by the Gem and Cozy theatres, Tulsa, pending a decision by the U. S. Circuit Court of Appeals in the Aspinall case which originated in Denver.

A petition filed by the Tulsa houses named six major distributors and asserted that the producers alleged that distributors were threatening to stop film service.

Elton J. Dick, attorney for the theatres, pointed out that the case was exactly like the Hoffman case.

Pittsburgh Fears Theatre Price War

(Continued from page 1) will adjust the regular price policy and cut its top from 60 cents to 40 cents.

The Stanley, Alvin, Fulton and Warner appear bound to become involved, since this is the most drastic admission cut in the city’s history.

The biggest drop, 35 cents to 60 cents on a straight picture policy and 10 cents more for shows.

Mastbaum Drops Prices

Philadelphia, Jan. 29.—(Continued with the new Thursday opening policy scheduled to start this week, the Roxy—Mastbaum will drop its night prices from 75 to 65 cents in a drive to bolster attendance.

Tacit Pact Retains Cleveland’s Zoning

(Continued from page 1) and is being continued to the satisfaction of the parties, but, he said, in some instances, some unimportant houses are “cheesiling.” Gudasono declared.

Allied Approves Budget

Allied of New Jersey yesterday approved its 1935 budget. Leon Rosenblatt presided under the rotating chairmanship plan.

Hot Words Fly As Selectives Come Up Again

Louis Geller disputed Nizer’s statements and then Sattler and Jack Bell discuss the whole argument by Louis Century immediately to choose 85 second runs so that the complainant could begin negotiations for other films. This suit, for the product in question, met with a negative response when Century contended it could not sell from its contracts what pictures it was getting, most of which are not selling. The suits have been filed in an effort to gain an audience for pictures with no positive audience value. The district court yesterday adjourned the case.

Tom Murray of Century stated that when the circuit books first run picture in question, Century agrees or rejects its second run films for the Freeport, thus giving Piccione ample time to book.

Nizer Calls System Wrong

Nizer, who represented Morris Ku- tner, who is operating the Queens Vil- lage, in a similar complaint against Century, contended that the system is unfair and that the exchanges do not want to sell that way.

Kutn stated: “We don’t want to be blinded. I sweated down in Washington at the time of the drafting of the code to get designations and couldn’t get it. If you can tell us what pictures we are going to get, we will make our selection.”

He pointed out that there was no inter- ment between Century or any of the exchanges not to sell the Plaza. Pic- cione last year bought Paramount and Cutler, who didn’t get them to- gether on a deal, but this season A. H. Schwartz has the two products.

After an executive session, the board of directors and attorney Pierson M. Hall, who will defend it against the show cause order issued Judge Harry A. Holzer of the U. S. District Court.

The court, on that date, issued a temporary restraining order against Paramount distributing until it determined why a cease and desist order should be applied to the Mission Theatre, San Francisco, which has been balked by the Granada of Alhambra.

The same order also applied to M-G-M, Vitaphone, United Artists and Paramount.

Coast Board Seeks Federal Legal Aid

(Continued from page 1) its case, District Attorney Pierson M. Hall, who will defend it against the show cause order issued Judge Harry A. Holzer of the U. S. District Court.

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The same order also applied to M-G-M, Vitaphone, United Artists and Paramount.

Ban Prescott Bank Night

Los Angeles, Jan. 29.—The local grievance board has ordered the Studio, Prescott, Ariz., to discontinue bank nights. The house is competition to the Elks, same city.
New Jersey Tax May Not Reach Theatres (Continued from page 1)

services may also be exempt in the light of new revenue estimates.

For the second week in succession introduction of the sales and income tax bills was delayed to permit changes suggested by the Governor. One of the major changes in the sales tax is reported to be elimination of exemptions from the tax, although details of the measure were a closely guarded secret. It will not be known definitely until the bill is introduced and printed later this week.

A major change in policy is contemplated by the Governor in the area of personal and corporate incomes being separated by tax experts to determine if commercial or personal corporations would be effective. The first proposal of Governor Hoffman was for a two per cent income tax with applications the same exemptions as the Federal law.

Now the plan is reported to be a two per cent rate on personal incomes and a higher graduated scale for corporations.

Yankees Again Made N. E. Allied Leader (Continued from page 1)

cers were also continued in office. They are Max Levenson, Boston, first vice-president; Walter Littlefield, Roxbury, Mass, second vice-president; Ernest Hornsby, Boston, secretary; Harold Stoneman, Boston, treasurer.

Members of the executive committee were likewise all reelected as follows: Morris Pouzar, Charles Hodgdon, A. A. Bendsley and Richard Ruohan of the New York Sun; Andrew Tegu, Vermont; Warren Nichols and A. C. Farwood, New Hampshire, and Richard Flora and Abe Goodise, Maine.

Business was confined to a discussion of local topics.

New FWC Unit To Get Going In Few Days

MOTION PICTURE DAILY
HOLLYWOOD PREVIEW

"Shadow of Doubt" (M-G-M)

HOLLYWOOD, Jan. 29.—"Shadow of Doubt" leaves no doubt that the picture will get successful audience reaction in any man's town. Rich story quality and fast tempo, plus capable delivery point up a well directed feature film by Richard Boleslawski. Constance Collier, Isabel Jewell, Betty Furness, Arthur Byron and others.

George Seitz's brilliant direction extracts all possible from the story material, which was adapted by Wells Root from Arthur Somers Roche's original depicting a multiple murder with the suspects a radio solicitor, a press agent, etc.

Cortez and Miss Bruce carry the romantic interest, with Miss Collier dominating throughout by playing an old aunt opposed to her nephew, Cortez, falling in love with an actress. So many fast situations develop that the plot becomes secondary, and, although few numbers are committed, unraveling these crimes makes good entertainment for the average theatre-goer.

Beautiful settings and expert photography add to the splendid acting and direction. The film was produced by Lucien Hubbard.

Premiered without production code seal. Running time, 75 minutes. G.'

New Idea in London Automatic Theatres

American tourists in London will soon have more than the fog, driving on the opposite side of the road and cockney accents to contend with. An automated theatre is about to be installed, if dispatches from the London Sunday Express can be believed, which will have pictures, be they where they may, will probably find themselves stumped for the first time.

J. Briggs is the inventor in the case. His idea is to have a shilling-in-the-slot box-office—or six pence for half a crown, according to the seat.

Automatic projection does away with men from the booth. This because three miles of film can be loaded into one machine and breakage is done away with by means of a new splicer that works without pressure.

A time switch will cause doors to open and close according to the will of the proprietor, who, in case not near his house except to collect—or in case of an emergency.

In describing his plan, Briggs says: "A gate allows one patron through at a time when he or she puts the money in the slot. "When all the seats are full, the gate locks itself, lights a sign announcing the fact and seals the money slot." Briggs doesn't say, however, what is done when a family, say of five, is passing through, with papa dropping shilling after shilling, and suddenly signs begin to light up telling him so more can get in when half family is already inside. Or, if a stray swain passes his girl friend in and finds himself on the outside.

Gusdanovic Appeals Cleveland Decision

Declaring that the Temple, Cleveland, always maintained 14 days' protection over the Sun, Paul Gusdanovic, operator of the former house, yesterday appealed a decision of the Cleveland clearance and zoning board, which recently held that the two theatres were in different zones. The board in its ruling stated that although he had protected over the Sun this was not for future film buys that he was complaining.

Gusdanovic contended at a hearing before Leslie E. Thompson, Roy L. Haines and John Benas that the first decision of the local board had unanimously held that the two theatres were in the same zone and competitive, adding the decision with a clause that if the Sun stopped advertising admissions in newspapers it would consider an application to put the Temple in zone 18 and the Sun in zone 17. The Temple pays from $50 to $800 for a picture while the Sun pays from $10 to $50, Gusdanovic said.

The Sun followed the suggestion and when the case came before the local board again, the two houses were put in separate zones by the board. It is from this ruling that Gusdanovic appealed.

Other appeals discussed by the committee were:

Charles Gotlabb, Sunbeam, Cleveland, against the Sun, same city, on reduced admissions; Joseph Livage, Roxey, St. Louis, against the Grandada and Kingsland, same city, on clearance and zoning; Ira, St. Louis, against Mikado, Tivoli and Wellston, same city, on clearance and zoning.

No Milton Sunday Shows

MILTON, Mass., Jan. 29.—The Board of Selectmen has voted against the building of a new Theatre.

Frederick A. Gaskins gave the reason for the dismissal as "lack of interest of the citizens." A hearing a week ago on the petition of 150 residents aroused very little interest, according to Gas-
kins.

THEATRE HEADS

Theatre Heads

Lincoln Theatres

LINCOLN, Jan, 29.—Bitter cold with gales pushing the thermometer down to 12 below zero hit theatres last week.

"Imitation of Life" at the Stuart started well, but slipped with the weather. It grossed $2,700, below average by $400. "We Live Again," Lincoln, bolstered by a big short program started to wow 'em, but was rained on. The take was only $1,700.

Total for the four first runs was $8,100. Average is $910.

Estimated takings:

Week Ending Jan, 23:

"WE LIVE AGAIN" (U. A.) LINCOLN—$6,000, 10c-1sc-26c. 7 days. Gross $4,700. Average $600.

"IMITATION OF LIFE" (Univ.) STUART—$12,000. 10c-2sc-60c. 7 days. Gross $7,000. Average $1,200.

Week Ending Jan. 24:

"MILL OF THE GODS" (Col.) VARSITY—$1,100. 10c-2sc-75c. 5 days. Gross $950. Average $190.

"YOUNG AND BEAUTIFUL" (Mon.) "OLD GOBY." (Para.) ORPHEUM—$1,000. 10c-2sc-60c. "Kitty in Celluloid" stage show, 3 days. "Wife" for 4 days. Gross $2,800. Average $930.

Brief in Tax Fight

LOS ANGELES, Jan. 29.—U. S. Dist.

Act Judge Cosgrove today ac-

cepted the brief of United Artists, M-G-M, Fox and Paramount in their action for an injunction preventing Los Angeles County from assessing what they claim to be excess taxes on properties bordering the studios.

Fall of Roof Kills 8

MEERLIN, Bolivia, Jan. 29.—Col-

apse of the roof of the Alazcar dur-

ing a show ing of "Boliviada," eight persons and injured 40 here last night. Many of the victims were foreigner.

Nazi Law Hits Lubitsch

BERLIN, Jan. 29.—Ernst Lubitsch has lost his Prussian citizenship under a Nazi decree revoking the naturaliza-

tion of Jews.

Eyes Trouble Laemmle

HOLLYWOOD, Jan. 29.—Carl

Laemmle, Sr., is confined with an eye ailment.
I believe motion picture audiences will be surprised and delighted at the extraordinary new screen personality of Edward G. Robinson in this great topical story sensation: THE WHOLE TOWN'S TALKING.

It was a unique privilege to direct it.

It is terribly exciting, with all the quality of a front page sensation.

It owes much to the fine writing of Robert Riskin, Jo Swerling and W. R. Burnett and to the splendid performances of the entire cast.

JOHN FORD
Distinguished director, fresh from his recent triumph, "Judge Priest", now produces his most notable contribution to the screen.
Kuhn, Loeb Seen Eliminated From New Paramount Setup

Complete elimination of Kuhn, Loeb & Co. from Paramount affairs of the future is regarded as having been virtually brought about by important reorganization factors. This banking institution which handled Paramount's first public financing more than 15 years ago and has been closely identified since with the financial affairs of the company, through all phases of its theatre, production and distribution expansions, was recently involved in suits brought by the Paramount trustees over operations in connection with an employees' stock purchase plan of 1928 to 1931. This entanglement is popularly credited in reorganization circles as the reason for the elimination of the bank from future Paramount affairs. Other reports, however, hold that brisk competition for the financing of the new company has played its part in the current situation.

The anti-Kuhn, Loeb maneuvers are held to be directly responsible for the elimination from the new Paramount board late last week of Dr. Julius (Continued on page 5)

First Again
Publication of the new Paramount Directorate in Motion Picture Daily yesterday morning was a clean beat on all competitors. The story created a stir around town and was picked up by New York afternoon dailies, who, however, went shy on credit lines.

Four Creditor Groups Attack Para. Lineup

Invitations to open fire on the Paramount Publics plan of reorganization were accepted yesterday by four representatives of small creditors' groups at the resumed hearing before Federal Judge Forster, County Court, fifth, the prominent creditor, Allied Owners Corp., served notice that, while it was not opposed to the Paramount plan it would voice objections to certain phases of the Paramount Broadway reorganization plan, which is a part of the parent plan.

As expected, no opposition from any large creditor group developed, due to the agreements of last week-end on the makeup of the initial board of directors of 16 members which pacified the potential upper case opposition. (Continued on page 6)

Para. Trustees Lose Fight for High Fees

Motion of counsel for the Paramount Publics trustees for leave to appeal from the order of District Court Judge Murray W. Hubert setting fees of $32,500 each for Charles D. Hilles, Eugene W. Leslie and Charles E. Richardson for services for the 14 months ending last June 27 was denied yesterday by the U. S. Circuit Court of Appeals. The trustees had requested fees of $160,000 each on the ground that the court was authorized by the new bankruptcy law to establish fees in a "reasonable" amount even though that

Grainger Stays West To Push "I" Program

HOLLYWOOD, Jan. 28—James R. Grainger, general sales manager of Universal, already here from New York for almost six weeks, plans to stay on a few more to give direct attention to the meeting of release dates (Continued on page 2)

Cleveland Men Seek Dual Ban Extension

CLEVELAND, Jan. 28—Operating a circuit of half a dozen small subsequent run houses in this city, Maurice Kaplan has been urged by owners of other independent subsequent runs to start a petition to renew the...
**Purely Personal**

**Helen Hayes** arrived in town yester-
day from the coast where she has
just finished work in "Vanessa" for
M-G-M. She goes into rehearsal soon
for a little role in "Mary of Scot-
land," which the Theatre Guild is
reviving and sending on the road.

**Cecoss Smith**, western and
southen sales manager of Radio, is
on his way to the coast by boat and
will be here the 13th. On the tele-
phone, the Autograph offspring
explained the talk could be delivered
almost anytime. **Horne** has set
three years from date for it, figuring by
that time television will have arrived
and the business may have emerged from
its swaddling clothes.

**Bennie Brooks**, New Jersey booker
for Paramount, was promoted yester-
day to New York salesman succeed-
ing Max Broad, resigned.

**Bob Goldstein** didn't make Chi-
ago over the week-end because of
a dental appointment and not because
of business as first reported. Joe Mos-
Pesci, of the National was here, too,
both during the week. **Loew** called
when he kept the appointment.

The Milton Blumgerts en-
tained at cocktails Sunday evening.
Thousands of people showed up.
Among other notable happenings
there, Lou Buescher reached a new
high.

**Quip of the Day**

Arthur Mayer says:

"(1) Since Pask staid that juve-
nile pose of mine in 'Balboa' ad
copy, I've received three offers to
act in Hollywood.

(2) Now that 'The Wandering
Jew' continues to do standout
business at the Criterion, I'm
thinking of calling myself the
wandering Jew.

**Bruce Caro and Adelbert Ames**

left for the coast last week. They
were set for Florida but changed
their plans at the last minute. The
irm had a lot to do with their leav-
ing.

**Mearl Osborn** fooled everyone
by sneaking into town two days before
she was expected. She saw **Leslie
Howard** in "Petrefied Forest" Sat-
urdy night.

**Audrey Allen** hosted to a
group of friends at the Normandie
for cocktails. Celebration of her birthday
was the reason.

**Lou Irwin** hopped off for Florida
over the week-end for a two weeks' trip.
**Baker's** business that brought
on the trip.

**June Clayworth**, Universal play-
er, who has been vacating here,
planes it to the coast today.

**Jules Levy** returned from Miami
yesterday and, by his own words,
"feeling great."

**John Balaban** sails today from
Honolulu for Los Angeles where he
will take a train for Chicago.

**German Double Print Patent
Ruled Valid**

WASHINGTON, Jan. 28—The Tobis
double print patent was null and void
fully covered by the present methods
of copying, according to a decision re-
cently handed down by the German
Supreme Court, in which Judge Com-
misssioner George R. Canty in Leip-
zig in a report to the U. S. Depart-
ment of Commerce and Trade Com-
misssioner for the double print of
German film copying industry and not
without effect in the American industry,
related to the joint complete control of the 3 (editor
sory subsidiary) and Hubert Schen-
gar against the Tobis group to test
the validity of the double-print patent.

This patent covers the copying of
two negatives, which have been in
dependently shot and developed, on
a single positive film. The patent
was originally granted to one Hans Zogt
of Berlin, in 1921; afterward sold to the Tri-Ergon patent holders
in 1924; and then, upon liquidation of
these latter, it fell into the hands of the Tobis group in 1928.

This decision, which is of basic im-
portance to the German film copying
industry and not without effect in the
American industry, related to the joint complete control of the 3 (editor
sory subsidiary) and Hubert Schen-
gar against the Tobis group to test
the validity of the double-print patent.

Cleveland Men Seek
Dual Ban Extension

(Continued from page 1)

single feature agreement that became
effective July 8, 1934 for a one-year
period. Kaplan says he is delighted with
the way the feature agreement
management has worked out and is anxious
to continue it. He reports that others operating under our feature
agreements
houses are also anxious to continue
the policy, but in order to have it
successful it must be in general ef-
fect.

On the other hand, the few double
feature houses report business is be-
eyond expectations. The Mr. and Mrs.
Kaplan, closed for more than 10
years, and situated in a neighborhood
remote from residences, reported busi-
ness about double feature days since
the opening four weeks ago to such an
extent that the operators, Steven
Kaplan, were obliged to open and out-
fit the balcony.

The Grand Central, formerly oper-
ated by Max Kaplan and owned by
Mrs. Max Kaplan, went to double
features this week, making the fifth
double feature house. The other
double feature houses are the Tem-
ple, Family, Alhambra, Metropolitian.

**Nat's Screen's Plan
On Posters Attacked**

(Continued from page 1)

into their patent. Posters Ads are now
under consideration and in proc-
ess of negotiation between National
Screen and major distributors where
the National handle dis-
tribution of posters and advertising
accessories of these film companies from
a "no special territory.
" declares the current issue of
The Contact, organ of the M. P. T. O.
of Eastern Pennsylvania which then proceeds
to attack the plan, describing it as "but
one step away from monopoly and
undesirable situation with the elimination of the post-
er exchanges throughout the coun-
try."
I HAVE photographed 220 pictures in my career, but never have I been more impressed than with Edward G. Robinson's amazing performance in "The Whole Town's Talking". This is surely a new type of story, and a real new ROBINSON, such as the world has never seen before. It is a masterpiece of direction by John Ford and written by Jo Swerling and Robert Riskin, from a story by W.R. Burnett.

Joe August
THUNDER

“A CORKING FILM WHICH MERITS SHOULD BE MATCHED BY BOX OFFICE APPRECIATION!”

AL LICHTMAN presents

THUNDER

starring

CHARLES B. CHAPLIN, MERLE OBERON, JOHN LODGE

a Leon Garganoff production
in the East

"Will take its place among the important releases of the year!"

"Finest in years!"

"Thrilling!"

United Artists

Released thru

the Reviews...
Wired Houses Of World Cut, Study Claims

(Continued from page 1)

Big Gain in Europe

Thus, while in the world’s richest market, America, the decline in motion picture attendance is in reality being held to a minimum by the many inferior houses which are still in operation. These houses, mainly in the large cities, are unprofitable and are to be closed.

Reporting a wider spread of talking pictures, as well as in England, Italy, France, Persia, China, Brazil, Chile, Holland, Denmark, Sweden, Norway, Austria, Belgium, Greece, Latvia, Turkey, and Switzerland, as well as the Latin American countries of Brazil, Argentina, Cuba, Peru, Paraguay, Ecuador, Bolivia, Chile, Colombia, and Guatemala. A number of the countries as well as the islands and groups of islands, such as the Philippines, Formosa, and the West Indies, are also reporting an increase in the number of houses and in the number of houses still in operation.

Loss in Africa, Near East

Africa and the Near East showed less progress than the rest of the world. In most countries, the number of houses and the number of houses still in operation showed a decrease. This is particularly true of the countries of Africa and the Near East.

Endorse Independents

Philadelphia, Jan. 28.—The M. P. T. O. of Eastern Pennsylvania is on record for throwing support of its members to independent exchanges.
Jersey Sales Tax
Opposition Gains

(Continued from page 1)
by Governor Harold G. Hoffman. Passage of either measure at this time appears doubtful.

The sales tax bill is slated for introduction in the Assembly tonight, but the income tax bill is ready for some time. The sales tax bill, it is understood, still carries the two per cent levy on gross business of motion picture theatres, but provision is made for passing the tax on to admission prices.

Mayor Frank Hague of Jersey City, Democratic leader, is heading the opposition to the sales tax. The mayor at a conference of Democratic legislators got them to oppose any new taxes. Since the Democrats have 25 votes in the Assembly, and the Republicans have only three more than necessary to pass bills, the Governor's program is in a precarious position. Five of the Republican assemblymen ran on a platform opposed to the sales tax and unless there is a decided shift the bill will not pass the House.

State Industry Rule Up in Massachusetts

(Continued from page 1)
Council under the terms of a bill introduced by Assemblyman Wyldlife C. Marshall. It would be a state version of the NRA with wide powers and a 10-year period of life. This industry would have three members on the council, one each for management, investors and owners and labor.

The council, among other things, would have control of the financing of film companies and subsidiaries, distribution of product, the use of so-called labor-saving machinery and devices, the age limits of employees, re-arrangement of hours so that unemployed might be given jobs and the assignment of these unemployed to definite positions, distribution in a more equitable manner of wealth, distribution of income, and the strict adherence to a high standard of labor laws to be determined later. The council would be vested with authority to enter compacts with other states.

Nebraska Gets a 2% Sales Tax Measure

Lincoln, Jan. 28—A two per cent sales tax which includes theatre admissions is provided for in a bill introduced today into the Nebraska Legislature by Representative Nickels. According to provisions of the bill, the tax must be added and cannot be absorbed. The fund thus produced will go into a state school fund.

Georgia Legislature Has 5% Tax Measure

Atlanta, Jan. 28—The Georgia Legislature, now in session, has before it as one of the tax-raising efforts a five per cent tax on theatre and other amusement admissions. The measure is now in the hands of a committee.

Radio Party on Coast


Powers Leads New Unit

P. A. Powers is principal stockholder of Longshore, Inc., new unit organized to take over the 200-acre property of the former Longshore Beach and Country Club at Westport, Conn. Longshore Estates, Inc., which now controls the property will lease it to Longshore, Inc.

Loew Reports His Stock

WASHINGTON, Jan. 28—Reports on the stock holdings of corporations officials received today at the Securities and Exchange Commission included one from David L. Loew, vice-president and director of Loew's, Inc. It showed he owns 2,476 shares of no par common.

Flash Reviews

Shadow of Doubt—... will get successful audience reaction in any man's town... rich story quality and fast tempo. . . .
Victor and Victoria—... charming and tuneful musical romance... smartly directed and cleverly acted.
The Nut Farm—... good average farce.

These films will be reviewed in full in a later issue of Motion Picture Daily.

Arthur in St. Louis

St. Louis, Jan. 28—Harry C. Arthur of Fanchon & Marco is here on a secret trip. He expects to leave for New York in a few days.

Reach Compromise On Mexican Taxes

(Continued from page 1)
by a compromise between the distributors and the Government. The latter agreed to reduce the Federal income tax from 10 per cent to 6 per cent, effective Jan. 1, 1935.

The ministry also told the distributors that, although it was unable to grant all their requests for sweeping reductions of duties and taxes, it will, however, appoint a committee of experts to examine the distributors' books to ascertain whether or not their claims of being unable to operate at a profit are well founded.

Finally she's

Gone to pieces!

You can spend money repairing a car just so long. Then she goes to pieces. So will old, rebuilt theatre chairs. Put in new chairs and have something to show for your money!

Ask Us, "How can I reseat and pay for new chairs conveniently?"

AMERICAN SEATING COMPANY

Waxers of Dependable Seating for Theatres and Auditoriums

General Offices: Grand Rapids, Michigan

BRANCHES IN ALL PRINCIPAL CITIES

COMFORT—The Greatest Star Of Them All!
Four Creditor Groups Attack Para. Lineup

(Continued from page 1)

The complete list of the 16 directors agreed upon by the guiding reorganization committee yesterday's Motion Picture Daily and placed a premium on copies of the plan which found their way into the courtroom.

The importance of the pacified groups as ranking creditors was disclosed during the day when George Z. Medalie, former Federal district attorney here, appearing as counsel for the consolidated interests, told Motion Picture Daily that they represented a total of $14,000,000 in claims, largely made up of bond and stock holdings. Among the interests represented by the claims are the Atlas investment group, British insurance companies, several banks and the John D. Hertz interests. This group placed representatives on the board.

The only registered opposition to the Paramount plan, it was indicated yesterday, will be made by Samuel Zirn, Louis Boehm, representing a small stockholders' group; Archibald Palmer, counsel for a small amount of stock; the Munger debenture committee, represented by Selden, Brandewin, Louis Boehm, representing a small stockholders' group; Allied Owners, which is given a seat on the board through the recent agreements, will confine its opposition to the Paramount Broadway plan.

Others Slated to Be Heard

Yesterday, Zirn, Boehm and Robert Sazd were heard. Palmer and Monroe Goldwater, counsel for the Allied Owners' trusts in bankruptcy, will be heard when the hearing resumes today.

The proposal of the plan, which include all of the important bond, stock, and mercantile interests, is to be given a hearing, following which Alfred Cook, counsel for Paramount and for the other creditors, will offer rebuttal to the opposition. Thereafter, the court indicated, that the plan, subject to the approval of the creditors, will be put into effect.

Yesterday's opposition centered mainly on phases of the Paramount bank debt settlement; they protested for taking care of stockholders and the directorate of the new company.

Sazd and Boehm both stated they favored the naming of voting trustees by the court in place of a creditor elected directorate, or the naming by the court of a receiver to serve for at least one year after reorganization. Zirn also asked for close conference with the court on the terms of directors to be limited to one or two years instead of the four-year period provided in the plan.

Sazd supported the notion of "business" men on the board, as distinguished from "financial men with Wall St. connections." The proposed board represents a large majority of financial men.

The opposition of Sazd and Boehm was in exact conflict with the former contending that the plan favored stockholders at the expense of bond and creditor interests, and the latter holding that stockholders, who, through the court, have approved the plan, are being grossly discriminated against. Zirn asked that no interest be paid on the bank debt until the company is reorganized, when Paramount went into bankruptcy, and attacked the $5,000,000 Allied Owners' settlement as one for breach of lease and was not provable for more than $2,400,000.

Half of Appeals Are Great States Cases

Three of the six appeals heard by a Campi appeal committee yesterday involved Publiclix Great States. Felix A. Jenkins of Fox; Judge Ben R. Bland, of Los Angles, Calif., and Louis Goldwater, independent exhibitor, constituted the committee. The cases heard were: Publiclix Great States, Philadelphia, Belasco, Orpheum and Washington, Quincy, III., and Orpheum, Springfield, Ill., against the Colonial, Family, Quincy and Star, Quincy and Capitol, Empress, Lincoln, Majestic, Pantheon, Strand, Senate and Tivoli, Springfield, on clearance and zoning; Publiclix Great States, LaSalle, Ill., against the Peru and State, Peru, Ill., on reduced admissions; Publiclix Great States' Majestic and LaSalle, LaSalle, III., against the Peru, Peru, Ill., on premature advertising.

Glen, Glen Ellyn, Ill., against Sam Tishman, Paramount, Wheaton, Ill., the plaintiff objecting to seven days' clearance by the respondent; the Maplewood, Maplewood, N. J., against the Cameo, South Orange; Millburn, Millburn, and Sanford, Irvington, on clearance and zoning. Leon Rosenblatt objected to the 14 days' clearance the Warner houses have over the Maplewood, Carl Andlerka, Coney, Grove, and the Cameo, South Orange; Millburn, Millburn and Sanford, Irvington, on clearance and zoning. Leon Rosenblatt objected to the 14 days' clearance the Warner houses have over the Maplewood, Carl Andlerka, Coney, Grove, and the Cameo, South Orange; Millburn, Millburn and Sanford, Irvington, on clearance and zoning.

Al Fair to Handle Alexander Selling

Al Fair, former general manager of Universal Chain Theatres, Inc., has been appointed by the American Legion to handle the negotiations for advertising privileges with theatre owners and circuits throughout the country. Fair's headquarters will be in New York.

The Alexander Film Co. has long been producing syndicated film advertising and servicing its studios in Colorado Springs, Colo., and has sales forces in practically all key cities.

Campi to Get Modification of Amendments

(Continued from page 1)

Klein, business consultant and associate of President Hoover, who served the banking house in the development of the Paramount reorganization plan, was a member of the Vanderlip bondholders' protective committee and was replaced by Robert K. Cassett, New York attorney, to serve as an associate of the representatives on the board.

H. A. Fortington, also slated for the board, was appointed yesterday as the representative of six or seven British insurance companies, including London, Liverpool & Globe and Royal Indemnity and Royal Assurance, among others, with holdings of approximately $2,100,000 of Paramount bonds. Fortington's interests were allied with the Atlas investment interests, John D. Hertz and Leham, several of whom hold the Vanderlip bondholders and the William Greve Allied Owners' interests. The group is represented by George Z. Medalie as counsel for the Allied Owners, and losses of approximately $14,000,000. In addition to Fortington, these consolidated interests, represented by A. Van Laughlan of Allied Owners and Floyd B. Odlum of Atlas, on the new board.

Theaters to Study Municipal Circuit

Effects of the proposed circuit of municipal theatres will be studied by the president of the Paramount on Thursday at the general meeting of the League of New York Theatres by Dr. Henry Moskovitz, chairman. Besides Dr. Moskovitz, those named are Brock Pemberton, Herman Shulman and George Haight. The committee will be concluded at the next meeting, which will be held in about a week or 10 days.

The proposal of the circuit of the theatre department of the Department of Public Welfare, the houses would be grouped into five boroughs and would be operated at 25 cents top, the idea being to promote interest in the legitimate theatre and afford entertainment at the same time.

Samuelson Garners Laurels as Pleader

Sidney Samuelson adds new laurels to the title of Allied of New Jersey and national Allied president. He has just been declared victorious in his first code case, which he fought for a member of the Jersey unit.

Rejecting Samuelson, the board of the Liberty, Plainfield, N. J., Samuelson won a decision at the New York grievance board which declared Walter Reade had violated the code, and was retained. Samuelson and Reade had been faced against each other in a dispute over the Playing of the Grant. Reade has carried out a ruling of the New York office which was approved by the head office of the national Allied.

Campi Delays Moves On Charnow Decision

Campi is virtually stumped on the Julius Charnow clearance case against Loew's and Strand and the Leona, Leona, Leona. Having heard that Code Authority has a seven-to-three decision against him, Charnow reconsiders his move. "The case is not over yet," says former president. "Campi's lawyer, during a session and demanded that instead of handing down the decision Campi should be read the decision and that he be given an opportunity to be heard.

Yet, Code Authority met two days last week no decision was officially handed down. A suggestion has been made that the case be settled out of Campi and this may be done.
Chicago Dime, Dual Ban Goes To U. S. Court

Two Anti-Trust Actions Filed, Hearings Set

CHICAGO, Jan. 30.—Actions under the Sherman anti-trust and Clayton Acts were started this week by two exhibitors, one a neighborhood theatre and the other a small Loop house, against major distributors and circuits.

Jack Rubin, Public Theatre, has filed before Judge Woodward a conspiracy action based on his inability to show 10-cent dual bills. Rubin specifically names Essexes, B. & K., Warners and exchanges as defendants, and they have been notified to file answers before Judge Woodward on Feb. 15. Morris Seider represents Rubin.

Simultaneously, Rosenthal, Toomin & Stein, who recently represented J. L. & S., have filed before Judge Woodward a suit charging conspiracy, and concerted actions on the part of B. & K., Warners and Essexes in behalf of James Roden, owner of the Astor, a 200-seat grind house on the

M. & S.-RKO Drop Compromise Dicker

Negotiations for settlement of the Meyer & Schneider breach of lease charges against RKO, involving film playing policies at the Apollo and Hollywood, were abandoned yesterday with counsel for the litigants unable to reach an agreement.

Hearings on the charges will be resumed today at the N. Y. County Lawyers’ Ass’n Bldg., before a board of three arbitrators, Felix Jenkins, Fox attorney, is on the list of witnesses who have been called to testify today.

Seek Showdown on L. A. Zoning Today

Discussions on the Los Angeles clearance and zoning schedule will come to a head today when a showdown will be sought at Camp. Independent exhibitors and the constant delays and endless discussions, followed by protests by Loew’s, will insist on a vote and either have the schedule accepted or rejected.

Sentiment in favor of adopting a

Cold Waves and Snow Hit Grosses in 14 Key Spots

Cold waves and snow across most of the northern section of the country gave grosses a wallop for the week ending Jan. 17-18, and the total take for 22 key cities reporting to Motion Picture Daily dropped to $1,251,300.

This was $110,320 under the previous week.

Grosses were down in 14 of the cities reporting—Buffalo, Cleveland, Denver, Los Angeles, Minneapolis,
FRIDAY, back

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Inc.,

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New

Haveners;

visitors yesterday.

Code trouble was the reason.

Quip of the Day

Jack Cohu, planning it back to

New York from Miami, reached

Washington at lunch yesterday morning and reached out for a local newspaper. In it, he read Mrs. H. S. Haskins had broken her arm while walking aboard a train in the general neighborhood of Richmond.

Surely MacArthur has not pilot: "I always knew those trains weren't safe."

Ruth Schwerin, since her nervous breakdown Monday, is finding peace from constant telephone calls but shutting off the service in her office anyway.

LOUIS CALHENS gets one of the leads in "The Night Is Young" which Arthur Woods plans to produce on the stage. Hasn't Metro a picture by that name?

J. WALTER RUBEN and WELLS ROOT have sold "B. I. D. J." to M-G-M. The initials stand for Bureau of Investigation, Department of Justice.

Louis Frisch is back from a week at Atlantic City and, true to exhibitor form, couldn't stay away from the theatres on the boardwalk.

WILLIAM BOEHM and MOBRIE HELPHIN have collaborated on an original, "Forced Landing," and sold it to Monogram.

NAVE SPINDOX will soon join the Columbia contingent in Florida. He pulls out late this week for Palm Beach.

AL LICHTMANN returns Monday from his Miami vacation. Harry Brandt will be his bridge partner on the train.

JACK CONNOLLY, the Pathe News man, is due in from California tomorrow. Or maybe a day or so beyond that.

GERALD F. SANGER, editor of British Movietone News, is here from London.

JULES LEVY's Florida tan is wearing away already and that makes Jules slightly pensive.

PAT GARY has recovered from the flu in Chicago.

CLAUSA MORGAN goes into the cast of "De Luxe" (not a motion picture).

Detroit Catholics Seek Cancellations

Detroit, Jan. 30.—The Federation of Catholic Societies here has addressed a letter to Carl E. Millicen, secretary of the M.F.P.D.A., laying the blame for exhibitors playing Class A of several months ago to the organization and asking "justice for the exhibitors who have had to pay." The Societies are made by the classifications.

They also demand that the Hays organization make good on the promise of several months ago to permit exhibitors to cancel objectionable pictures, and in bringing out this point cite five instances where exchanges have refused to cancel "Limehouse Blues."

Fee Jump, Censored Ads in Senate Bill

(Continued from page 1) from $3 for each 1,000 feet to $100 for the first thousand and $5 for each additional thousand or fraction thereof.

The bill adds the words "filthy," "lascivious," "disgusting," "offensive" and "revolting" to the reasons for rejecting a film or advertising it as being of "privileged" to exhibiting film and requiring the registration of film houses and payment of an annual registration fee of 30 cents per seat.

Jack Warner in Town

Jack Warner has arrived in town way of Florida. He will be here for a week or so discussing production with home office officials.

Carole Lombard has deserted Flor-

ida for Havana. The cold wave that hit the South as well as up here made her decide to have a look at the rhumba on its home ground.

Felix Fuest, E. M. Saunders, William Rogers, William Scully and Jack Byrne, all of M-G-M, at the M. P. Club, but at different tables.

NAE BUMBLE, E. C. GRAINGER and EDGAR MOSS spotted at the Music Hall yesterday, too busy talking to notice anyone.

Julia Shawell, formerly of the Macfadden magazines, is hard at work on her new women's magazine which is due shortly.

Frederick Bartholomew, who plays your friend in "Dodge City," will be heard on the Rudy Vaile hour tonight.

DOROTHY ARNEN, Columbia's woman director, was around the house yesterday visiting with company officials.

BILL BROWN, manager of the Rand- force-Marboro Theatre in Brooklyn, is Miami-bound for a two weeks' vacation.

JESSE MARTIN, of Ben Jacksen, & HAROLD LEYTON, Inc., is en route here from Hollywood on business.

Compliance Director Sol. A. ROSENTHAL and staff are in New York. His return is expected.

JOE RIVKIN is waverling between an apartment at the Park Vendome and one on Park Ave. What a waver!" Pauline Frederick will play Elizabeth in the road company of "Mary of Scotland."

Jimmy Durante is being talked about for a role in "Jumbo." A play not a picture.

Irene Rich, out of Hollywood for some time, returns there shortly to resume work.

Bob Sherrwood, confident now that "The Petrified Forest" is a hit, is planning on the doorstep of the organization and asking "for a role at the Peto- fied Forest of the future." A play not a picture.

Claude Raines has been signed by G. B. & C. to play the lead in "The Clair- voyant."

Sydney Singerman observed his 20th year at Universal yesterday.

Bill Rodgers' Miami tan is the envy of all entertainers.

Pauline Stark is off for the other side.

Labor Leaders to Talk Sunday Shows

(Continued from page 1) to the protest of Code Authority against free radio shows, but as yet had promised no definite action. The communiqué of the Code District that the matter, after being taken into consideration, had been referred to other channels for further study. A report of this is expected from Code Authority shortly.

There was no discussion of the ticket speculator situation, however, since it was thought best to wait until the courts had rendered a decision before taking the matter up. The U. S. District Court here has reserved decision on the case, but is expected to present this decision by the end of the week.

Paramount Signs Young

Hollywood, Jan. 30.—Harold Young, who was once a cutter in the Paramount Astoria studio, and who later became a picture for Gaumont-British, has been signed as a director at Paramount. His first assignment will be "Jungle," which stars Grant.

AMERICANS FINEST GIFT PLATES AT PRICES YOU CAN AFFORD

LESTER & TOBIAS, INC.

212-107 West 43rd Street, N.Y.

AMERICA'S GIFT TO THE WORLD

1935

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Vol. 27 Number 29 January 31, 1935

MARTHA SLEEPER, who has

been visiting her husband, HARDIE ALBRIGHT, is going back to work. BEN HECHT and CHARLES MACARTHUR have signed her for a role in "Miracle in 49th St.," now in work at the Astoria studio.

MONROE GRENTHAL, of United

Artists, will now be saluted besides being saluted to on his entry at the office every morning. He was made a Kentucky Colonel yesterday.

JACK BYRNE of M-G-M, HARRY P.

LANSER, secretary of the code board, and Dr. J. B. FISHER, all New

Haveners, were visitors yesterday. Code trouble was the reason.
What the well-dressed lobby will wear

FOR FEBRUARY

Directed by Lloyd Bacon

"Devil Dogs of the Air"

Directed by Alfred E. Green

RUDY VALLEE
"SWEET MUSIC"

with ANN DVORAK

and 7 Stars! 2 Bands!
6 Songs! 100's of Girls!

A Warner Bros. Picture

Samples of the grand promotion material for 2 more grand hits coming in a single month from

WARNER BROS.
Annual Choice Of Paramount Board Sought

(Continued from page 1)

committee, John Hertz and the Floyd B. Odium-Atlas investment group. These creditors placed five representatives on the new board. They are Portington, Hertz, Odium, Charles E. Richardson and Stephen Callaghan.

Referring to Motion Picture Daily's exclusive publication of the names of the 16 nominees for the Pacar by serving well enough to be principal creditors' committees, Medallie answered attacks on their fitness made by Archibald Palmer, stockholders' committee, at yesterday's session. He stated that while the group as a whole "perhaps leaves a little in favor of financial representation and is light on management men" not one of the nominees "needs a defense."

Favors Annual Election

Medallie advocated the annual election of the board on the ground that it permits men to remain on the board long after the interests they were elected to represent had disposed of their positions at the company. He described the procedure as an "old and outmoded" method of corporate direction and declared that stock interests at the end of each year should be permitted to elect their own representatives, eliminating annually those who no longer represented any one.

"It is my understanding," Judge Cote remarked, "that directors should represent all of the stockholders of a corporation rather than individual interests."

"But," Medallie responded, "protected by long terms and multiplied by new profits, directors may easily forget that election; and whatever lessons they may have learned from the past. They need an annual awakening, such as an election."

"Perhaps this company, starting out new, with more sense of permanency in its directorate," Judge Cote remarked. The directors can secure permanency in the company by returning at annual elections," Medallie said. "If they can't serve that well they ought to be out."

Reveals Alternate Proposal

Medallie revealed that in discussions had with reorganization groups on the subject of the annual elections, an alternate proposal was made, which would provide for three classes of directors to be elected for one, two and three-year terms, respectively. He added that this proposal was rather satisfactory to the creditors' groups he represented. Medallie also advocated a "suffrage plan" to voting of stock at board elections.

Lansing P. Reed, of counsel for the Vanderlip committee, stated he favored a board which would serve for the first three years after reorganization, with annual elections of directors to be held thereafter voting of stock at board elections.

Attorney Palmer Turns Poet

Archibald Palmer, representing common stockholders, read the new Paramount directorate, published exclusively in Motion Picture Daily, Monday, and found himself moved to issue forth with poetry.

Yesterday, at the third day of the resumed hearing, his opus had been completed. Whereupon, Palmer handed out flimsies to the press for the bankers, and did not overlook Judge Cote.

The text:

To Paramount

You've been too long a banker's joy—
Will you now become a Wall Street toy?
Will you forsake your bright estate,
And revel in the poorest state?
How can you reach for your garb
With shackled feet clamped by bankers' bars?
How can the Genius of the Picture World
Lead on with banner and drum?
With sparkling eyes and courage bold,
If glowing soul be damped by bankers' cold?

Does Paramount mean bonds and stocks?
Committees named by cordon'd street your program mocks
The thought of heights that yet remain
For Paramount to accomplish.

Let not a program built by Greed bind you with hungry chains,
In time of need, to prove a wood.
Would you desire to weave a mystic weave,
An Empire of the Land of Make-Believe.

To satisfy self-seekers, narrow-minded, self-sought gains?

Come, then, you Justice with the blinded eyes, and seize the reins
And ride you well this Peggyus of brain and gold,
And ride yold like a knight of old.

Through pitfalls dark and shadow'd dangers grim and stark.
And drive without her temple walls.
The money changers who have claimed her halls,
Who care naught for the Movie Art.

Its Beauty, Wisdom—even Heart.

Then Paramount will rise 'bove the common horde—
And to its pristine kingly state once more will be restored.

Chicago Dime, Dual Ban Goes To U. S. Court

(Continued from page 1)

reached the stage of formal negotiations, it was said that it had been agreed that no representatives of several producing companies and that it was anticipated a definite plan would be worked out shortly. So far the only plans decided on are that the pictures should be shorts and be nationally distributed.

Determination to resort to suits is believed due to a desire to pep up the Administration's housing campaign.

FHA May Use Films To Boost Its Work

(Continued from page 1)

Holds N. E. Biz Spotty

Theatre business in New England is spotty, George C. Cross, division manager for M. & P. with nine houses under his supervision in Connecticut and West Massachusetts, stated yesterday. He added good pictures continue to draw, but there are not enough of them.

Cruzen attended a code hearing yesterday and left for New Haven last night.

"Rumba" Goes to Rivoli

"Rumba," Paramount release, follows "Clive of India" at the Rivoli, which opened Saturday. "Rumba" opens at the Paramount tomorrow, to be followed by "The Gilded Lily."

Fire in Portland House

PORTLAND, Ore., Jan. 30—Projection equipment of the Yeager, suburban, was destroyed in an early morning fire today.

Glendon Allvine Resigns

Hollywood, Jan. 30.—Glendon Allvine, associate producer at Radio, will leave the company Saturday. He has other plans in view.
Fishman Hits Exclusive 2nd Run by Loew’s

(Continued from page 1)

zoning committee, held that Campi does not recognize a schedule for New Haven, so that it is up to the local board to get Code Authority to adopt it.

Although the local board twice approved a schedule for the territory without a dissenting vote, the third time the board was divided. That happened when the good-natured chairman of the board, who opened the meeting, said that if an independent had the house he could not get it. At first speaking as a member of the board, Fishman, Nabb and Vogel declined to concur in the decision, which was unanimous. It was later said that Fishman, who was there at the meeting, did not get to the vote.

That evening Fishman, who has gone into the theatrical business, asked Mr. Collin of the local board to consider a new schedule.

 bestowed a number of film rentals.

Bought Exclusive Run

In buying a new season's product, Loew bought an exclusive second run for six weeks, demanding seven days over other second runs, which means that theatres following the College cannot get film until 41 days after downtown first runs. Vogel and Greenfield contended that Loew was paying for the additional protection and that they had a right to a record comparative rentals of the College and Dixwell on Columbus and RKO-Radio contracts. Greenfield said: "If you must have seven days' protection, we have a right to maintain it."

Fishman then brought up the point of the College, which is in a different zone from the Dixwell, having the right to buy protection from a theatre could run that zone, which up to the last eight to 10 years has enjoyed the same protection. He also said that cut-throughs in the anti-trust suits for the industry. Fishman held that by Loew's getting the extra protection, 19 other contracts would be affected. He declared that while the Dixwell now charges 25 cents, he may in the near future boost the admission to a quarter, and that 20 may be maintained as protection as the College, which charges 30 cents.

Questions From All Sides

John C. Fleen and Schaefer were on the answering end most of the time, questions flung at the two men during most of the session by the complainants, defendants, board men and observers. At one time, Fishman asked Schaefer if he was opposed to clearance based on admissions.

Paramount general manager answered in the affirmative, giving as his reason the unwarranted print shortages which would result if such a plan were put into effect generally.

He later added that he believed in prices as a guiding factor as a definite point in the anti-trust suits in films, but still giving the theatre or the theatre the right to buy protection.

Benjamin L. Fishman, speaking for the trustees of Olympic Theatres, operating the Paramount, New Haven, insisted that the maximum clearance of 37 days be maintained. He referred to two clauses in the clearance schedule. He said that while the Paramount was first run, it was directly affected by the decision of Campi.

Adolf Johnson, a member of the local board, stated that there was a compromise by all parties and that Loew's should not be considered a double house and said that if an independent had the house he could not get it. At first speaking as a member of the board, Fishman, Nabb and Vogel declined to concur in the decision, which was unanimous. It was later said that Fishman, who was there at the meeting, did not get to the vote.

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The March of Time is a twenty minute picture, issued once a month containing five or more complete dramatic stories. It makes no attempt to give last minute flashes or to cover the complete news of the day.

From hundreds of stories and thousands of feet of film from all over the world, the best of these are taken and woven together in radio March of Time's curt, concise manner. Re-enacting those scenes that are missing, March of Time brings to the screen complete, dramatic episodes of world happenings you've read and wondered about.

This week great theatres from coast to coast will show the first release of The March of Time. Announcements in lobbies and on the screen have already brought enthusiastic comment from theatre goers. The premiere of this new monthly series is packed with more box office interest than the introduction of any similar-length subject in the history of the industry.

Distributed by
First Division
Billboards, newspapers, TIME and FORTUNE magazines and radio's MARCH OF TIME over the Columbia Network are carrying a great national campaign in support of this new kind of a motion picture. Public interest is great.

Shrewd showmen all over the country have recognized in THE MARCH OF TIME, a new and powerful box office asset. If you haven't talked to your FIRST DIVISION exchange about THE MARCH OF TIME in your theatre, do it at once. There’s a ready made audience waiting.

THE MARCH OF TIME FROM COAST TO COAST IN THE THEATRES OPERATED BY THESE CIRCUITS

Loew's, Coast to Coast
Poli, New England
Balaban & Katz, Greater Chicago
Publix Great States, Indiana and Illinois
Evergreen, Washington and Oregon
Fox West Coast, California
Interstate, Texas
World Amusements, Minnesota
Tri-State, Omaha
Smalley, Northern New York
Fox Theaters in Philadelphia
Harmanus Bleecker Hall, Albany

HARRY H. THOMAS, Pres.
ROCKEFELLER CENTER, N. Y.
With bated breath, millions and millions have anxiously awaited the sensational day in this terrific trial!

Millions upon millions want to see and hear and know exactly what happened and how!

"What will Bruno Richard Hauptmann say? ... How will he look? ... What will be the jury's and public's reaction to his testimony?"
TESTIFY AT LAST!

! ! ! ! ! !

For weeks every newspaper has front-paged and built up this tremendous real-life drama!

! Now UNIVERSAL NEWS-REEL takes it out of the imagination and flashes it right before the very eyes and ears of your patrons—fast and hot!

RELEASED TODAY!

REEL, OF COURSE!
"Lancer" Has Big Start in Los Angeles

Los Angeles, Jan. 30.—“Lives of a Bengal Lancer” got off to a flying start at Paramount with $1,675 per day and grabbed $6,000 in two days. “The President Vanishes” was on for the first five days of the week, with $14,000, making the total take for the week at this house $20,000.

Improvement in the weather helped gross at the Paramount. “The Mighty Barnum” grossed $13,500 in seven days at Grauman’s Chinese. A dual, “The Band Plays On” and “In Degree,” opened March 2 and day at the 4-Star and United Artists, took $4,750 at the former and $4,000 at the latter.

“Hollywood,” also playing day and date at the RKO and Warner’s Hollywood, did well at the former with $11,500, but was weak at the Hollywood at $10,400. Total first run business was $93,000. Average without the Filmatre was $88.50.

Estimated takings for the week ending Jan. 23:

THE MIGHTY BARNUM” (U.A.)
Chicaco—$1,350, 30c-55c, 7 days.
Gross: $9,450. (Average, $1,350.)

"PARAMOUNT" (Param.)
Filmatre—(800), 40c-55c, 7 days.
Gross: $2,800. (Average, $400.)

"THE BAND PLAYS ON” (M-G-M)
"GIVE ME A TIP” (Gaumont)
WARNER BROS.—(2,300), 55c-65c, 7 days.
Gross: $1,775. (Average, $250.)

"THE MIGHTY BARNUM” (U.A.)
Lowe’s—(2,800), 35c-55c, 7 days.
Gross: $1,100. (Average, $157.14.)

"THE PRESIDENT VANISHES” (Para.)
Paramount—(1,800), 20c-65c, 7 days.
Stage: Rudolf Wolf and his orchestra, Bill Robinson, and M. V. Wertheim. (Average, $257.14.)

"LIVES OF A FUGITIVE LANCER” (Para.)
Paramount—(1,500), 35c-55c, 2 days.
Stage: Rudolf Wolf and his orchestra, Bill Robinson, and M. V. Wertheim. (Average, $425.)

"BORDERTOWN” (Warners)
RKO—(3,700), 25c-65c, 2nd week.
Gross: $1,125. (Average, $575.)

"THE BAND PLAYS ON” (M-G-M)
"GIVE ME A TIP” (Gaumont)
UNITED ARTISTS—(2,100), 35c-55c, 7 days.
Gross: $900. (Average, $128.57.)

"BORDERTOWN” (Warners)
Warner Bros.—(3,600), 35c-55c, 2nd week.
Gross: $1,250. (Average, $347.22.)

"SECRET BRIDE” (Warners)
"SILVER STREAK” (Radio)
WARNER BROS.—(DOWNTOWN)
—(3,400), 25c-40c, 7 days.
Gross: $950. (Average, $271.43.)

"DANGEROUS CORNER” (Radio)
 WARNER BROS.—(2,000), 25c-65c, 7 days.
Pantages—(3,000), 25c-65c, 7 days.
Gross: $1,250. (Average, $250.)

"Gilded Lily” at $17,300, Buffalo

BUFFALO, Jan. 30.—“The Gilded Lily” opened at the Warners with $17,300 to make the celebration of the Buffalo theatre’s ninth anniversary a success, while “Chu Chin Chow” averaged by $1,000 in the Lafayette to give Gaumont British a nice entering wedge. Zero temperature rounded toward the end of the week.

Total first run take was $43,700. November takings were $15,400.

Estimated takings for the week ending Jan. 25:

"GILDED LILY” (Para.)
Buffalo—(500), 35c-55c, 7 days.
Stage: George Givot; Sylvia Fros; Harry (Continued on page 12)

"Lancer” Is Philadelphia Bet, $16,000

PHILADELPHIA, Jan. 30.—What started out to be a poor four week gross has turned into a snow blizzard in 22 years on Wednesday. With traffic badly tanged for two days, all the houses gained ground on a decline, though in many cases a good start had been recorded.

"The Lives of a Bengal Lancer” at the Stanley was the town’s best figure. It would undoubtedly have been bigger had it not been for the weather break. The Earl started out with a rush on its new low price policy and grosses were up between 50 and 75 per cent in recent weeks when the theatre held gross to $14,500. “Maybe It’s Love” was the screen feature.

The Funik also got off to a good start with “Gilded Lily,” which, together with Roxy’s stage show, got the house off to a strong start. We know kept the figure down to $27,000. The house will change its policy from Monday to Thursday openings and will hold “Gilded Lily” and the current show for an extra three days.

"Runaway Queen” nosedived at the Music box after four weeks, taking care of it. Second run of “Biography of Bachelor Girl” gave Keith’s its most encouraging figure since it reopened two weeks ago.

Total first run business was $96,200. Average is $104,240.

MOTION PICTURE DAILY
Thursday, January 31, 1935

Looking ‘Em Over

"The Phantom Light"
(Gaengborough-Gaumont British)

LONDON, Jan. 9.—A British film for the British, after all the cut-price excitement of a new year, is a charming little story which is both elegant and sensuous and rings a new and acquired taste for Cockney.

Gordon Harker is a lighthouse keeper sent for duty to the Welsh coast, where he finds that his particular lighthouse has the reputation of being haunted. One keeper has disappeared, another has been driven out of his mind. The rather mysterious stories of the light disappearing at night, while a “phantom” light at a distance lures ships on to the rocks.

A “reporter” who turns out to be a naval officer and a girl detective who poses as a chorus girl come to the light and, after alarms and excursions in traditional vein, it is revealed that the wrecker is the local doctor, who insures ships as a side line.

The backgrounds and camera work are better than the script. Acting is uneven, but Harker is in good vein and his cracks will amuse those who can understand them. Ian Hunter is the naval hero with very little to do, and Bingie Halse as the girl is insipid and still manages to overact grossly.

It should have been easy to make a much better picture from the opportunities offered by the lighthouse setting and the fair originality of the story.

Running time, 75 minutes. “G.”

"Things Are Looking Up"
(Gaumont British)

LONDON, Jan. 11.—Farce comedy, with the accent on the farce. Cicely Courtinidge, dual-roling as a somewhat prim schoolmistress and her more than somewhat Bohemian twin sister, a circus star, carries most of the weight of it, but story and script writers have done their bit well. One or two of the situations are clever, most of them are reasonably funny and the film keeps up a very fast speed for a British effort.

Cicely Perle, proprietor of and chief empress of a travelling circus, takes the place of her twin sister, a schoolmistress who has eloped with a wrestler. She expects to stay at the school for a day, but the lovers take ship for South Africa and the imposture has to be maintained. It is all quite funny in the music master, Van Gaard, who is also sailing under false colors, but Cicely has to have a tough time when she is asked to play in the tennis championship at Wimbledon.

Another emergency arises when a possible buyer for the circus comes to see a performance. Deserted by most of her turns, Cicely has to work with Perle and finish up with some dizzy trapeze flying. She stays the course and also holds down the school job so well that her sister returns to find herself chief teacher.

The tennis match, with Suzanne Lenglen playing the straight stuff, is a first class piece of fooling; it will get laughs from the sport fans. Cicely Perle, with40 minutes of comedy and sensationalism, is funny and, in it to amuse most audiences. It has enough in it to amuse most audiences. It has enough

Running time, 80 minutes, “G.”

"Victor and Victoria"
(Ufa)

This is the latest Ufa production to reach local theatres, is a charming and tuneful musical romance uniting again the stars of “Waltz Time in Vienna,” Renate Mueller and Adolf Wohlbrueck. A big asset is the music and content of its story, which, if a bit far-fetched, is at all times rich in entertainment values. Smartly produced and cleverly acted, the production has been sumptuously dressed. With the aid of the English subtitled American audiences should find this acceptable fare.

The fun centers around the attempt of Miss Mueller, a struggling actress, to change her fate as a show girl. The duplicity has its birth when she helps out Hermann Thimig, a female impersonator down with a cold, by filling an engagement for him. She proves an immediate hit and at the urging of Thimig she continues the deception. Signed up by an impresario, who really believes her a man, she makes a grand tour of Europe with a 5,000 mark a week.

The whole business is no pleasure, for she must put up with flirtatious women and curb her womanly instincts. When she meets Wohlbrueck, posing as a man becomes tougher. Wohlbrueck discovers her secret but never lets on, permitting himself a lot of fun at her expense. In the

Continued on page 11)
Looking 'Em Over

“Victor and Victoria” (Continued from page 10)
end she gives up the masquerading and reveals herself to Wohlbruck as
Miss Mueller is a beautiful, fascinating performer. The film is an
Alfred Zeisler production, directed by Reinhold Schuenzel. Photography
is distinctive.
No code seal. Running time, 84 minutes. “G.”

MOTION PICTURE DAILY’S
HOLLYWOOD PREVIEW

“Devil Dogs of the Air” (Warner-Cosmopolitan)
SAN DIEGO, Cal., Jan. 30.—The stars of “Here Comes the Navy,”
James Cagney and Pat O’Brien, again click in “Devil Dogs of the Air,”
new aerial film, Warner’s first Cosmopolitan release, which had its
world premiere at the Spreckles here last night.
The film contains spectacular photography of dare-devil flying and
air and fleet maneuvers. Shots of fighting ships in action are among
the best ever screened and should go big in inland cities.
Rivalry between Cagney, as Tommy O’Toole, barnstormer who joins
the Marine air corps, and O’Brien, as Lieut. William Brannigan,
for the hand of Margaret Lindsay, as Betty Roberts, supplies both heart
interest and plot.
O’Brien, at first branded a softie who hauls out of a burning plane
carrying him and Cagney, eventually redeems himself by holding a
torn wing in place until landing. Cocky Cagney, however, finally wins
Margaret.
Plenty of laughs are supplied by Frank McHugh, as “Craze” Kelly,
an ambulance driver who never gets any business.
Selling names are Cagney, O’Brien and Miss Lindsay, who turn in
excellent performances. Director Lloyd Bacon got a well-deserved
hand from the audience.
The Marine aviation background should be one of the biggest box-
office points. The picture has thrills and entertainment value.
Production Code seal No. 514. Running time, 85 minutes. “G.”

“After Office Hours” (M-G-M)
HOLLYWOOD, Jan. 30.—As an example of interesting, exciting enter-
tainment with magnetic names, Bernard Hyman has produced a cutting
picture here, concealing production forces of story, dialogue and action
smoothly and hilariously.
In it are Clark Gable, editor; Constance Bennett, snooty society gal
music critic; Stuart Erwin, news photographer and Gable’s pal; Billie
Burke, jittery mother of Miss Bennett; Harvey Stephens, sociable
heavy, and Henry Armetta for comic relief.
It’s all about Gable, who, in ferreting out a divorce scandal, involves
himself with the upper crust, solves a murder and wins the run-around
from Miss Bennett.
The backgrounds are a hectic newspaper office and swank society
gigis’s. Gable’s flair for comedy rises again for big laughs and,
although Miss Bennett is submerged, she is decoratively competent.
Stephens is silky while Miss Erwin and Armetta are choice
vignettes of merriment.
Robert Z. Leonard has paced his direction speedily; unessential is
eliminated and dialogue cracks in a first-rate job.
Herman Mankiewicz’s screen play from a story by Laurence Stallings
and Dale Van Every is tight and crackles as tightly.
Having a good title, personalities and presenting a swell show, and
audience is bound to get its money’s worth. Previewed without produc-
tion code seal. Running time, 71 minutes. “G.”

Wings in the Dark,” which will be previewed at the Paramount tonight,
will be reviewed by wire from Hollywood on Jan. 11.

Secret Bride,” tonight’s preview at the Roxy, was reviewed on Dec. 1.

Short Subjects
“The Lost City” (Super-Serial-Regular)
This serial, on the basis of its opening four episodes, has a kick and a
lot of thrill.
It deals with a series of electrical disturbances leading up to floods
and devastation in various parts of the world and the effect on the part of
Kane Richmond, young scientist, to discover who is responsible. Through
a detector of his own development, the trail leads to a little known part
of Africa where William (Stage) Boyd, madman of science, sits in
splendor over his lost city and plans to use it and its electrical wizardry
brings down destruction as his power-swollen mind commands.
Boyd’s power actually is the result of the mechanical genius and the alert
research of Joseph Swiftward, who will bows to the madman’s because
of the latter’s threats over the girl in the case, Claudia Dell, and Swift-
ward’s love.
The resultant thrills bounce along in lively style amid the cracking of
dynamos and electrical byplay and are red meat, as well as duck soup, for
those who like serials and those going on.
“The Lost City” is very well up in its classification.

“Song Plugger” (Educational)
Sylvia Froos and Brooks Adams, with Jean Lacey acting in a purely
decorative capacity, are the three main characters in this one. Miss Froos
and Adams sing several numbers capably, but that is about all there is to
this one. The title was apparently suggested by the fact that the two
main characters work at a sheet music stand in a department store. Produc-
tion code seal No. 526. Running time, 9 mins. “G.”

“Those Beautiful Dames” (Vitaphone)
This Merrie Melodie cartoon, done in color, is another of the series featur-
ing songs that have been used in Warner features. The chauvinistic
patriotism and the plot negligible, but the music is well handled, however,
the animation and several sequences are very entertain-
ing. Production Code Seal, No. 327. Running time, 4 mins. “G.”

Gould Querarter Here
Walter Gould, in charge of all Latin-American countries for U. A.,
is now making his permanent headquarters in New York. He was for-
merly stationed at Panama. Gould recently returned from an 11 months
tour of exchanges under his supervision and in several months will
leave on another trip.

Perlberg Talent Hunting
William Perlberg, casting director at the Cosmopolitan office, has
arrived in town in search of talent. He will see Broadway shows and visit vaude-
villians. In fact, Perlberg expects to remain here for another
three or four weeks before returning to the coast.

“Pimpernel” at $24,690
LONDON, Jan. 30.—“The Scarlet Pimpernel,” now in its fourth week of
an indefinite run at the Leicester Square, has grossed $24,690.
British May Fight Sunday Charity Tax

By BRUCE ALLAN

London, Jan. 30.—British exhibitors may abandon Sunday opening as a protest against the increased levy on receipts for charity recently made public. An initial step being toward this end was a recommendation made to exhibitors at Brighton by F. Spickermann, Portsmouth manager, who urged the move on the ground that if Sunday opening was at all proper, it should be free and open.

At Portsmouth, a nominal levy of £200 is made, but the Brighton figure has been set at £1,005, although there has been free Sunday opening in this town for 11 years. The levy on Sunday receipts for charitable purposes was legalized by the Sunday Entertainments Act and the annual burden on London exhibitors is 14 per cent of takings, with a guarantee of £100,000 per annum.

If the protest vote of voluntary Sunday closing is made in one district, it will probably be adopted by others. Advocates of the policy declare that the public will back up the exhibitors and that a "strike" against the charity levy, backed by propaganda, would convince the government to revise its attitude.

New Academy Pact For Free-Lance, Aim

(Continued from page 1)

Actors' Guild is asking for through the A.

Highlights of the proposed changes are the "deal contract" will be absolutely abolished and only two methods of employment will be recognized. Contracts and work engagements will be offered. These two methods are the revised standard weekly minimum contract and the revised conditions covering consecutive employment for day players.

Cold Waves and Snow Hit Grosses in 14 Key Spots

(Continued from page 1)


The week's combined gross was down around the figures that prevailed during the two weeks before Christmas.

<table>
<thead>
<tr>
<th>Week Ending</th>
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Comparative weekly totals:

- **Boston**.
- **Chicago**.
- **St. Louis**.
- **San Francisco**.
- **Los Angeles**.
- **San Diego**.
- **Portland**.
- **Seattle**.
- **Washington**.

Lesser to Open in Frisco

Hollywood, Jan. 30.—Sol Lesser will open "When a Man's a Man" at the Orpheum, San Francisco, Jan. 31.

George O'Brien and Dorothy Wilson will make a personal appearance opening night.

Twin Cities' Theatre Take Hit by Cold

Minneapolis, Jan. 30.—With temperatures ranging from 12 to 34 below zero, theatres found the going tough last week. Even "Lives of a Bengal Lancer" would not stir the customers away from their firesides. It took a normal $5,500 at the State here and the same amount at the Paramount in St. Paul.

"Sweet Adeline" was about $200 over the line with a $4,200 take at the Century here. A "Lost Lady" slipped to $4,500 at the Orpheum. "Little Men" took a fine $2,200 in its second week at the Time. 

"Lives of a Bengal Lancer" opened at $1,896, and "Straight from the Heart" were slightly over par at the Riviera and Orpheum, St. Paul.

Total first run business in Minneapolis was $24,600. Average was $23,000. St. Paul's total was $17,200, Average is $16,500.

Estimated takings:

**Minneapolis**

**Week Ending Jan. 23:**

- **SWEET ADELINE** (Warner) CLIP—1934, 7 reels, 7 days. Gross: $4,300. (Average, $615).
- **LIVE ONくる** (M-G-M) CLIP—1934, 7 reels, 7 days. Gross: $1,500. (Average, $215).

**Week Ending Jan. 21:**

- **ORPHEUM—(2,900)**, 25c, 7 reels, 7 days. Gross: $5,000. (Average, $715).
- **LIVES OF A BENGAL LANCER**—STATE—(3,600), 7 reels, 7 days. Gross: $5,500. (Average, $786).
- **THE WHIRLPOOL** (Col.) PALACE—1900, 25c, 7 reels, 7 days. Gross: $2,150. (Average, $307).
- **LITTLE LUNA** (Mascot) TOWER—(1,900), 25c, 7 reels, 7 days. Gross: $3,000. (Average, $430).
- **RIGHT FROM THE HEART** (Warners) RIVIERA—(3,000), 25c, 7 reels, 7 days. Gross: $2,500. (Average, $357).

**St. Paul:**

- **LIVES OF A BENGAL LANCER**—STATE—(3,600), 7 reels, 7 days. Gross: $5,000. (Average, $715).
- **ORPHEUM—(2,900)**, 25c, 7 reels, 7 days. Gross: $5,000. (Average, $715).
- **HARRIS**—TOWER—(1,900), 25c, 7 reels, 7 days. Gross: $2,500. (Average, $357).
- **JACK AHOY** (Gaumont British) ORPHEUM—(3,600), 25c, 7 reels, 7 days. Gross: $2,000. (Average, $286).

**Gilded Lily** at $17,300, Buffalo

(Continued from page 10)

- **DOROTHY DIXON; Five Deuchs; Kay Francis; Gordon Douglas, $4,000.**
- **THE SILVER STEAK** (Radio) BEAVER—3,000, 25c, 7 reels. Gross: $2,000. (Average, $286).
- **CENTURY—(3,000), 25c, 7 reels. Gross: $2,000.**
- **BORDERTOWN** (Warner) GREAT LAKES—(3,600), 25c, 7 reels. Gross: $2,000. (Average, $286).
- **THE GAY BRIDE** (M-G-M) IMPERIAL—(3,000), 25c, 7 reels. Gross: $2,000. (Average, $286).
- **HIPPODROME—(2,000), 25c, 7 reels. Gross: $2,000.**
- **CHU CHIN CHOW** (Gaumont British) "WILL IT FIX IT?" (Col.) LAFAYETTE—(2,500), 25c, 7 reels. Gross: $2,000. (Average, $286).
The champ is back for his first appearance of the season. And it’s a laugh-to-a-finish bout that will throw any audience. Buster has never made a featurette that licks this one for real belly laughs. A regular rib-wrecking riot of hill-billy rasslers.

BUSTER KEATON in
"Palooka from Paducah"

with the whole Keaton family—Pa, Ma and Sister Louise—together for the first time on stage or screen.

Directed by Charles Lamont

Very good... A Comedy of unusual quality, replete with real laughs... It is forthright, straight comedy, and funny.
—Motion Picture Herald

This looks like the funniest short that Buster Keaton has made in some time... The wind-up is a wrestling match. This should have audiences roaring.
—Motion Picture Daily

Very amusing. This is a hilarious two-reeler about a mountaineer family which decides to abandon moonshining and exploit the strength of Dewey Robinson, one of the sons, who is pitted against Bull Montana in a wrestling match. The family life of the mountaineers is a funny travesty and the antics in the wrestling ring are on a par.
—Film Daily

Presented by

Educational Pictures
"THE SPIKE OF THE PROGRAM"
Distributed in U. S. A.
"Lancer" Is $15,000 Hit In Cleveland

Cleveland, Jan. 30.—"Lives of a Bengal Lancer" rounded the heavy $15,000 first week at Loew's State. This is $5,000 over normal.

"Bordertown" was also a heavy grosser. It took $9,000, up $3,000, at Warners' Hippodrome. "One Hour Laugh," also handled by M-G-M on a $4,500 take at Loew's Stillman.

The weather for the first half of the week was fair, but the mercury went down around the zero mark for the second half. Total of first run grosses was $4,000. Average is $3,500.

Estimated takings for the week ending Jan. 21:

**Endings Jan. 25:**
- **THE MAN WHO RECLAIMED HIS HEAD** (Uni.)
  - Allen—(1,000), 20c-35c-5c, 2 days.
  - Gross: $600. (Average for 7 days, $3,000)
- **THE WHITE LION** (Warners)
  - Allen—(3,000), 20c-35c-5c, 5 days.
  - Gross: $900. (Average for 7 days, $1,000)
- **BORDERTOWN** (Warners)
  - W A R N E R S H A P E M O D E L L I N G — (2,000), 30c-35c-5c, 7 days.
  - Gross: $1,050. (Average, $6,000)
- **THE UNCHAINED APRIL** (Radio)
  - RKO PALACE—(1,000), 20c-35c-60c, 7 days.
  - Gross: $535. (Average, $1,000)
- **LIVES OF A BENGAL LANCER** (Para.)
  - LOEW'S STATE—(1,500), 20c-35c-60c, 7 days.
  - Gross: $1,095. (Average, $10,000)
- **ONE HOUR LATE** (Para.)
  - LOEW'S STATE—(1,500), 20c-35c-40c, 7 days.
  - Gross: $1,050. (Average, $10,000)
- **DID YOU HEAR THAT?** (Col.)
  - RAY'S SHOP—(1,500), 20c-35c-40c, 7 days.
  - Gross: $1,000. (Average, $10,000)

"Lancers" a Smash Omaha Hit, $8,200

Omaha, Jan. 30.—"Lives of a Bengal Lancer" was the big noise here last week at the World and it went to $8,200, over par by $4,200.

The picture is playing on a gallop with the first week's take of $3,800 being the biggest gross in the second week at the Brandeis.

Total first run business was $4,200. Average is $1,800.

Estimated takings:

**Week Ending Jan. 21:**
- **KID MILLIONS** (U.A.)
  - World—(2,000), 20c-40c, 6 days.
  - Gross: $1,100. (Average, $1,100)
- **LIVES OF A BENGAL LANCER** (Para.)
  - World—(2,000), 20c-30c-5c, 7 days.
  - Gross: $1,300. (Average, $1,800)

**Week Ending Jan. 21:**
- **BROADWAY BILL** (Col.)
  - Brandeis—(1,000), 20c-35c-4c, 2nd week.
  - Gross: $1,300. (Average, $1,300)

**Week Ending Jan. 21:**
- **THE CLOWN** (Col.)
  - F O R T Y T H I R D S H A P E — (2,000), 20c-40c, 7 days.
  - Gross: $1,400. (Average, $3,000)

**Variety Club Chatter**

**Buffalo**

BUFFALO, Jan. 30.—Barkers of Variety Club rallied for the annual election and opening of the new headquarters at 627 Main St. Lunchaton will be served daily at the club.

Edward K. (Ted) O'Shea, interim chief Barker since the resignation of David Miller, was elected chief Barker for the full term. Miller has gone to Warner theatres in Philadelphia as film buyer. O'Shea is managing partner of the M-G-M office.

Other new officers are: Sydney Samson (Fox), first assistant chief Barker; Jack L. Kalspe (UGC Artists), second assistant; Nicholas J. Basil (Basil Bros. Theatres), wagon man, and W. E. J. Martin, cashier at a local department store.


Plans are being made, including a ball, a raffle and an entertainment.

"Cincinnati" Grosses $11,500, Montreal

Montreal, Jan. 28.—Cold weather kept good pictures from going back on first run houses during the week, although the general result was quite good. Loew's went to $11,500 with "Kentucky Kid," and vaudeville show headed by Mae Murray while the Capitol grossed $10,000 for "Dixie Daffy" also.

Total first run business was $42,000.

Estimated takings for the week ending Jan. 26:

**Week Ending Jan. 23:**
- **IMITATION OF LIFE** (Univ.)
  - Capitol—(3,540), 20c-35c-40c-50c-60c, 7 days.
  - Gross: $1,050. (Average, $1,000)
- **KENTUCKY KID** (Radio)
  - Loew's—(3,740), 20c-35c-40c-60c, 7 days.
  - Gross: $1,800. (Average, $250)
- **FLIRTATION WALK** (Warner)
  - Lib—(3,000), 20c-35c-40c, 7 days.
  - Gross: $650. (Average, $115)
- **THE COUNTRY WOMAN** (U. A.)
  - Prince—(1,250), 20c-35c-40c-5c, 7 days.
  - Gross: $1,000. (Average, $1,000)

"FATE DECIDES" (Indep.)

**WAR OF THE RANGE** (Indep.)

Dakota—(1,000), 20c-35c-40c-50c-60c, 7 days.

Gross: $1,000. (Average, $150)

"Kernels" Grosses $11,500 Montreal

Montreal, Jan. 28.—Cold weather kept good pictures from going back on first run houses during the week, although the general result was quite good. Loew's went to $11,500 with "Kentucky Kid," and vaudeville show headed by Mae Murray while the Capitol grossed $10,000 for "Dixie Daffy" also.

Total first run business was $42,000.

Estimated takings for the week ending Jan. 26:

**Week Ending Jan. 23:**
- **IMITATION OF LIFE** (Univ.)
  - Capitol—(3,540), 20c-35c-40c-50c-60c, 7 days.
  - Gross: $1,050. (Average, $1,000)
- **KENTUCKY KID** (Radio)
  - Loew's—(3,740), 20c-35c-40c-60c, 7 days.
  - Gross: $1,800. (Average, $250)
- **FLIRTATION WALK** (Warner)
  - Lib—(3,000), 20c-35c-40c, 7 days.
  - Gross: $650. (Average, $115)
- **THE COUNTRY WOMAN** (U. A.)
  - Prince—(1,250), 20c-35c-40c-5c, 7 days.
  - Gross: $1,000. (Average, $1,000)
"The Agent of the People"

FREDERIC J. HASKIN
Washington, D. C.
Director of the World’s Greatest Information Bureau

"In answering the questions of readers of the long list of daily newspapers I represent we have had numerous occasions to cite Motion Picture Almanac. We answer a great many motion picture questions and have found the Almanac indispensable in our work."

MOTION PICTURE ALMANAC
JO SWERLING

I am an author...

To My Master, the Audience: You will find in "THE WHOLE TOWN’S TALKING", your money's worth of chills, thrills, chuckles and occasional laughs abdominal.

I bow to JOHN FORD who knows how wonderful laughter is and by his inspired direction of this picture proved it —

To BILL BURNETT whose story originally hurled me into this pleasant adventure —

To EDDIE ROBINSON who is Hamlet in every part he plays, like every other great actor; that being the only part there really is —

And to as swell a supporting troupe as any producer, director, star or author could possibly pray for.

JO SWERLING
Philadelphia Contract Dual Bans Enjoined

Perelman Wins Ruling; Appeal to Be Taken

PHILADELPHIA, Jan. 31.—U. S. District Judge George A. Welsh today granted an injunction to Harry Perelman which prevents nine major distributors from enforcing a dual ban in contracts.


The decision, which held that producers and distributors had conspired to violate the Sherman and Clayton anti-trust laws, resulted from a test suit brought by a group of independent theatre owners headed by Perelman.

The defendants are expected to appeal for a supersedeas writ withholding (Continued on page 13)

Leading Exhibitors Planning N. O. Trip

Important first run operators from practically all sections of the country having indicated their intention of attending the M. P. T. O. A. convention in New Orleans Feb. 25-28, the exhibitor association is now seeking to line up on its speakers' list advertising heads of the major distributing (Continued on page 2)

No Changes Planned Here, Says Bernerd

Declaring everything is satisfactory after looking over the American situation, Jeffrey Bernerd, general manager for Gaumont British, stated yesterday that no changes in the personnel will be necessary.

When he arrived from London several weeks ago, Bernerd said he might (Continued on page 2)

Hearing Delayed on M. & S.-RKO Dispute

Hearings of the Meyer & Schneier branch of lease charges against RKO involving film playing policies at the Hollywood and Apollo were adjourned yesterday until Tuesday due to the inability of the board of (Continued on page 2)

Court Favors Paramount Plan with Minor Changes

Paramount Board May Go to 18
With Frank C. Walker Included

Paramount's initial board of directors may number 18 members instead of 16 now agreed upon by creditor groups, it was disclosed at yesterday's reorganization hearing before Federal Judge Alfred C. Cox, at which it was stated that Frank C. Walker, vice-president of Cosmopolitan Theatres, may have a place on the board if he desires it. All creditor groups were said to be in accord on this.

If Walker accepts, a second new director would probably be added to help to facilitate the election of an even numbered group of directors as terms expire. Judge Cox ruled yesterday that the initial board should serve for three years with annual board elections to be held thereafter. This would mean that of a board of 18, six would be elected for one year; at the end of the first year, six would be elected for two years; at the end of the second year, six would be elected for one year. In the third year and annually thereafter, 18 would be elected.

Asserts RKO Bankers Are Buying Paramount's Stock

A charge that "a bank interested in RKO and with representation on the [RKO] board were buying large blocks of Paramount bonds and certificates during the past few months, presumably to obtain control of reorganized Paramount and perhaps with the intent of endeavoring to effect a merger of the two companies," was made by Alfred A. Cook, counsel for Paramount, at the hearing on the latter's reorganization plan before Federal Judge Alfred C. Cox yesterday.

The charge appeared to be directed (Continued on page 13)

Academy Move On Contracts Stirs Talent

Hollywood, Jan. 31.—Reactions to the Academy's attack on the Actors' Guild by reaching a general agreement on a new form of standard contract were varied here today.

Emotions have run high on the subject for many months. Back of the guild's efforts was an effort to get it recognized as the bargaining agent for talent. This was one of its reasons for affiliating with Equity.

When Compliance Director Sol A. Rosenblatt came here in December producers were adamant, and they have remained adamant during all the subsequent exchange of briefs with the (Continued on page 12)

Campi Adopts L. A. Plan on Price Basis

Distributors relayed yesterday on their stand against admission prices as the guiding factor in clearance and zoning schedules when Campi adopted the Los Angeles plan in principle. Because of four individual appeals from theatres in zones which overlap, Code Authority next Thursday will decide these cases and approve the schedule in toto. It marks the first plan to get official sanction from Campi.

Motion Picture Daily exclusively reported yesterday that there would be a showdown on the schedule and that sentiment in favor of adopting (Continued on page 12)

Census Figures on Films Questioned

WASHINGTON, Jan. 31.—The accuracy and value of the U. S. Census Bureau’s amusement survey last year is challenged by new figures coming in on connection with studies now being made by another branch of the government.

Data which have been secured indicate that the bureau was low in practically all its totals, an estimate (Continued on page 6)

Film Men Off for NRA Booth Hearing

Numerous exhibitors, circuit officials, operators and members of the NRA fact-finding committee left for Washington yesterday for the public hearing today on the basic operators' wage scale for greater New York.

The session will be held at the Raleigh Hotel with Compliance Di- (Continued on page 12)
Tough for such a veteran is the status quo of Senior Laemmle. For eighteen days he has been in agony; a tormenting, but not necessarily dangerous eye condition, explains why. On Wednesday he was slated to leave Hollywood for San Francisco for special treatment. The trip was called off, Laemmle’s doctor forbidding the journey. They went forward, however, and ordered him home. He can see no members of his family. He can read or write no letters. He must answer no phones, send no wires. In solitary confinement for the first time in his 29 years in this business, Laemmle’s road is a hard one for him to travel.

The studio, of course, knew what’s been going on. The special crew scattered all over the land wasn’t far behind. News has a manner of spreading like the well known prairie fire in this business. That’s what’s happening: At the studio, the gang from top man to low man, is combining in a display of loyalty and a spirit of do, all for the benefit of dedicating the absent president. In the field, the selling boys are following in, determined to show Laemmle that a job can be performed when he’s around to check up or not. This is no empty ballyhoo, nor is it hooey. And so thrilled beyond words is the sorority. We are here. So should you be.

John E. Otterton, this department learns from a source completely authoritative, has turned down the presidency of Paramount. This, only in the last couple of days. The possibility had been his. After twenty-four hours’ deliberation, he declined. The name of Charles E. Richardson, one of Paramount’s three trustees, is not to be wiped off your doke sheets, if you’re figuring, as who is not? Eugene W. Leake, another of the trustees, seems headed for the second chairmanship of the finance committee, an important post in any company. In the meantime, the studio job, not to be slighted by a helluva sight, is hustling back and forth with these men mentioned most frequently: Ben Schulberg, Watty Rothacker, Manny Cohen, J. Boyle Smith.

What’s this? Two legal bents, both looking a good deal like a real something, are creeping up on the horizon. One will aim at the vitals of the local clear-
ROBERT RISKIN
Celebrated scenarist and writer
of hits whose successes include:
BROADWAY BILL
IT HAPPENED ONE NIGHT
LADY FOR A DAY

I adapted
“Lady For A Day”, “It
Happened One Night”
and “Broadway Bill”, but
I’ve never worked on a
more timely story than
“The Whole Town’s
Talking”. It actually gives
Edward G. Robinson an
entirely new screen per-
sonality. For sheer novelty
and wildfire audience
appeal, it surpasses any-
thing he has ever done.

WORLD PREMIERE
Radio City Music Hall
February 21

COLUMBIA PICTURE
"One of the most interesting of the Mr. and Mrs. Martin Johnson series. No lover of jungle thrillers should miss it." — N. Y. Mirror

"Fascinating...startling...breath-taking. None of the films dealing with the Dark Continent has seemed to me more continuously interesting." — N. Y. World-Telegram

"'Baboon' is lively, entertaining and surprisingly well-photographed." — N. Y. Herald-Tribune

"Fine entertainment...novelty, thrills, pathos, humor. Shots that have never been seen before on the screen." — Motion Picture Daily

"★★★! Mr. and Mrs. Martin Johnson have never made a more entertaining record. Something new under the African sun." — N. Y. Daily News

"Certainly the most captivating picture the Martin Johnsons have brought back from Africa. Novel, exciting...highly amusing." — N. Y. Post

"Unusual, remarkable, interesting achievement. There's a new kick in viewing the man-conquering continent from god-like heights." — N. Y. American

"Possesses fascination. Striking scenes of elephants, rhinos, flamingoes, giraffes and other wild game." — N. Y. Times

"Consistently absorbing...frequently fascinating...refreshingly different from most pictures of this type." — Film Daily

"Unquestionably best of big game expedition films. Plenty of box office appeal for all. Get behind it." — Showmen's Trade Review
BEST OF THE MARTIN JOHNSON FILMS
OF ALL EXPEDITION FILMS.
GOOD SHOW!

state: New York Sun

BOONA

AN AERIAL EPIC OVER AFRICA

-and it's
HELD
OVER

Supervised by
Truman Talley
Census Figures on Film's Questioned

(Continued from page 1)

by the M.P.P.D.A. indicating 13,736 film houses in operation in 1933, whereas the bureau figured only 10,133.

Ignored for more than a year, there was dug out of the files of the U. S. Senate today a report on national in-

come made by the Department of Com-
merce, Hathaway C. Wilmer in response to a Senate resolution, in which are given figures on the amusement in-
dustry as gathered from the census returns as indicated by the Census Bureau survey.

That report placed the number of persons employed in film theatres throughout the country in 1932 at 225,400 as compared with the Census Bureau report of less than 53,000 in 1933. The department report esti-
mated that $289,188,000 was paid these employees in wages, compared with the bureau estimate for the following year of some $85,000,000.

The box-office receipts of film houses in 1932 were placed by the depart-
ment at $100,000,000, whereas the bureau estimate for 1933 was $405,000,000.

In issuing its report of the 1933 survey the Census Bureau admitted that its figures were not complete, cit-
ing Pennsylvania as an outstanding state in which the canvass was inac-
curate. The difficulty in Pennsylvania it has since been revealed, was due to a fight between political factions as to which should control the giving out of box-office figures.

On the other hand, it is freely ad-
mitted that the figures in the report on national income are probably too high. The question, therefore, is what changes should be made in both the census and the report to arrive at a fairly accurate figure.

Can't Afford West,
C. B. Cochran Says

Charles B. Cochran, English the-
atrical producer, yesterday again de-
nied reports he had signed Mae West for his new Prod-Ball producing scheme. As one of the leading guests of Ampa-
Cochran said he would like to have Miss West in a show, but could not possibly pay her the money she was making in pictures.

Freddie Bartholomew, young star of "David Copperfield," was bewild-
ered facing the large gathering, but managed to recite a poem that took the assemblage by storm. Gene Ray-
mond told a few stories and Rachel Carlay sang two numbers, one in French and the other in English. Rodia Ortega danced two of her Spanish routines from "Revenge with Music." Irving Jaffe told of his skat-
ing experiences and Jerry Mann gave an impersonation of George Givot, Greek ambassador. Eml Boreto told two smatty stories and sang one song, which was accompanied by a 
instrumentation of his speech to three short sentences. Mor-
roe Greenthal acted as chairman.

Z. E. Woodall Is Dead

Richmond, Jan. 31.—Zacharias E. Woodall, former publisher of the Richmond News Leader, was dead here. At his death he was head of the copy desk of the Richmond News Leader.
Order Stoppage of Films for College

CINCINNATI, Jan. 31.—Distributors were ordered by the local grievance board to discontinue serving the Moorehead, Ky. State Teachers College, on complaint of Paul M. Hoover, Trimble, Mt. Sterling, Ky. Evidence showed that the school was competing with regular houses by advertising for public patronage at a 20-cent adult rate and 10 cents for children. Also the respondent was a non-taxpaying enterprise, showing pictures in the college auditorium without expense aside from film rentals.

Decision was postponed pending possible refund of costs and ironing out of certain details in an overbuying complaint of Zanesville Theatres, Inc., operating the Grand, Liberty, Imperial and Quimby, Zanesville, O., vs. M. A. Shea, operating the Weller, same city.

On complaint of the Roosevelt, local colored house, United Artists was ordered to cancel “Catherine the Great,” a motion picture, as it was made under his contract at the time the request for cancellation was made under the 10 per cent cancellation clause.

Schine Wins in Six Attacks on Smalley

ALBANY, Jan. 31.—Six charges of unfair competition brought by Schine houses against Smalley’s circuit have been declared false by a four member complainant by the grievance board.

The cases were: Colonie, Norwich, against Smalley’s Norwich, protesting auction nights; Oneonta, Oneonta, against Smalley’s Cooperstown, selling thrift coupon books at 20 per cent discount; Oneonta, Oneonta, against Smalley’s Delhi, coupon books; Oneonta against Smalley’s Cooperstown, turkey lotteries; Colonie, Norwich, against Smalley’s Mohawk, and Smalley’s post offices, violating distribution of free prizes; Rialto, Little Falls, against Smalley’s Johnsville, money prizes.

Smalley’s will appeal the decision, it is believed, and will also appeal a recent decision against his Cooperstown theatre and in favor of the Ontario and Palace, at Oneonta, to the N.R.A. in Washington. The clearance board decided there was no competition. Campi reversed this decision and awarded 30 days’ clearance between the towns.

Pittsburgh’s Board Upholds Complaints

PITTSBURGH, Jan. 31.—Four decisions have been handed down recently by the grievance board. Two of these cases were brought by one exhibitor, A. Biondi, Majestic, Ellwood City, Pa., against Monessen Amusement Co., operating the Mays. One complaint alleged that the Monessen company was offering cash prizes at drawings and the other that copies of ads presented at the box-office were good for reduced admissions. Both complaints were ordered sustained and the grievances sustained.

Dr. C. E. Herman, New Carnegie, Carnegie, Pa., was sustained in a reduced admission charge at the Strand, Grand, same town, and the board issued a stop order.

J. L. Duff, Maxtown, Pa., charged David Trimble, Liberty, same town, was using two-for-one admissions. The complaint was sustained and a stop order was issued.

Looking ’Em Over

“The Good Fairy”

(Continued from page 6)

finds he is a young lawyer, Herbert Marshall, and offers him a big legal job. As a prelude to the wait, Reginald Owen, continues to try to protect the girl.

All the principal roles are well handled. It is one of those kind of pictures women and girls talk about in a way that reacts on box-office.

Production Code Seal No. 501. Running time, 98 minutes. G.”

“Rendezvous at Midnight”

(Universal)

A minimum of movement and a maximum of dialogue in a series of modernistic settings are used to unfold a mystery story involving the murder of a former New York police commissioner who is about to be investigated by his successor and a new mayor.

Plenty of names have been put into the cast and obviously plenty of money has been put into the settings—two beautiful homes, a modiste’s shop and a police commissioner’s office, but the entire story, with the exception of one automobile chase, could have been restored to the stage from whence it came without changing a sequence.

Valerie Hobson telephones to her admirer, Ralph Bellamy, who is police commissioner, that she has just shot Arthur Vinton, the former commissioner. It’s a ruse to get him to visit her, but becomes serious when she learns Vinton has actually been shot. The subsequent action is a series of scenes in which Bellamy is questioning various suspects and preparing for the clearing of his sweetheart. A model is finally found to be the guilty one.

A few flashes of Edgar Kennedy as a police chauffeur and Helen Jerome Eddy’s loyalty to Miss Hobson in the role of a maid furnish the comedy touches. Christy Cabanne directed. The script was done by Gladys Unger from an adaptation of Gaetano Faxio’s stage play, “Silver Fox” done by Ferdinand Reiber. Women will like the beautiful gowns and decorative backgrounds.

Production Code Seal 492. Running time, 63 minutes. G.”

“One Night”

(Slavonian Talking Pictures)

This Swedish importation, turned out by A. B. Svensk Filmindustri, is tinged with red. Its propaganda, mild as it is, is likely to be resented by American audiences. Technically, photographically and in acting, it has some merit.

But more approval must end. For the rest it is a somewhat ponderous, halting and at times illogical story of a revolt in a Finnish border town in the days of the Russian revolution.

The hero of the tale, a young Finn, leaves his healthy home to fight for the workers’ cause. He is captured and sentenced to die. His brother, who is helping to put down the revolt, lets him out of prison to see his mother and sweetheart, with the understanding he return at dawn to his doom. Returning, the youth is wounded by the Reds, who mistake him for one of the enemy, and he dies, without the igno- miny of falling before a firing squad.

Into the story has been woven a touching romance between the youth and a Russian peasant girl working in Finland. The couple are played by Bjorn Berglund and Ingent Bjugren. The film is supplied with English subtitles. Gustaf Molander directed.

No code seal. Running time, 80 minutes. “G.”

Moss Urges Caution In Small Operations

Discussing possible hazards in theatres seating 600 and under, License Commissioner Paul E. Moss has warned exhibitors not to permit standees or admit children either as partners or as patrons at a charge.

He also talked on other precautions that should be taken for the best in- terest of customers.

Because the Circle at Columbus Circle permitted children on the stage, the house was ordered closed for one day yesterday as a penalty. Increases in common show license fees were not discussed, but another meeting is ex- pected to be called for protests.

Florida Bank Night Held to Be Illegal

TAMPA, Jan. 31.—Bank night, as it has been conducted in Florida, has been given the full count of 10 by Attorney General Landis in an opinion delivered at Tallahassee.

He has ruled that it is a very popular and apparently profitable for theaters all over the state for the past year.

It has been conducted on a “you must be in the theatre to win basis,” and this brought up the question of legality. The attorney general says that bank night does not violate the state lottery laws, providing a person is not required to purchase a ticket or token in order to win.

Dubinsky’s Request for Rehearing on Lease

KANSAS CITY, Jan. 31.—Dubinsky Bros. are requesting Campi to reopen the lease interference case involving the Majestic, Kansas City. Campi last week dismissed Dubinsky’s complaint against W. H. Mueller, Al Goodman and Leo Levy without comment.

Ed Dubinsky has asked Campi for a reason for the dismissal. He believes that a complete review of his action, it probably did not have a complete understanding of the case. He has a request to go to New York.

Regardless of the final outcome of the dispute, Dubinsky is making plans to build a theatre on Jefferson City. Cost is estimated at $70,000, exclusive of the site, which has been bought.

Capacity will be 1,270, according to present plans. Dubinsky may close the Miller as soon as the new house is completed, probably next June.

St. Joseph Charge Amendment Ordered

KANSAS CITY, Jan. 31.—The local clearance and zoning board refused to admit in full the charges in the complaint of four subsequent in St. Joseph, Mo., against Dubinsky Bros. and 11 distributors, and the complaint to be reversed.

It was agreed at a hearing that a new complaint will be filed, soon of charges charged and or objected. These included that a monoplastic agreement exists between the circuit and the distributors preventing showing second run features in showing pictures daily and date with or prior to the Crystal, 15-cent second run, and therefore preventing the subsequents from raising their admission price.

Frank H. Cassil, Rialto and R. A. Gregory, Rivoli, will file the new complaint, which will request the board to reduce Dubinsky’s second run protection of 14 days and also cut the circuit’s first run protection.

Mascot to Jump Its List, Levine States

Hollywood, Jan. 31.—Nat Levine of the Associated Press, said production on the 1934-35 program over the original 14 features and four serials announced at the beginning of the season is in prospect.

Although no definite number of features has been decided on, studio executives are now in a huddle to fix a new quota.

Pictures already completed on this year’s program are: “Young and Innocent,” “Crimson Romance,” “The Old Santa Fe,” “The Mariner’s Coming” and “Little Men.” Films already produced or in production include “The Green Lights,” “One Frightened Night,” “Headlines,” “Waterfront Lady,” “Confidentially” and “Along Came A Woman.” The remaining three films have not been set.

Off for a Week

On application by Louis Nizer, representa- tive for the Century circuit in Long Island, the New York board yesterday postponed the hearing until next Thursday. John O’Connor, chair- man for RKO, was before an arbitration committee hearing a complaint against the circuit by M. S. & S.
starring

RONALD
COLMAN

LORETTA YOUNG

Directed by
RICHARD BOLES LAWSKI

POWERFUL! WILL GAIN
SPECTACULAR THRILLS CAN
ONE OF THE MOST AS
SOMETHING TO RAVE

RONALD COLMAN TR

2 CENTS

DETROIT

CHICAGO

PHILADELPHIA

WISCONSIN

WEATHER

WEATHER
INDIA

MPHS! IRRESISTIBLE!

OUT! MAGNIFICENT!

IA RECORD
ISHING! TREMENDOUS!

ERMAN AMERICAN 7TH RACE
D "CLIVE"! STUPENDOUS!

PLACE AMONG 10 BEST!

PHIA NEWS POSTSCRIPT
ING! EXCITING!

20TH CENTURY PICTURE

DARRYL F. ZANUCK'S
IGHTIEST PRODUCTION
Presented by
JOSEPH M. SCHENCK

Released thru
UNITED ARTISTS
"IT IS ONE OF THE GREATEST COMEDIES I HAVE EVER SEEN..."
DIRECT WIRE FROM

WESTERN UNION

J. C. WILLEVER, FIRST VICE-PRESIDENT

1225

CASES

DL = Day Letter
NM = Night Message
NL = Night Letter
LCO = Deferred Cable
NLT = Cable Night Letter
WLT = Week-End Letter

New York NY Jan 30 1935

VERSAL PICTURES CORP UNIVERSAL CITY CALIF=

E IN THE HISTORY OF THE MUSIC HALL WE
TURE WITHOUT PREVIEW AND BACKED IT WITH
N FAITH STOP I HAVE JUST LEFT OUR PREVIEW
S THE GOOD FAIRY WHICH OPENS TOMORROW NOON
F THE GREATEST COMEDIES I HAVE EVER SEEN
M IS SENT TO CONGRATULATE YOU ON THIS
GARET SULLAVAN AND THE ENTIRE CAST UNDER
ION OF WILLIAM WYLER HAVE ACHIEVED AN
CESS=

CHMUS MANAGING DIRECTOR RADIO CITY MUSIC HALL.
NRA in Washington. Now it looks as though they have not only met all the demands, but have gone farther and have agreed to use the Academy for arbitration of disputes where possible.

What happens when they don't want it has the guild members agitated. Their next move remains to be seen.

Voting on the agreement has already been started, as ballots were sent out today to actor and producer members.

The present standard contract arrangement expires March 1. The guild has had a 14-point program that included a demand for a basic eight-hour day with a 15-hour first period, one hour of pay added for every hour worked overtime; abolition of the call bureau, curtailment of layoffs to one week for 40-week contract players, instead of single days through the year.

The Academy agreement just announced would provide for a single picture-pegment, a new weekly minimum contract and revised conditions covering employment for day players. Contracts with artists receiving over $4,000 a year are not affected.

Arbitration Provided

Arbitration under the new standard contract is provided for, if the artist so elects, and decisions will be enforceable on producers. Artists cannot be compelled to submit disputes to the Academy, if they prefer other methods of settlement.

It is provided that no player can be compelled to waive a 12-hour rest period at the request of the producer, but if he elects to do so he is entitled to a full day's pay. No producer shall exempt a producer from this section.

Provision is made for keeping records of all dismissals and return calls in order to provide means of determining whether a player has received a full 12-hour rest period.

Minimum weekly contract players will not have to work on the six principal holidays, but will receive these holidays with full pay. Should any employer make work necessary on these holidays, the actor will receive double pay. Producers agree to make a policy to have no work on Sundays immediately preceding or following holidays, and if any actor is required to render service on these days, he will receive an extra day's salary.

In computing the 12-hour rest period, the 20 minutes on Sundays and holidays will be eliminated unless the actor works on such Sundays and holidays and receives additional compensation therefor, or unless he has had a rest period of at least 36 hours during the preceding week.

Whenever a minimum weekly contract as submitted by a producer is signed and returned by the artist by noon of the succeeding business day it will automatically be binding on the company without awaiting the producer's signature.

The "or about" starting date of weekly minimum contracts has been reduced to not more than 24 hours before or after the date specified, instead of not less than 24 hours before or after.

Employment for day players under the new pact will be on a consecutive day basis, exclusive of any Sundays and holidays on which his contract does not apply. Should the producer terminate the engagement and recall the actor within less than two weeks, or in the event of any other scene during the period, the actor will be paid for any intervening time during which he has been engaged on call. Also provided for is a conversion of daily employment contracts to employment under the weekly minimum contract on terms which the Academy and the guild will name.

In addition, day players will not only continue to receive the guarantee of eight hours' pay for each day worked, but the clause of the former day player agreement allowing the studio to lay the day player off for four hours or more without pay will be eliminated.

When an actor working by the day is required to report early to have elaborate makeup or wardrobe put on by the studio makeup or wardrobe department, the time required in excess of one hour will constitute working time.

It is contemplated that the agreement offer to strike at 12:30 p.m. from March 1, with provisions for amendment. The machinery for amendment has not been formally agreed upon, but is being worked out.

The joint committee which worked out the proposed revisions for producers included Henry Herzhurmel, chairman; Samuel Briskin, J. G. Jain, William Koenig and Irving Thalberg, with B. B. Kahane an ex-officio member. The actors' committee included Lionel Atwill, chairman; DeWitt C. Jennings, George Irving, Raymond Hatton and Mitchell Lewis.

Bellman Appointed To Grievance Board

Jack Bellman has been named to the New York grievance board, succeeding Harry H. Thomas, resigned. Bellman is executive secretary of Motion Picture Guild and will open his complaint against Century circuit on overbilling and selective contesting to the grievance board committee.

Julius Chernow's clearance issue involving the Leonia, Leonia, N. J., and against Locc's, announced a week ago, has been deferred a week for possible settlement. It is understood that the two circuits are trying to work out the solution without a Camp decision.

Burr-Darmour Case Returned to Coast

After studying C. C. Burr's complaint against Larry Darmour in connection with the signing of Ken May, of whom he had entered a deal with the complainant, Campy yesterday referred the matter to the coast office where a committee will hear and decide the case.

Because the committee consisting of Austin C. Keough, Joseph Seider and Paul Smith had delayed the case, we were referred to testi- mony, decision on the complaint of Jack Bellman against Ken Goldsmith (see story page 2) that was held on Monday, from Nat Levine and Goldsmith, the other party for "Little Men." Bellman claimed that some deals were entered into with Goldsmith Prod., Ltd., for the picture, but failed to get it. Mascot is handling it.

Union Appeals to NRA

New Orleans, Jan. 31.—The local operators' union has appealed to the National Recovery Act to prevent exhibitors paying less than union wages to be ordered to pay back sal- ary and wages by the union scale in the future.

The coast plan was growing and that is what this is all about. This publication also states that there are considerable uncertainty about what geographical areas and prices will be considered as the basic for- mula, and that the plan is not yet worked out to the best interests of all.

Several Monday sessions have been held by the bargaining body within the last few weeks, but up until last Monday no agreement on a schedule could be reached. Local 306, at the last moment, suggested that the plan was ready for a new date, but this has been rejected.

Among those leaving yesterday were: Charles A. O'Brien, Theatres Ass'n., Charles Weisman, Tom Murray, Laurence Bolognino, Leslie E. Thompson and Charles C.Moskowitz.

WASHINGTON, Jan. 31.—With the local stage set for a hearing on both the Metropolitan New York area tomorrow, officials of the NRA tonight were dubious of their chances of disposing of the subject without further action. According to the meeting, a second day, when possible, a one-day hearing is preferred because of the expense and time entailed to businessmen who must hang around when the hearings are longer.

It is anticipated that the meeting tomorrow will bring several controversial questions to the fore, but hope was expressed that an amicable settlement could be reached without delay.

Tyree Dillard, Jr., legal representa- tive of Camp, arrived late tonight to attend the hearing.

Campado adopts I.A. plan on price basis

(Continued from page 1)
Court Favors Para. Setup With Changes

(Continued from page 1) Coxe concluded his opinion, "and with the change I said I will sign an order so stating."

The change recommended in the interest rate for the interest up to March 1, 1935, would involve a reduction of only $84,000 in the approximately $300,000 of interest to be paid the 15 bank creditors involved. The change was made, in the court's opinion, to avoid the necessity of a hearing and to make the plan more workable. This change is not expected to meet with any serious objections from the bank group.

Exceptions to the court's opinion on the change in the interest rate of the city issued bonds were taken by George Z. Medalie, representing an important consolidated creditor group, with claims aggregating $14,000,000, and by Archibald Palmer, attorney for a small group of stockholders. Medalie's group had advocated the resignation of directors to eliminate those whose stock interest in the company might be disposed of to others by directors who had not been elected by the stockholders. Judge Coxe had urged the appointment by the court of a board of voting trustees to direct the company at the outset in plant production, in the selection of directors elected by the creditors.

Decision Given Orally

In his opinion, orally given orally from the bench immediately following the completion of argument yesterday, Judge Coxe stated that he had made earlier to the effect that he did not believe the court could be asked to assume responsibility for a company's management or to impose upon it a divided control of its future.

Those who own the principal equities in the company should be permitted to operate it free of court intervention, Judge Coxe said. I do believe the court has a right to veto members of the first board without implying that their nomination was improper or that there is a "concon," he said, "in the belief that a change should be made from the provisions for four-year terms for directors to three-year terms, and at the end of three years elections should be held annually, and from that time on there should be cumulative voting. However, the company needs some assurance of permanency in management at the outset, and I do not believe that initial terms of less than three years are advisable."

Referring to the plan as a whole, Judge Coxe said he believed it had been arrived at "by interested groups trading at arm's length."

"The court must consider that as of first importance. It can't be too censurcious or search for trivial faults when its first consideration is whether or not the plan is fair and equitable to all concerned."

Judge Coxe then took up the major claim settlement issues last presented one by one, pronouncing the Paramount Broadway reorganization plan, which is a part of the Paramount-Publics plan, to be reasonable and fair. With this pronouncement he dismissed objections to the Broadway plan which had been made with a view to obtaining the separation of the Paramount Broadway and theatre from the company after reorganization. He said he recognized a real Paramount retaining possession of the properties under the terms of the plan and, feeling that the provisions for Broadway bondholders were fair, stated he believed the settlement should be carried out as provided.

The same opinion of the Allied Owners' settlement which he said, represented months of negotiations on the part of the Paramount's trustees and impressed him as being "reasonable and fair."

Except for the interest rate specified in the bank settlement, the court viewed that provision as "fairly proper," since, Judge Coxe said, the need of a settlement to avoid lengthy delay was agreed upon.

The cash requirements of the company, including $6,500,000 of new money, were not questioned.

"I am not sure that more than $5,000,000 was not to here played a play in a proposed Ger- marked, "but I am sure that that much, at least, is needed."

Treatment of debenture holders and the allowance of interest on their claims to Jan. 1, 1935, was approved by the court with the comment that median terms for debenture holders is a reorganization and not a liquidation. "The conversion of preferred stock into common at the rate of one for two of the 7 1/2 per cent bondholders was fair on the ground that creditors receiving the preferred settlement of their claims should be able to have a voice in control through an exchange for voting stock."

Treatment of common stockholders and the provision for a $2 sub- scribition price for $10,000,000 of new stock was held to be "entirely fair and reasonable."

Nazis Bar Pola Negri

BERLIN, Jan. 31—Pola Negri, who came here to play in a proposed Ger- man production, was informed by the Propaganda Ministry that she will not be allowed to act in Germany.

Asserts RKO Bankers Are Buying Paramount's Stock

Sock Newsread

(Continued from page 1) All the stark, vivid and gripping drama of the Heilman- man trial is effectively and sensitively presented in the classic "Sock Newsread."

No written scenario could have produced the effect of this drama of real life.

The reel opens with shots of Colonel Lindbergh, Mrs. Lindbergh and Dr. Condon on the stand. These are doubly effective in their brevity, but it has been said the defendant by Attorney General Willenitz that will grip and hold audiences. The two fencers with each other in a duel of wits as the camera catches words and gestures. This is a subject that probably will long be remembered.

BAAHLER

at George Z. Medalie, counsel for creditors among whom are bankers and investment houses which appeared in the Paramount reorganiza-

tion proceedings only recently. Medalie, in any response, to the charge with the statement that "I can't meet mysterious insinuations. Let the facts and testimony to support the charge." Medalie admitted earlier that Leh-

man Bros., Warner R. bishop that only the creditors he represented, John D. Hertz, a vice-president of that bank, has been agreed upon for the new Paramount board.

The charge created a furor in the courtroom, with Robert Szold, Mon-

roe Goldwater, Archibald Palmer and Samuel Zinz, all of whom are counsel for various creditors, de-

manding that the charge be fully in-

vestigated.

Medalie looked over the clamoring attorneys and turning to Cook, remarking, smilingly, "See what you started?"

Goldwater, who is counsel for Al-

lied Owners' trustees, interpreted Cook's charge as a declaration that "Paramount securities are private ground, not to be trespassed upon by outsiders."

"Why should he object to some one else buying in?" Goldwater asked. "Just who is it who wants the control? Let them fight it out."

A check-up of sales and transfers of Paramount bonds within recent months showed Lehman Bros. purchased approximately $300,000 worth; Lazard Freres, $500,000; Belden Co., $550,000; Ruhn, Loeb, $250,000, and smaller amounts to Halligan & Co. and Newborg Co., both of whom, however, have been active purchasers in recent months.

Court Approves Plan For Northwest Group

An order approving the plan for ending the receivership of Minne-

sota the Paramount subsidiary operating approximately 70 theatres in Minnesota, Wisconsin, North and South Dakota, was signed yesterday by Special Master S. Joyce.

The plan makes William Hamm, Jr., one of the receivers for Minne-

sota, who was also an executive of the Finkelstein and Rubin circuit prior to its acquisition by Paramount, operator of Minnesota under a short term contract expiring next June 27. It also provides for a five-year exten-

sion of a $50,000 mortgage against Minnesota, held by the Hamm inter-

ests, and for the settlement of other claims against the estate.

Campi Gets Amendments

Recommendaons by the NRC on Campi's prototype, and the vaudeville sections of the code were presented to Campi yesterday by De-

nuty Administrator William P. Farn-

worth, who requested members to re-

view the suggestions before a final official order is handed down in Wash-

ington.

Philadelphia Contract Dual Bans Enjoined

(Continued from page 1) the enforcement of the injunction pending appeal.

Judge Welsh contended the clause prohibiting the showing of two lea-

dership Districts of trade and commerce, reduced the number of fea-

tures that might be produced by in-

dependents and gave the nine major districts in the interstate film industry. The decision suggested the defendants conspired to violate the anti-trust laws, although conspiracy may not have been achieved by unlawful means.

As several independent exhibitors had complained that films of the majors were needed to fill out programs, Judge Welsh stated that "the situation is the result of an unlawful strategic position to dominate the whole situation. If the restraints of trade and commerce practiced by the defendants have been complained of were permitted to continue, the independent producer and independent exhibitor will be great-

ly injured and interfered with and the public welfare impaired."

Holding this to be dangerous, the judge stated, "this is particularly true at just this time when economic conditions are such that the independ-

ent producer and exhibitor are per-

mitted to be handicapped they will not be able to survive and if destroyed it might be a long time before monopolized or semi-monopolized production would be challenged or broken."

Suit Filed Last Summer

The suit was filed in the U. S. Dis-

trict Court in Philadelphia late last summer by Miss Dorothy Ann of a group of Philadelphia independent operators, who contended the double feature plan placed overlong a period by the major companies was in violation of the anti-trust laws.

The hearings reached a climax in late November and early December and were featured by the testimony of local executives who were subpoenaed. Among those who testified were J. Robert Rubin and William F. Rodgers, representing M-G-M; Ned Dein-

net and William Youngman, RKO; Earle W. Hammonts, Educational; Al Lichtman and Edward Raferty, C. A.; A. W. Smith and Harold Barford, Warners; Samuel G. Grau-


The hearings were concluded Dec. 6 and both sides were given until Dec. 21 to file briefs.

WASHINGTON, Jan. 31.—The appeal granted Harry Perlstein yesterday in the case of his firm might have repercussions in this territory. The newly-formed Allied Film Owners of the District of Columbia has been awaiting the decision before formulating a course of action of its own on dual clause re-

strictions.

The unit proposes to meet twice a month and is headed by C. H. Olive as president.
FULFILLS EVERY EXPECTATION!

TOOK RADIO CITY MUSIC HALL LIKE WELLINGTON TOOK NAPOLEON AT WATERLOO! *(Ditto RKO-KEITH'S, BOSTON)*

More drama
More thrills
More action
More romance
than in any picture ever made by George Arliss

A **GB PRODUCTION**

PHYSICAL DISTRIBUTION • FOX EXCHANGES • CANADA, REGAL FILMS, LTD.

THE **IRON DUKE**
Rogers Grabs $24,200, Top Detroit Gross

Detroit, Jan. 31.—“The County Chairman” here was the outstanding attraction last week at the Fox, with six acts of vaudeville on the stage. The gross of $24,200 was over normal by $9,200. Total business for the season was $71,600, Average is $65,000.

Estimated takings for the week ending Jan. 25:

“BROADWAY BILL” (Col.)
ADAMS—(4,170), 36-40c, 2nd week, 7 days. Gross: $5,100. (Average, $735.)

“COUNTY CHAIRMAN” (Fox)
FOX—(5,600), 36-38c, 7 days. Stage: Six acts vaudeville. Gross: $15,000. (Average, $2,143.)

“FILTRATION WALK” (Warner’s)
“PRESIDENT VANISHES” (Para.)
(Second Run)
FISHER—(2,935), 36-40c, 7 days, Gross: $4,100. (Average, $600.)

“LIFE OF A LANCER” (Para.)
MICHIGAN—(6,800), 36-40c, 7 days. Stage: Six acts vaudeville. Gross: $23,600. (Average, $3,371.)

“MURDERS IN THE CLOUDS” (F. N.)
“ONE HOUR LATE” (Para.)
STARR—(1,000), 36-40c, 7 days. Gross: $4,410. (Average, $630.)

“PHAKING ALL OTHERS” (M-G-M)
UNION—(6,000), 36-40c, 7 days, 2nd week. Gross: $10,800. (Average, $1,543.)

Coast Studios Lose Property Tax Writ

Los Angeles, Jan. 31.—Universal, M-G-M, Paramount and Fox today were denied an injunction in Federal court to restrain Los Angeles County from assessing what were claimed to be excess taxes on front footage bordering their studio properties.

The court held that only in extraordinary cases could it issue a writ in a matter interfering with governmental operation, adding that the case should have gone through the state courts first. The plaintiffs said they would do this, meanwhile paying the assessors.

A victory for the studios is expected to save them about $120,000.

FWC Chiefs in Meeting

Los Angeles, Jan. 31.—Syros Skouras presided today at a meeting of Fox West Coast production managers at the Beverly Wilshire at which future theatre operations and means of increasing business were discussed. There was no discussion of drastic changes or of reorganization moves.

See “Hei Tiki” on Rex

More than 500 persons attended a showing of “Hei Tiki” on the Rex last night. The program was delayed about two hours by the late arrival of the ship and by projection trouble.

Flash Review

Hei Tiki—Mildly entertaining story of tribal legend acted by natives of the Isle of Ghosts in New Zealand.

This film will be reviewed in full in a later issue of Motion Picture Daily.

Purely Personal

HENRY GINSBERG pulled out for the coast yesterday, but not before he found a sort of place of honor at the opening round table of the Society of Film Critics. Present were Leo Lubin, Ed Saunders, Willie Rodgers, Joe Vogel, Mort Spring, Jack Gelis, Lou Brecher, Ben Goetz, Milt Blumberg and Oscar Dool. Ginsberg almost got the check, being his farewell, when Spring stepped into the breach.

HOWARD DIETZ shakes New York for a week, leaving Saturday for Los Angeles. He returns home in a few days. He’s out 10 days of sunshine at Palm Springs which a few Easterners may not know is in California. On the desert.

MARK OSTRER and Michael Balcon are consideration leaving London next week for New York. That’s provided they can get away.

Quips of the Day

Alfred Cook, counsel for Paramount in the reorganization proceedings, has displayed a weakness for quoting from poems and popular songs. He has recently referred to the current bollard, “You’re the Top.”

“Hed’d better catch out,” a listener commented yesterday. “No better Burke is here and may bring an action on him for breach of contract.”

The company, licensed public performance for profit.

CAPPY NORDORD, former counsel for Fox Film and active in the Paramount reorganization proceedings as counsel for bondholders of the latter company, identified himself to the court yesterday as one who had had 20 years experience in the film industry.

“He’ll, he can speak freely,” commented a court fan. “No one close in the room knew anything about the industry.”

MAX STEUER and Judges Wallace and Fredra will be principal speakers at M. P. Club forum tomorrow afternoon.

Saul E. Rogers, former counsel for Fox Film and active in the Paramount reorganization proceedings as counsel for bondholders of the latter company, identified himself to the court yesterday as one who had had 20 years experience in the film industry.

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JACK SKIRBOLL of the Palace, Toledo, yesterday dropped in to see F. J. A. McCarty, Universal eastern representative. He purchased from the broker with him. It must have been a happy occasion, for the showman brought the broker down to see a program entering its fifth week at the theatre.

SOL SHERWOOD of the Warner home office objects to references in this column to the ring-pony abilities of Howard Dietz and Morris Kurtin. He challenges the two to prove how good they really are by trying their stuff against him.

SAM RINZLER has left for Miami in Feb. 10. He says he won’t pull a Louis Frisch act. Frisch the other day returned from a week’s rest in Atlantic City, but in one night took in four different shows.

COBBY GAGGIE declares the talker rights to “Accent on Youth” with Constance Cummings in the lead, having been sold to Universal for $12,000. He further adds $60,000 was the price.

ARTHUR DREIPUSS, formerly of the Broadway producing team of Dreipuss and Gershhardt, is on his way to the coast. He may enter production as early as next week.

GARY COOPER, accompanied by Mrs. Cooper, arrives here early next week for a vacation. He plans to spend most of the time on Long Island visiting friends.

ANDY STARICK today gets back from a visit to the Universal exchange offices in Boston and New Haven, where he made a checkup on accessories.

JOHN CONSENTINO, special representative for Amity Pictures, is on his way to Buffalo and from there he will head for the south.

DAVE LOEW has set back his trip west until Feb. 15, at which time Brother Arthur and their respective wives will join.

AL SHEARMAN has returned to this city after a few months spent in London visiting the various studios.

CHESTER BERCROFT and Harry Weaver’s “Three Kids and a Queen” has been purchased by Universal.

SAM DEMIDOW’S ensemble yesterday was a treat and delight.

MAXWELL ANDERSON’S “Valley Forge” has been acquired by Columbia.

Ed Levin flies back to Chicago yesterday. He spent a few days in town.

HARLEY LEROY finishes work today on his third two-reeler for Vitaphone.

Ticket Suit Dismissed

Suit brought by five ticket agencies to prevent enforcement of the ticket provisions of the legitimate theatre contracts represented by Supreme Court Justice John E. McGeehan yesterday. The plaintiffs were Beckhardt’s Theatre, National Theatre, Cappes’ Theatre, Theatre Office, Kieselee Theatre Theatre Ticket Service, Acme Theatre Ticket Office and Newman’s Theatre Ticket Office.

‘Old Girl’ Is Kansas City’s High, $12,000

Kansas City, Jan. 31.—“Grand Old Girl” with Weaver Bros. on the stage rolled up $12,000 for the Mainstreet. $3,000 up for combination shows. “Biography of a Bachelor Girl” was an outstanding attraction at the Midland, $1,000 above the line. “Lives of a Bergal Lancer” held up well in a second week at the Newman.

No new temperatures hit box-oftices hard.

Total first run business was $35,900, Average is $33,750.

Estimated takings:

“Week Ending Jan. 23.:
“LIVES OF A BENGAL LANCER” (Para.)
NEWMAN—(1,800), 28c-40c, 5 days, 2nd week. Gross: $7,000. (Average, $1,400.)

“Week Ending Jan. 23.:
“GRAND OLD GIRL” (Radio)
MAINSTREET—(4,000), 28c-36c-9c, 7 days. Stage: Weaver Bros., Elviry and Adams. Average, $500. (Combination billings, $9,000.)

“MIDLAND—(4,000), 28c-36c-9c, 7 days. Stage: Gruber’s Jolly Oddfellows, Hatt & Herman, tickets. Average, $2,000. (M-G-M)

“BIOGRAPHY OF A BACHELOR GIRL” (M-G-M)
TOWER—(2,300), 7 days. Stage: Gruber’s Jolly Oddfellows, Hatt & Herman, tickets. Average, $500. (M-G-M)

“Week Ending Jan. 25.:
“IMITATION OF LIFE” (Univ.)
UPTOWN—(2,000), 28c-40c, 7 days, 2nd week. Gross: $3,700. (Average, $630.)

Ohio League Washed Up

Cincinnati, Jan. 31.—The Ohio Valley League is a thing of the past. Established a number of years ago, and affiliated with the Ohio I.T.O., has become non-existent, due to the resignation of key members to pay dues. Willis Vance was president. Plans are understood to be under way for an organization dependent unit for the Cincinnati territory.

Burkhardt to Providence

New Haven, Jan. 31.—Howard C. Burkhardt, manager of the manager of the Poli-Palace, goes to Loew’s State, Providence, this week, and Henry Stack will succeed him here.

Black has been associated with Schine Enterprises at the Palace, Albany and Proctor’s, Troy, for the past six years. He is the brother of Maurice Black, the screen actor.

Oldknow Home Burns

Atlanta, Jan. 31.—The $25,000 residence of Oscar S. Oldknow of National Theatre Supply Co., was destroyed here by fire Saturday morning. The fire, which started in the basement, was not contained. Oldknow’s engagement narrowly escaped serious injury. Loss is partially covered by insurance. The house is located in a fashionable section of the city.

Missouri to Droit Shows

St. Louis, Jan. 31.—The Missouri winter Convention, which will run for two weeks and return to double features, The customary two weeks’ notice to minor music and daily featured managerial posted. The change will be made on Feb. 8. The house had been offering 10 acts of vaudeville and two features prevailing among the local first runs.
L.A. Schedule Clears Sky in Clearance Row

Kansas City Is Next on List; Others Coming

Now that the Los Angeles plan has been accepted by Campi, steps are being taken to set up similar and zoning schedules in other key cities which have submitted plans for official approval. The stumbling block all along has been distributors' opposition to admission prices as a basis for clearance. The argument was that sales breaks had the right to sell protection; further, that if theaters with like admissions were given the same availability, a print shortage would ensue in every exchange center. Kansas City is the next schedule up for disposition Thursday.

Campi's move both distributor objections at its last meeting when it (Continued on page 3)

New Trust Suit Vs. FWC Filed in L.A.

Los Angeles, Feb. 3—Colcata Corp. of Pasadena and H. L. Gumbiner, local theater operator, joined hands yesterday and filed a conspiracy suit under the Sherman anti-trust law against Fox West Coast, Downtown Theatres, Inc., Fox-Cosmopolitan Theatres Co., Ltd., and several major distributors. The plaintiffs are seeking $6,080,000 in damages.

Subsequentes Irked By Pittsburgh Cuts

Pittsburgh, Feb. 3—As an aftermath of the price-cutting started here by the Penn, and followed up by the Fulton, independent exhibitors have been squawking to the distributors, demanding reductions in film rentals.

In addition, the independents threaten to double feature every picture the Penn and Fulton play. The Penn here gets M-G-M, United Artists and half of Paramount, while the (Continued on page 2)

Reinhardt Studies Met Opera Proffer

Hollywood, Feb. 3—Max Reinhardt admits that he is considering the proffered post of managing director of the Metropolitan Opera Co. to succeed Giulio Gatti-Casazza. He (Continued on page 8)

Cohen Is Rumored Through at Para.

Hollywood, Feb. 3—Emmanuel Cohen is understood to have left unexpectedly for New York by plane yesterday on a quick summons of the new board of directors at Paramount who, it is believed, are considering unimpeachable authority, will ask his resignation as president of production at a meeting to be held in the east Monday. It is not believed Cohen holds a contract.

Coincident with this development, inside talk credits reports that Henry Herzhun, for some years the company's attorney at the studio, is to be moved up into a more important post on the lot.

Federal Attorney To Aid L.A. Board

Los Angeles, Feb. 3—Following application to the Federal Court by the Oxnard, Oxnard, for an injunction restraining distributors from cutting off his film supply due to failure of the theater to stop bank nights, the Department of Justice in Washington has assigned the local district attorney to defend the Los Angeles board in the case. Compliance Director Sol A. Rosenblatt requested (Continued on page 3)

German Television In Year Predicted

Television in the German home will be an actuality within one year, says Dr. Fritz Schroeter, director of the leading radio system in Germany.

Dr. Schroeter, who is here to confer with executives of the Radio Corp. of America, said: "With a television station already operating in Berlin, we can transmit clear images in black and white, either (Continued on page 8)

Rosenblatt, Flinn Invited by MPTOA

Compliance Director Sol A. Rosenblatt and John C. Flinn, executive secretary of Code Authority, have been invited to address the M.P.T.O.A. convention to be held at New Orleans, Feb. 25 to 28.

Others invited to speak include Roy L. Smart of Charlotte, N. C., who (Continued on page 8)

HEAVY CUTS MADE IN DUBBING FEES

England Now Talking New Selling Pact

By BRUCE ALLAN

London, Jan. 22—The Cinematograph Exhibitors' Ass'n is considering the possibility of asking the government to impose a standard contract on the industry. Main clauses would confer a right of cancellation and restrict the percentage of receipts Zeidman declared that the Cinematograph Films Act is likely to be amended by legislation providing, among other things, for control of the quota quickie and a more rigid restriction of block booking. C.E.A. demands are now going much beyond these matters. Resentment against film costs and alleged arbitrary methods on the part (Continued on page 8)

Foundation to Form Distribution Branch

Formation of a distribution division of the M. P. Foundation of America to make arrangements with established companies for distribution of films sponsored by the foundation is being undertaken, according to a publicity release from the organization.

The new distribution division, it was said, will also prepare advertising, publicity and exploitation, and furnish general advisory services on films for established companies. The Foundation will not itself engage in production, distribution or exhibition, it was said.

Zeidman Resigns as Universal Producer

Hollywood, Feb. 3—B. F. Zeidman, Universal producer, resigned yesterday, ending a three-year association with the studio. He said that after discussing three offers, which he asserted he would be unable to announce at present.

Zeidman stated his resignation was on his own volition and was due to his dissatisfaction with an offer by Universal involving a three-month extension of his recently expired option.

Paramount, Warners Get 80% Slashes; Other Deals Coming

New recording license agreements providing for drastically reduced record rates for dubbing versions, foreign versions and trailers have been made by Erpi with Paramount and Warners and negotiated by other companies. The rates now established for dubbed versions and foreign versions are entirely new. They were not covered specifically in the old Erpi contracts, but were charged for on the basis of the standard rate of $500 per reel. Under the new contracts the recording rates for dubbed (Continued on page 2)

Ask Theatres' Aid Upon Housing Film

Washington, Feb. 3—Cooperation of exhibitors throughout the country is being asked by James A. Moffett, Federal Housing Administrator, in the showing of pictures depicting what the government is doing toward better housing. The decision to use pictures was based on the success of a trailer prepared some time ago by National Screen Service, which was (Continued on page 2)

Greenblatt Named in Bellman's Code Post

Arthur Greenblatt has been appointed to the Manhattan, Bronx, Staten Island and Westchester Advisory clearance and zoning board in place of Jack Bellman, who recently supplanted Harry H. Thomas on the local advisory board.

Henry Greene of Lake Amusement Co., replaces A. W. Baehr, resigned, on the Minneapolis clearance and zoning board. Mel Evison, of Columbia, (Continued on page 3)

Bonds on St. Louis Indictments Are Set

Bonds of $2,500 each for seven Warners, Paramount and RKO executives were set by the U. S. Mar-
MANY are the whispers that swirl about—and from—leading figures in the Paramount reorganization. And, without any commitment from the department as to their substantiality in fact or reason for being for that matter, many are interesting enough to bear passing along. In the procession is now under way.

The reorganization, being something of a checkboard for financial men, most of the whispers revolve about the moves and counter moves of the financial representatives. First of all, the whispersers presuppose a sharp rivalry of investment interests exists over the respective positions each is to occupy. The amount of this rivalry is obvious.

The stories place Kuhn, Loeb & Co. in one corner and a combination of several other financial houses, headed by Lehman Brothers and Lazard Freres in the other. Each side seems prepared to go for the limit in a knock-out decision.

In addition to the whispers there have been charges, both intimated and openly made in court. In any event, Loeb holds the ends of strings that lead to men already agreed upon for the board, despite the absence of any obvious connection. Attorney Palmer actually named Frank A. Vanderlip as one of these open court whispers. By a devious route, add the name of Henry Luce, editor of Time and Fortune, who they say, is related to Robert Swaine of Cravath, de Gersdorff, Swaine & Wood, the Kuhn, Loeb attorneys of many years' standing, who were introduced to Paramount by that banking house.

They add that Attorney Alfred Cook, monitor for the court proceedings as counsel for Paramount and for the stockholders' committee, has one who is a junior executive of K-L. This, they say, explains Cook's veiled attack on the Lehman-Lazard group in court Thursday through an implication that Lehman, former RKO bankers, sought control of Paramount to bring about a merger of the latter company with RKO. How seriously Cook takes the situation may be judged, they recite, by Cook's antagonism to the Lehman-Lazard group in the face of the report of the relationship of Frank B. Altschul of Lazard to I. Howard Lehman, law partner of Cook.

A LTSCHUL, it is mentioned in passing, could have had a place on the Paramount board if he wanted it but deflected to John D. Hertz of Lehman Bros., who apparently wanted it more. This reputed gesture is also advanced as evidence of the alliance between Lehman and Lazard.

Cook also views as significant the active trading in Paramount bond certificates indulged in by Lehman-Lazard during the past two months, estimated to aggregate about $1,000,000 of face amount. The records of transactions on which this is based also show that K-L holds more than $200,000, while the whispersers have gone to nominees whose banking connections are not entirely apparent. Foremost of these is the Belden Co., whose certificate transactions have passed the $500,000 mark.

For whom Belden is buying, and for why appears a bit uncertain all the way through the reorganization scene. Another mysterious but active purchaser is the Newberg Co., which holds perhaps $200,000 of face amount bonds. If both are acting for K-L, as some whispersers would insist loudly, the Lehman-Lazard purchasing which so disturbs Cook, would appear to have a fairly evenly matched rival. If not, as others say, the underwriting race would seem to be too far advanced to shout a feeble "halt" after the leader, name not too clearly defined as all of this perhaps has already indicated.

Your best Hollywood writers have never turned out a better or a more dramatic script. The drama in it and maybe the tragedy as well as the jitters a man such as this gives the normal conduct of Paramount workmen—production and sales. They have been tossed around so much and so suddenly that no normal person for them must be like a visit to the Times Square subway station at the height of the rush hour. A bit of quiet, coupled with a fair amount of assurance, is their due, long overdue. Never mind the individuals, if you prefer it that way, but for Paramount's sweet sake.

"Clive" Gets $32,000

"Clive of India" tallied $32,000 during its second week at the New York boxoffice. Originally, Warner Bros. had announced that "Clive" was to be withheld from the Paramount after three weeks, pulled a swell week-end business at Arthur Mayer's emporium.

The new agreements involve no change in recording rates for features, shorts or newreels. The amended licenses, however, are regarded by producers as being generally broader in their terms.

While the adjustments contained in the new license agreements have been worked out in four or five weeks of negotiating, the first was concluded only a few months ago.

The new agreements include a consideration in settlement of the 1,875,000 claim which Erpi filed in the U.S. district court in New York. Under this settlement, Erpi's claim was allowed at $1,200,000, to be paid in new Paramount securities on the same basis as other general creditors of the bankrupt.

Other companies with which negoti- ations have been opened include the M-G-M, Columbia, Universal, United Artists, Fox and Educational.

Bonds on St. Louis Indictments Are Set

shall's charges were confirmed yesterday following receipt of certified copies of the personal indictments returned against St. Louis Federal grand jury last month as a result of the investigation of film buying and selling there. The charges are against Harry M. Warner, Abel Cary Thomas, Gradwell Sears and Herman Starr of Warners, George Schaefer of Parma- mount and Ned Depinet of RKO. Formal arraignment of the seven will take place in St. Louis, probably by appearance of counsel for those indicted. Former Senator James A. Reed of Missouri is counsel for Warn- ers. Walter F. Bromberg, attorney of Cravath, de Gersdorff, Swaine & Wood will represent Depinet. Paramount has not yet selected counsel for Schaefer.

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MOTION PICTURE DAILY

L.A. Schedule Clears Sky in Clearance Row

Leslie Howard and Mlle. Omeron will pour Tuesday afternoon in the suite once occupied by Roxy, but now used by W. G. Van Schmus for parties atop the Music Hall. It all has to do with the impending opening at that house of "The Scarlet Fimpener" and the pouring will be cocktails, not tea.

Gary Cooper, accompanied by Mrs. Cooper, is set to arrive in town today or tomorrow. He is on a vacation from the studios and plans to spend this time at the Los Angeles visiting with friends. He made up for the few, but nothing definite on that as yet.

Edna Greiner is all for ending that M. & S-RKO fight over the Hollywood and Apollo on the East Side. He's trying to find time to handle his normal duties at Fox.

Quip of the Day: "Contributor suggests: "A few more like 'Lives of a Bengal Lancer' will be well warranted. The war is still going on."

Irving Mandel, accompanied by the missus, has arrived in Miami for a two weeks' vacation from windys Chicago. He's the Monogram franchise holder along the lake front.

Ed Finney had that long face around the Monogram office Saturday because his usual audience was absent. No one laughed at his gags.

Janet Gaynor has train reservations through to the coast for tomorrow or the next day.

Nate Spingold joins the film crowd in Florida today. He'll be at Palm Beach for a short vacation.

Fred Quimby finally made it. He's off on that deferred Miami vacation.

Eric Linden 'planes it to the coast tomorrow.

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Buy This Page

Chances are the Chicago Daily News will buy this page for one dollar. 


Al Friedlander is going wild over those 20 enthusiastic telegrams from K. B. in "March of Time." The first of the series opened Friday night, and according to most of the wires, audiences applauded before and after the show.

Sybros Skouras, who was expected back from the coast today, will delay his trip until the end of the week. William T. Powers, F.W.C. attorney, returned several days ago from a western trip.

Harry M. Warner, Jack L. Warner and Albert Warner will be on hand for the opening of "Devil Dancers of the Air" at the Strand Wednesday.

J. J. McCarthy, who, in blizzard time, didn't get to see much of his Mamaroneck home, managed a weekend stay there Saturday and yesterday.

Ed Kukyekdus comes to Columbus, Miss., to spend a weekend running his theatres there, is due back here the middle of next week.

Nate Blumberg had a birthday last night, signaled by a dinner party over on East 56th St. where he lives.

Anna Steen will do a scene from her latest Friday night on the Hollywood Hotel radio program.

Harry Thomas was back at his desk Saturday.

At Litchman returns from Miami today.

Margaret Sullivan eterized "Peg o' My Heart" yesterday afternoon.

Meet on Leonia Dispute

Executives of Loew's and Skouras will meet Wednesday to discuss clearance relief sought by the Leonia, Leonia, N. J., which filed a complaint some time ago and is now before the Commission for decision. The Leonia is Julius Charmian's theatre. Although an appeal committee has made an unfavorable recommendation to Code Authority, the latter board requested the two circuits to try to settle the issue. This is being attempted.

To Pick Burr Referees

Campbell's production committee today, with counsel for Loew, had paid wages below NRA requirements or failure to abide by code provisions in dealings with labor.

The Circuit Court in Piqua, Ohio, ruled that the 'rough rider' by Edward F. Seller, NRA State Compliance Director, were the Grand Theatre and the Palace, here have been forwarded to the National Compliance Council, Washington. These two cases had to do with failure to serve the labor provisions of the code.

Puritan Pictures Formed

Louis A. Solomon has formed Puritan Pictures, Inc., to produce and distribute. Dave Gross has joined the company as general sales manager.

La Hiff's Tavern
A chop house of exceptional merit

156-8 West 48th St., N. Y. C.
These 6 amazing facts about last Tuesday's world premiere at the 9SBH seem a clear indication that Warner Bros. have delivered another in the series of Big Shots that began with "Bordertown" and will continue with "Sweet Music," Kay Francis' "Living on Velvet," "Gold Diggers of 1935," and others. Unless all signs fail, "Devil Dogs of the Air" is destined to be commercially superior to its predecessor, "Here Comes the Navy."
Theatre in San Diego

pronounced success in

with Rudy Vallee's

and many

15,000 FANS MOBBED
$1.65 NIGHT PREMIERE!

STANDEES IN 2nd BALCONY
AT 1st BALCONY PRICES!

2,000 TURNED AWAY AFTER
ADS ANNOUNCED SELLOUT!

COULD HAVE SOLD HOUSE
OUT THREE TIMES OVER!

“NEVER SUCH A TICKET
SALE IN CITY’S HISTORY!”
says Mgr. Lou Metzger

PRICE SCALE ADVANCED 25%
FOR REMAINDER OF RUN!

D O G S
These 6 great personalities—

for love-and-laugh inter

breathless air action

Roosevelt, Chief

other famous

ings, &
stars and director of "Here Comes the Navy"—Lindsay and McHugh

st—and the Marine Corps' own technical adviser on the filming of

scenes—explain why the owners of the Metropolitan, Boston; th

go; the Warfield, San Francisco; the Strand, New York, and man

us theatres are looking forward with keen anticipation to their open

his week and next, of this first Cosmopolitan Prod'n for Warner Bros
England Now Talking New Selling Pact

(Continued from page 1) of distributors are being expressed in strong language at exhibitors’ meetings. It is pointed out that in Australia, where there is stringent control, the exhibitor has a 25 per cent right of cancellation and the average program runs 20 per cent. The British cost is declared to average 36 per cent, and there is no right of cancellation.

American distributors are attacked as responsible for the high-handed policy of the Kinematograph Retailers’ Society as shown in the credit restriction scheme and other matters, and it is asserted that legislation is necessary in view of the impossibility of getting 3,000 exhibitors to take common action.

A last minute snub has been encountered by the agreement governing wages and working conditions between London editors and unions. At various times it has been announced that the agreement, engineered through a joint conciliation board, was unanimously accepted with reservations, and not accepted. The “no” appear to have won for the moment.

Dominating factor in the situation is the attitude of the Electrical Trades Union, which objects to the hours schedule as opposed to their national minimum.

Some time ago it was announced that the agreement would be signed with a reservation of the E.T.U.’s dissent, but the C.E.A. finally took up the attitude that the London Trades Council must sign for all unions.

A three weeks’ adjournment has been agreed to see if the E.T.U. can be brought into line.

Reinhardt Studies Met Opera Proffer

(Continued from page 1) stated, however, that he is making no definite plans and all he has completed is a “Midsummer Night’s Dream” for Warners.

The Mexican government has also invited Reinhardt to produce his Shakespearean fantasy in the hills of Chapultepec overlooking the City, but it is understood Reinhardt plans to take production to his Center Theatre in New York following the run of “The Great Waltz” there.

Hoffman Back to Coast

M. H. Hoffman, president of Liberty Pictures, returned to the coast over the past weekend. He will be completed a “A Midsummer Night’s Dream” for Warners.

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Mrs. Rae Lepton Buried

Cleveland, Feb. 3.—Funeral services were held here for Mrs. Rae Lepton, 81, mother of Nat L. Lepton, local Monogram franchise holder. Surviving, in addition to Nat, are three sons and two daughters.

“Ruggles of Red Gap” (Paramount)

HOLLYWOOD, Feb. 3.—A comedy of manners involving a newly rich Idaho couple, Charley Ruggles and Mary Boland, who become involved in a Paris poker game, win Charles Laughton, a gentleman’s gentleman, from an impecunious Earl, Roland Young. —Laughs galore are contrived by Harry Leon Wilson’s story affording the cast and production contributors full outlets for their wits. Jumping from the continent to Red Gap, Laughton, now in the service of Miss Boland and Ruggles, is mistaken for a British colonial and lionized by local climbers for pronounced effects and startling change in Laughton’s newly absorbed behavior.

Confronted with the decision whether to return as a gentleman’s gen-

tleman or remain in Red Gap, Laughton determines to step out and do something for himself in the American spirit and opens an Anglo-American restaurant aided by Zasu Pitts.

Plowed for hilarity the production has an undercurrent of hands across the sea, blending English conservatism with American laissez-faire. The producer, with moulded delightful entertainment which Leo McCarhey directed with comedy uppermost although sentiment prevails.

Beside the leads the cast includes Leila Hyams as Nell Kenner, Maude Allen as Ma Pettigold, and Lucien Littlefield as Belknap Jackson.

Alfred Gilky photographed. After tightening, the film should be popular with Laughton, Miss Boland and Ruggles fans.

Production Code Seal, No. 537. Running time, 95 minutes. “G.”

“Mystery Man” (Monogram)

HOLLYWOOD, Feb. 3.—Although the film is somewhat lacking in mystery element, the picture holds interest as a newspaper reporter expose of a police baffling murder.

Robert Armstrong, a reporter, receives a gun from the district attorney for running down a criminal and also a $50 bonus from his paper on which he gets inebriated. Armstrong, fired, goes to Detroit and meets Maxine Doyle. His former boss, Henry Koller, double-crosses him by not giving him proper credentials and he can’t find a job. Finally he gets the gun of a master criminal, Leroy Mason, and talks to a Detroit editor, James Burke, into a job on the strength of the scoop. Armstrong accidentally becomes implicated in the case through his gun and is suspected of murder. His former boss comes through finally with the proper references and Armstrong gets out of the scrape. He and Miss Doyle finally carry the romantic thread to the altar.

Comedy is the keynote of the film with a well handled element of suspense. Ray McCarhey directed intelligently. All performances are okay. This one should please neighborhood patrons.

Production Code Seal, No. 571. Running time, 67 minutes. “G.”

Hauptmann Films Run on: Newsreel Editors Silent

Bruno Richard Hauptmann continued to answer the questions of Attorney General Wilentz on the screens of the country all day Saturday and yesterday.

Newsreel editors wouldn’t talk Saturday. They had all done a lot of discussion outside behind closed doors, they admitted, but beyond that they were non-committal.

Hearst Metrotone clips were ordered not to run in the Los Angeles Sun Saturday, while Paramount notified Wilentz it had withdrawn all prints. All the reels — Fox Movietone, Pathé, Hearst Metrotone, Universal and Paramount—issue new clips twice weekly. This one came out last Thursday. Another clip will be out shortly —so the first run situation will be taken care of. In spite of the fact that the Fox Movietone clip was exposed to have been withdrawn, New Jersey officials connected with the trial saw it Friday night only a few doors from their hotel in Trenton.

There’s no mystery about how the pictures were obtained. The camera has been running since the trial started, but little of the footage made when the court has actually been in session has appeared on the screen by agreement with Justice Trenchard. The court took the stand that it would

Rosenblatt, Flinn Invited by MPTOA

(Continued from page 1) will talk on “The Theatre’s End of Better Film Bargains”; M. A. Light- man will talk on the successful development of national night programs; Roy L. Walker of Lampassas, Texas, will talk on legislation, and Elmer C. Rhoden of Kansas City, on new plans for selling the more intelligent pictures. Code subjects will be handled by Morgan A. Walsh of San Francisco and Jack Miller of Chicago.

Identification certificates for qualifying holders to round trip railroad tickets for approximately one and one-third the regular one-way fare may be obtained from local offices of M.P.T.O.A., affiliates. The New Orleans Athletic Club has offered the use of its facilities to conventionees during their visit.

German Television In Year Predicted

(Continued from page 1) movable or still, on a frame by one or two inches. They are as perfect as regular pictures.

“It only remains to make television financially possible. This the government is eager to do.”

British Television Eyes Crystal Tower

LONDON, Feb. 3. — Following an announcement by the Cabinet on

con

scious Friday that the British Government would spend some $900,000 in the next two years to place television within the reach of the public, the British Broadcasting Corp., began work yesterday to bring the project to quick realization.

 Pending the choice of a site for a television station, the Crystal Palace tower may be used for the initial broadcasts in August.

The decision of Great Britain to bring television into the homes of its people will spur efforts to put the transmission of wireless pictures on a commercial basis in this country, it was indicated Saturday. It is held that a Federal subsidy may be necessary.

Warners Promote Blyth

Sam E. Morris, vice-president of Warners in charge of foreign affairs, has promoted David Blyth, company manager of India, to supervisor of India, Straits Settlements and the Dutch East Indies. His old position will be filled by Walter, former Bombay office manager.

be prejudicial to the interests of the company owned Blyth has been designated to have cameras all over the court room, either still or moving, but had no objection to the operation of the single moving picture camera in the balcony so long as it did not make a noise. The idea was that the films would become public property after the rendition of a verdict.

Just what will happen during the rest of the trial remains to be seen. The judge is annoyed. Sheriff John H. Curtis is non-committal.
"Bachelors" Is Washington's Top, $23,000

WASHINGTON, Feb. 3.—"Biography of a Bachelor Girl" was Washington's smash hit last week as four days of the capital's worst winter weather sent box-office grosses tumbling. The picture, at Loew's Fox, took $23,000, a pretty $2,500 over average.

Return engagements did second-place business, with "Forsaking All Others," at Loew's Columbia, hitting $4,500 over average. The "Broadway Bill," at the Metropolitan, taking an even $5,000, or $900 over par.

Total gross for the periods reported was $75,200 against a seven-day average of $71,200.

Estimated takings, exclusive of tax:

Week Ending Jan. 21:

"THE CAPTAIN HATES THE SEA" (RKO-KEITH'S) (3,836), 25c-55c, 4 days. Gross: $1,500. (Average, seven days, $1,100.)

Week Ending Jan. 24:

"BORDERTOWN" (Warner's) EARELS (1,321), 25c-75c, 7 days. Stage: Donald Nolen, Senor Dan Zelaya, Pierre Janey, Len Dai, Redhead, Johnny Burke, Maximan, Loryette & Digby. Gross: $2,300. (Average, $292.)

"KID MILLIONS" (U. A.) LOEW'S PALACE (5,300), 25c-75c, 7 days. Gross: $4,000. (Average, $571.)

"BROADWAY BILL" (Col.) METROPOLITAN (2,897), 25c-95c, 7 days (return engagement). Gross: $5,000. (Average, $691.)

Week Ending Jan. 28:

"A GIRL OF THE LIMBERLOST" (RKO-KEITH'S) (4,836), 25c-55c, 7 days. Gross: $8,000. (Average, $1,141.)

Ohio Posters Taxable

COLUMBUS, Feb. 3.—The state legal department has handed down a decision, just released by Edward A. Cole, the examiner, that placards, billboards and similar advertising material sold or leased by Ohio exchanges within the state are subject to the three per cent sales tax which became effective last week and that it is the duty of the vendors to collect the tax on sales or rentals at the time the lease is consummated.

Willington Gets Vaudie

WILMINGTON, Feb. 3.—The Queen, Stanwy, Warner second run, recurred in vaudeville yesterday. The house has been changed from a second run to first run. Stage shows will be presented on alternating nights.

The Arcadia will be changed to a second run.

See Hartford Move Dead

HARTFORD, Feb. 3.—A group of aldermen who had promised to support an amendment to permit Sunday afternoon shows has withdrawn support of the measure. It is believed the measure has met with attacks from the clergy.

Winnipeg Gets Vaudie

WINNIPEG, Feb. 3.—The Queen, Warner second run, recurred in vaudeville yesterday. The house has been changed from a second run to first run. Stage shows will be presented on alternating nights.

The Arcadia will be changed to a second run.

"Lancer" Is Only Strong Frisco Draw

SAN FRANCISCO, Feb. 3.—Practically the only important draw in town last week was "The Lives of a Bengal Lancer," which grossed $26,200, over par by $3,000, at the Warfield. Total first run business was $75,000. (Average, $11,000.)

Estimated takings:

Week Ending Jan. 22:

"MYSTERY WOMAN" (Fox) GOLDEN GATE (5,600), 25c-40c, 7 days. Band: Gross: $12,500. (Average, $1,714.)

Week Ending Jan. 23:

"MIGHTY BARNUM" (U. A.) UNITED ARTISTS (4,100), 15c-40c, 5th week. Gross: $1,500. (Average, $300.)

Week Ending Jan. 25:

"SWEET ADELINA" (Warner) "FATHER BROWN, DETECTIVE" PARAMOUNT (2,650), 25c-65c, 7 days. Gross: $1,950. (Average, $278.)

"LIVES OF A BENGAL LANCER" (Warner) WARFIELD (7,700), 25c-65c, 7 days. Band: Gross: $35,000. (Average, $5,000.)

"Lancer" Doubles Denver's Average

DENVER, Feb. 3.—"Lives of a Bengal Lancer" got off to a slow start at the first matinee in the Denham, but after that it was a solid winner with total business of $10,250 for the week, $8,000, just double average. It played.

Total first run business was $21,450. Average is $20,500.

Estimated takings for the week ending Jan. 31:

EVERGREEN (Gaumont-British) ALADDIN (1,500), 25c-50c, 7 days. Gross: $5,000. (Average, $714.)

LIVES OF A BENGAL LANCER (Warner) DENHAM (1,900), 25c-50c, 7 days. Gross: $8,000. (Average, $1,143.)

MIGHTY BARNUM (U. A.) DERBY (2,000), 25c-50c, 7 days. Gross: $1,500. (Average, $214.)

BORDERTOWN (Warner) ORFEUM (1,500), 25c-40c, 7 days. Gross: $1,500. (Average, $214.)

COUNTY CHAIRMAN (Fox) PARAMOUNT (5,000), 25c-50c, 4 days. Gross: $800. (Average, $200.)

"THE GRAND PLAYS ON" (M-G-M) PARAMOUNT (2,000), 25c-40c, 4 days. Gross: $800. (Average, $200.)

Arlen Appendix Victim

FHC West Coast, Feb. 3.—While playing golf at the Oakland Golf Club, Richard Arlen was stricken with appendicitis. Operation will not be necessary.

Fox Signs Hannemann

HOLLYWOOD, Feb. 3.—H. W. Hanneman, for the past two years on the Radio writing staff, has been signed by the Fox scenario department. He has no definite assignment.

FVC Takes Two Houses

DENVER, Feb. 3.—Fox West Coast has taken over two houses in this territory. One is the Webber, built by De Witt C. Webber in 1918 and operated by him since then. The other is the Crown at Laramie, Wyo.

N. O. House Is Damaged

NEW ORLEANS, Feb. 3.—An explosion last night destroyed the Carrollton, a United Theatres house. Manny Jacobs, manager, estimates the damage at $40,000. He says there has been no labor trouble.

"Heart" with Benny Loop's Best Grosser

CHICAGO, Feb. 3.—Sub-zero weather hit most of the Loop grosses, but three spots pulled through the handicap.

First of these was the Chicago where "Here Is My Heart," with Jack Benny and Mary Livingston on the stage, grossed $11,000 over par for $19,400.

Total first run business was $143,000, Average is $129,600.

Estimated takings:

Week Ending Jan. 22:

SWEET ADELINA (Warner) UNITED ARTISTS (3,700), 25c-40c, 10 days. Gross: $12,000. (Average, $1,700.)

Week Ending Jan. 31:

"I SELL ANYTHING" (F. N.) CHICAGO (6,000), 25c-40c, 9 days. Stage: Jack Benny, Mary Livingston. Gross: $15,000. (Average, $1,667.)

"GRAND OLD GIRL" (Radio) ORIENTAL (3,000), 25c-40c, 7 days. Stage: Mitzi Gaynor, Rogers & Shipcke. California Rebels. Gross: $17,000. (Average, $2,429.)

"PRIVATE LIFE RETURNS" (Univ) ROOSEVELT (3,000), 25c-40c, 7 days. Stage: Stoppaguel & Jud. Eddie South, Lonita. Gross: $11,000. (Average, $1,571.)

"LIVES OF A BENGAL LANCER" (Warner) ROOSEVELT (4,000), 25c-40c, 7 days. Stage: Mitzi Gaynor, Rogers & Shipcke. Gross: $10,000. (Average, $1,429.)

"LIVE OR DIE" (Radio) STATE-LAKE (2,760), 25c-35c, 7 days. Stage: Jazz Midnight Revue. Gross: $7,000. (Average, $1,000.)
The Good Fairy

A Universal Picture with
FRANK MORGAN
REGINALD OWEN - ALAN HALE
ERIC BLORE - JUNE CLAYWORTH

Story translation by Jane Hinton
Screenplay by Preston Sturges
Directed by WILLIAM WYLER
Produced by CARL LAEMMLE, Jr.
Associate Producers: Henry Henigson

ON THE STAGE
"CONTRAST", an extravaganza in
music and dance created by Leonidoff,
with Jan Peerce, Robert Weede, Almee
Deloro, Nicholas Duka, Hilda Eckler,
Alex Rubner, the Rockettes and the
Corps de Ballet, and Symphony Orches-
stra under the direction of Enzo Repe.

First Morning Seats may be Reserved in Advance.
Phone COLUMBUS 5-6585
"THE GOOD FAIRY," BEWITCHING COMEDY

Miss Sullivan, Movie Orphan
At Music Hall

By BLAND JOHANSON,
"THE GOOD FAIRY"
Radio City Music Hall
Bewitching comedy, an exhilarating blend of spirit and pathos
Produced by Universal; directed
by William Wyler

THE CAST:

Miss Sullivan
Thurston
Beaumont
Dr. Glyn
Miss Sullivan

Luise
(Mrs. Wyler)

Lillian Gish
Margaret Sullavan
Owen Moore
Tyrone Power

"THE GOOD FAIRY" - A Universal production based on the play by Ferenc Molnar, screen play by Preston Sturges, directed by William Wyler and presented at the Radio City Music Hall.

The Good Fairy is the story of a beautiful orphan girl who finds love and happiness with a kind and gentle man. The performances are exquisite, and the direction is masterful. This is a must-see for all fans of classic cinema.

The Good Fairy
Directed by William Wyler
Starring Luise, Lillian Gish, and Tyrone Power

The Good Fairy is a delightful adaptation of Ferenc Molnar's play, featuring beautiful performances by Luise and Lillian Gish. The story is one of love, hope, and redemption, and it is a must-see for all fans of classic cinema.

Now watch for Universal's
Shivery Sensation
"BRIDE OF FRANKENSTEIN"
EASTWARD INTO THE NIGHT

BY JOHN R. GATY

DU PONT SUPERIOR FILM - LENS
APERTURE F2.3 - NO FILTER - 1/40
SECOND - TIME AFTER SUNSET -
ALTITUDE 8,000 FEET - WEST OF
ARROWHEAD LAKE, CAL.

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 DU PONT TRADE MARK HAS NEVER BEEN PLACED ON AN INFERIOR PRODUCT
UNIVERSAL’S NEW SMASH HITS ARE ON THE WAY

"and in the bag!"

SAYS CARL LAEMMLE
THE MYSTERY OF EDWIN DROOD

with
Heather Angel • David Manners
Francis L. Sullivan • Valerie Hobson
Directed by Stuart Walker
Produced by Carl Laemmle, Jr.
Associate Producer, Edmund Grainger

THE GOOD FAIRY

with
Reginald Owen • Alan Hale
Eric Blore • June Clayworth
Directed by William Wyler
Produced by Carl Laemmle, Jr.
Story by Terence Molnar • Translation by Jane Hutton • Screenplay by Preston Sturges

NIGHT LIFE OF THE GODS

with
Alan Mowbray • Peggy Shannon • Henry Armetta
Robert Warwick • Gilbert Emory • George Hassell
Richard Carle • Florine McKinney • Wesley Barry
William (Stage) Boyd
Directed by Lowell Sherman
Produced by Carl Laemmle, Jr.

TRANSENT LADY

with
Gene Raymond • Henry Hull
Frances Drake
June Clayworth • Helen Lowell
Douglas Fowley • Clark Williams
Directed by Edward Buzzell
A Julius Bernheim Production

OCTAVUS ROY COHEN’S

Liberty Magazine Special!
From the scintillating story by Ward Morehouse and Jean Dalrymple

"IT HAPPENED IN NEW YORK"

with Gertrude Michael
Heather Angel • Lyle Talbot • Hugh O’Connell
Screenplay by Rian James and Seton I. Miller . Directed by Alan Crosland

KARLOFF in

"BRIDE OF FRANKENSTEIN"

with Colin Clive
Valerie Hobson • Elsa Lanchester • Ernest Thesiger
Screenplay by William Hurlbut and John L. Balderston . Directed by James Whale
Produced by Carl Laemmle, Jr.

CHESTER MORRIS
JEAN PARKER

"PRINCESS O’HARA"

DAMON RUNYON’S famous
Collier’s Magazine story
With Verna Hillie and Anne Darling
Directed by David Burton

WILLIAM POWELL in

"THE GREAT ZIEGFELD"

with Fanny Brice • Harriet Hackett • Kathryn Herford
Shaw and Lee • Frankie Masters
Story by William Anthony McGuire
Music by Irving Berlin and Con Conrad
Dances by Seymour Felix

from
Parker Morell’s
tremendous best-seller

"DIAMOND JIM"

with
EDWARD ARNOLD

Screenplay by Gene Fowler!
A Howard Hawks production!

"SUTTER’S GOLD"

Blaise Cendrara’s epic novel of the
discoverer of gold!
Supervised by Henry Henigson
HENRY HULL in
"THE WEREWOLF OF LONDON"
Story by Robert Harris
Screenplay by John Colton

EDMUND LOWE in
"THE GREAT IMPERSONATION"
From the novel by
E. Phillips Oppenheim,
master of mystery and detective fiction!

KARLOFF and LUGOSI in
Edgar Allan Poe's
"THE RAVEN"
Screenplay by Jim Jolly

You'll be surprised when we announce
the cast of singing stars for
"SING ME A LOVE SONG"
Original operetta by Robert Harris
Screenplay by Harvey Gates
Directed by Stuart Walker

IRENE DUNNE in
Edna Ferber's
"SHOW BOAT"
Screenplay by Zoe Akins
Produced by Carl Laemmle, Jr

JOHN M. STAHL'S successor to his record-breaking
"Imitation of Life"
"THE MAGNIFICENT OBSESSION"
By Lloyd C. Douglas - Screenplay by
Eugene Walter and Elizabeth Mehan
Directed by John M. Stahl
Produced by Carl Laemmle, Jr.
Hauptmann's Reel Aroused
Wilentz Ire
Asks Withdrawal; Fox Agrees, Others Silent

Sound pictures of Bruno Richard Hauptmann's cross-examination by Attorney General Miltent St. Flemington started fireworks yesterday and resulted in the withdrawal of the Fox Movietone News clip by Truman Talley, general manager.

Other reels did not any comment on a telegraphic demand by Wilentz that the reels be withdrawn from circulation until a verdict has been rendered by the jury.

All the reels have been operating under an agreement at Flemington and room has been allowed for one camera with sound equipment in the courthouse balcony. In accord with

(Continued on page 2)

Eight Independent Deals on 'Time' Reel
Al Friedlander, vice-president of First Division, has closed deals with eight independent exchanges in the west and midwest to handle "March of Time" and other First Division releases. He plans to leave for the coast tomorrow or Monday, stopping off at a number of exchanges en route.

Deals closed are with the following: Far West Exchanges, San Francisco, Mel Hulling, manager; Principal Exchanges in Portland and Seattle, A. M. Goldstein, managing the

(Continued on page 2)

Detroit Opera Plan
Opposed by Trendle
DETROIT, Feb. 1.—Proposal of J. J. Shubert, New York theatrical producer, to stage municipal opera, similar to that produced in St. Louis last summer, in Navin Field, home of the Detroit Tigers, this week brought

(Continued on page 2)

"Copperfield" Holds
At $54,000 2nd Week
"David Copperfield" held up strongly in its second week at the Capitol, tallying $54,000, or $3,150 less than the first stanza. Freddie Bartholomew, who plays the role of young

(Continued on page 3)

Olathe Gets An Eyeful

Olathe, Kan., Feb. 1.—Was Bert Rogers dressed up when he took the oath of office as judge of the probate court at Olathe? Or was he dressed?

Attired in a nifty brown suit and shiny shoes to match. Judge Rogers was the handsomest judge Johnson County, Kansas, ever had, to hear townspeople tell it. And his boy, Buddy, the "movie

(Continued on page 3)
**MOTION PICTURE DAILY**

**Purely Personal**

Edward A. Golden, mono-
gram sales manager, left yester-
day on a visit to the company ex-
ecutive offices in Cleveland. He'll return in about a week.

W. Bay Johnston and Ted 
Carr are spending the week-end in
Atlantic City. Johnston has to do
something to try and take Carr's
mind off the cold weather and snow.

Margaret Sullivan was guest of
honor at a midwinter party given
by W. G. Van Schmus, managing
director of the Music Hall, Thursday
night and early morning.

Billy Wilkerson, editor and pub-
lisher of the Hollywood Reporter,
tails today on the Chaplin. Robert
Hurel, president of France Film Co.,
Canada, is on the same ship.

The Lynn Farmors are full of floor
plans, decorative schemes and ideas
for their East 62d St. house. Looks
like an ambitious undertaking.

Sant Katz, shipper at the local Fox
set, is on a business trip to Cleveland
where he will spend his honeymoon.

**Quip of the Day**

Ed Kuykendall, the big M.P.T.A.
man, got a letter from his wife yester-
day. She beckoned him home and
offered the following advice:

"We don't have fog, snow or
commercialized friendship down
here in Columbus, Miss."

Wallace Berlin will broadcast on
the Lux program from here Feb. 10 or
11. He'll do a scene from the stage
play, "The Old Soak."

Joe Miller, Columbus manager in
Buffalo, sailed today with his wife on
the Rotterdam for a West Indies
cruise.

I. Meyer Schine leaves for his
upstate headquarters today for a
two-day visit here on code matters.

Jack Steenman plans to go to
Florida again. He recently returned
from an Atlantic City jaunt.

Walter Abel, Broadway leading
man, has been signed by Radio and
will leave soon for the coast.

Harry H. Thomas was slightly
indisposed yesterday, but returns to
his office today.

Albert Warner is back from
Miami. Harry Warner returns in
about a week.

Jeffrey Bernerd and Arthur Lee
go on tour again Sunday. This time it's
Atlanta.

Max Cooper, manager of the Fox,
Hartford, is back from a southern
vacation.

Al. Friedlander is back from the
cost, returning via the air route.

Mit' Kosher shuffles back from
Buffalo today.

David Flaherty, assistant di-
rector and cameraman for his
brother, Robert Flaherty, says Feb. 20
the feature "Pilgrim to the Contin-
tinent" now being formed by Alexan-
der Korda for the making of "Elephant
Boy" in India.

Sonya Leoniv and Ernest Pascal,
the Fox writing staff, are on their
way to Hollywood to join the com-
pany, which has been negotiating a
contract to place them with the Metrop-
lis, Paris, and the Russian opera in
the French government with the cross
of the Legion of Honor.

Guy Robertson, who has been
signed by Monogram for three fea-
tures, expects to trek to the coast
around April 15 to appear in "Keepers
of the Bee."
2 New Booth Cost Plans Up In Washington

(Continued from page 1)

found to handle the matter by invoking those interested to file briefs, which is considered unlikely.

One of six new proposals was submitted by Charles L. O'Reilly, president of the T. O. C. C.; the other, by C. L. Thompson, representing Local 306, I. A. T. S.

Submitting a report on behalf of the fact-finding committee, Major L. E. Thompson, chairman, explained the difficulties which had been encountered in reaching a basis for the determination of booth costs, and that, at a final meeting before coming to Washington for the hearing, the committee voted on the Brandt proposal, splitting the $60, on the O'Reilly plan, which it approved five to one, and an incomplete proposal by Local 306, which it opposed five to one.

The O'Reilly formula, it was explained by his sponsor, when he submitted it, is based on the point system, with an added feature that the commission price taken into consideration, the result being figured at $12 per unit. Because it had not been made available in advance of the hearing this formula was not discussed, nor was that of the union, under which the so-called "split" houses would retain the scale in effect Aug. 23, 1933, while other houses would work on a point system which would give them, it was said by Thibe, a cost ranging from $81 for a house seating 600 or less on a 15-cent admission to $314 for a 4,000-seat theatre on a 50-cent admission.

Union Attacks Brandt Plan

The Brandt plan, the only one available for discussion, was attacked by the union representatives as an attempt to give two-male-union booths, although members of the committee denied that this point had been given any consideration.

A split in the proposal of Local 306 was indicated by the appearance of Matthew M. Levy as counsel for a "progressive group" of more than a thousand members of the local, who challenged the right of the committee to submit concrete cost proposals, contending that it was created merely to ascertain certain facts.

It was the contention of the group that the formula would tend to reduce the scale of wages in some of the houses, and it was also asserted that if the 30-hour week were adopted it should be provided that operators receive the same wage as for the longer time now worked.

Without attempting to press the adoption of his proposal, Harry Brandt dentified his plan to be faced with any arrangement which brought peace in the operators' pay situation. The union had agreed even by the president of Local 306 that there was no established wage scale in New York, he said five unions were operating in addition to others seeking to get a foothold. Very few theatres in his group have two men in a booth, he declared.

The Brandt formula was opposed also by A. H. Howell of the Century Theatre, New York, and Connolly of Trio-Consolidated, also operating theatres in New York, who took the ground it would be contrary to the New York State Supreme Court decision in the Springer and Cocalis case.

Connolly declared that other factors besides capacity and admission should be considered, including local programming programs and type of house, and that there should be distinction between houses operating a normal week as opposed to churches operating full time and those with varying admission rates.

Members of the Empire State M. F. had introduced a formula an attempt to force a consolidation of all unions, leaving Local 306 to dominate the field. This, it was argued, with the coming of Abraham Kindler, would be the inevitable result of a formula which definitely fixed a booth cost minimum, while it still would allow for growth. If there were a shortage of operators, he said, but would not work out so well.

A plea that booth cost be disregarded and costs fixed on an individual wage basis was made by Murray Harst, who declared that otherwise reductions would result.

Schine Defendant in Three Code Appeals

Meyer Schine was defendant in three code appeals heard yesterday by the Federal Court of Appeals. Youngman of RKO, Henry Randel of Paramount and William Yoost of the York court. The cases were: Frederick Schine, Schine Bros., New York, against the Allendale, Senate, Jubilee, Circle, Marlowe, Unity, Orpheum, Plaza, Glen Terry and Riverside; for reduced admission; place, Lockport, against the Rialto and Hiart, same city, on clearance and zoning; Basil Bros. Theatres, Buffalo, against the Allendale, Senate, Jubilee, Circle, Marlowe, Unity, Orpheum, Plaza, Glen Terry and Riverside; for reduced admission; place, Lockport, against the Rialto and Hiart, same city, on clearance and zoning; Basil Bros., Delmar, Delmar, N.Y., against the New York, against the Loew, same city, on clearance and zoning.

Nizer to Introduce

Louis Nizer will introduce Ferdin- and, Supreme Court Judge; James G. Wallace, General Session judge; and Max D. Steuer at the first of the new M. P. C. Forum series which gets under way next Tuesday. Felix F. Peist, president of the club, will act as chairman.

Detroit Opera Plan

Opposed by Trendle

(Continued from page 1)

forth a storm of protest from local exhibitors.

Leading the attack on the proposed series of operas, which would have the backing of the city and local merchants, George W. Trendle, president of United Detroit Theatres, addressed a letter to the city council in which he said in part:

"I believe the city will lose more through sponsoring an idea of this nature than it will make, and this organization, as well as all other local theatre organizations, greatly opposes it unless it pays the same taxes and complies with the same restrictions that we do. It is unfair from start to finish."

Council voted to send a reply to Trendle to the effect that the opera proposal has not yet been brought to its attention officially.

"Copperfield" Holds At $54,000 2nd Week

(Continued from page 1)

will continue to appear in person until the end of the picture's run next Friday, when "Sequel" opens. With a take of $38,000 for the third week, the Paramount garnered a total of $148,300 for the three-week run at the Beaux Lane. The picture opened yesterday at the Rialto, where it is slated for a fortnight's stand. Its gross was $17,300 and that for the second $45,000.

The Palace was off with "Behind the Evidence," which took in $6,500 for the week. "Sing Sin," which opened at the Mayfair was at $8,700, and "Charlie Chan in Paris" in its last two days at the Astor garnered $10,000.

DeMille Wins Tax Fight

Washington, Feb. 1.—Cecil B. DeMille has won his fight against income tax claims aggregating over $1,500,000 which have been pressed by the Board of Tax Appeals. The board claimed $1,486,317 on surpluses accumulated by Cecil B. DeMille Prod., Inc. and additional personal taxes from DeMille totaling $189,487 for the years 1924-1930.

Nazis Lift Negri Ban

Berlin, Feb. 1.—Reichsfuehrer- Oundo with the aid of the Nazi paper here today overrupping the Propaganda Ministry's order for forbidding her to appear in German productions.

Says G. B. Has Matthews

Jeffrey Bernard denies current reports that Jessie Matthews will go to Hollywood. He says she is under long-term contract to Gaumont British.

New Contract

"Bad Check,"

GUILD STATES

(Continued from page 1)

free lance players through the Academy reminds us of the story of a man who went to the bank to make a deposit. He faced with the fact the check was bad he replied: "That's all right; I will give the bank a long stretch.

"The producer gave free lance actors a contract through the Academy five years ago. It turned out all right because the contract had been set in less than a year. The statement given to the press explaining the so-called new Academy contract is inaccurate. There is nothing in it to prevent producers from requiring actors to waive its terms; there is nothing to prevent a new supplemental contract. There are no means of enforcement, and the terms for free lance actors who work by the day or for a year are better. What the producers have done is to take the guild demands and say they will do some of them through the Academy.

"Producers think actors will be fooled into deserting the guild. It’s foolish, to be fooled, but more fun to know.

Five dreary years have passed with no attempt by the Academy to better actor conditions. Will are the support only that organization has and will continue to fight for them.

Milwaukee Petition Meeting Opposition

(Continued from page 1)

per cent of signatures required under the code will not be forthcoming.

Directors of the Independent Theatres Protective Ass'n. of Wisconsin have authorized its committee on Milwaukee county affairs to investigate.

The association has the authority to iron out grievances between its own members and has been successful in securing an amicable settlement as to sharing product between two members who are in competition. It is believed that quicker and more satisfactory settlement can be made than by referring problems to the grievance board.

Two More Film Fee Measures Presented

(Continued from page 1)

amending the censorship law by increasing the examination fee paid for reviewing films from $3 per 1,000 feet to $100 for the first 1,000 feet and $5 for each additional thousand feet or fraction thereof of any single film reviewed.

"Ruggles" Judges Named

Five trade paper editors will pass judgment on a "Ruggles of Red Gap" contest launched by Paramount with 25 cash prizes in the offering for the best campaigns to put over the picture beginning May 15 and ending April 12. They are:

Jack Alleeate, editor of The Film Daily; Mike, Variety; Norman Manares, Round Table Club of Motion Picture Herald; Eros W. Sargents, editor, entertainment, Variety; Charles E. Lewis, editor and publisher of Showmen's Trade Review.

Red Keame, editor of Motion Picture Daily.
Television by Government Is British Plan

(Continued from page 1)

early establishment of a public television service.

It is understood the recommendation will be made that the British Broadcasting Corp. be given a monopoly of television in Britain.

The Television Committee's report represents the detailed conclusions of a body of experts, présiding over the lord selkt the British public with particular attention to technical matters, as well as to public and political considerations.

There is a general belief that the committee will recommend a pool of television programs to be extended upward in a linear form of transmitter and receiver, and that the official system will employ 180 "lines" against the 30 at present operated by local broadcasting.

Protests from radio and film interests against the limitation of transmitting facilities to radio broadcasting stations is expected but, with radio already a government monopoly, these are hardly likely to be successful.

Two or three hours of television transmission daily are probable as a start, with films providing much of the first program material. Radio experts envisage a general extension of television broadcasts until the present "lightest" broadcasts are abolished.

*Copperfield* Is Portland's Leader

PORTLAND, Feb. 1.—"David Copperfield," the straight, straight film, here last week, grossed $8,000, over par by $3,000, at the United Artists. Total downtown business was $34,500. Average is $7,200.

Estimated takings for the week ending Jan. 24:

**THE NIGHT IS YOUNG** (M-G-M) at Morris, 9c. Box office: 7 days. Gross: $4,500. (Average, $635.)

**ROMANCE IN MANHATTAN** (Radio Pictures) at O'Neil, who, 25c. 6c-26c, 7 days. Stage show: Gross: $6,000. (Average, $855.)

**WINGS IN THE DARK** (Par.) PARAMOUNT $1,000. 25c-35c, 7 days. Stage show: Gross: $800. (Average, $114.)

**DAVID COPPERFIELD** (M-G-M) UNIARTISTS $1,000, 25c-35c, 7 days. Gross: $800. (Average, $114.)

**THE COUNTY CHAIRMAN** (Fox) MAYFAIR $1,000, 25c-35c-46c, 7 days. (Return engagement, played previously at Paramount.) Gross: $1,000. (Average, $143.)

**SWEET ADELINA** (Warner) MUSIC BOX $1,000. 25c-35c, 7 days. Gross: $900. (Average, $143.)

**ANNE OF GREEN GABLES** (Radio) ORIENTAL-20, 25c-35c, 7 days. Gross: $1,000. (Average, $143.)

Observe Keith Birthday

Boston, Feb. 1.—Keith's memorial tomorrow starts an observance of the 52nd anniversary of the founding of the Keith-Orpheum circuit. It is the seven acts of vaudeville headlined by Joe Penner and the Boswell Sisters. Next week Milton Berle and the Cas-ino de Pare show will grace the stage. The following two weeks' bookings are not yet set.

"Life Begins at Forty" (Wurts-Fox)

HOLLYWOOD, Feb. 1.—Again Will Rogers delivers rib-rocking, heart-socking entertainment, loaded with laughter touched off by the comedian's inimitable brand of Americana, officially clinching his right to the unofficial title of "the Mark Twain of the screen." Chickens, giguees, belly laughs and roars tumble over one another, meeting sob, throb and thrill, limned via melodrama, hokum and romance, in a production that exudes a salt-of-the-earth flavor and emerging as gorgeous entertainment.

Rogers is a small-town editor. Adding Richard Cromwell, an ex-convict, to his staff, he clashes with banker George Barbiere. Unable to pay Barbiere his mortgage, Rogers starts a new paper called Wild Cat, giving the town real journalism, confounding Barbiere and arousing a climax provocation by sending hog carriers into action at Barbiere's political rally. The highlight of hilarity is Rogers' pistol duel with Barbiere, paying the way for the establishment of Cromwell's innocence and his marriage to Rochelle Hudson.

Rogers, safely ensconced as a comedian and humorist, adds to those accomplishments an uncanny acting ability, although surrounded by the outstanding support of Slim Summerville, whittling veteran; Sterling Holloway, Miss Hudson, Roger Imhof and Barbiere, one of the screen's best troopers.

Sol Wurtzel, taking the title of Walter Pitkin's book, has projected Lamar Trotti's screen play into a five-star film, authentically mounted, neatly timed with moving incidents, and primed with explosions of laughter.

George Marshall's direction elects him to that select group who know how. Horace Jackson's photography is splendid.

As grand entertainment to suffice an audience with a sense of elation and well-being, the film should flood showmen's coffers with plenty of dos-re-mi.

Production Code Seal No. 581. Running time, 75 minutes. "G."

"Symphony of Living" (Invisible)

HOLLYWOOD, Feb. 1.—While possessing some emotional appeal, story values keep this in the dual ball class. It tells of a violinist with a symphony orchestra. He is Al Shean, who has two worthless children, John Darrow and Evelyn Brent. The children live off their father until an accident injures his hand, making it impossible for him to continue playing. Then they leave him. The daughter goes off to marry into society and the son leaves the straight and narrow.

Later Shean becomes a violin teacher and eventually instructs his own grandson, Lester Lee, who develops into a prodigy. He learns Lee's identity only after the boy has made a huge success. In a court battle Lee chooses Shean as his guardian. The minor love story is carried by John Harron and Gigi Erice. Some good production values and fine music sequences highlight the film.

Production Code Seal No. 543. Running time, 73 minutes. "G."

Looking 'Em Over

"Hei Tiki" (First Division)

Produced by Alexander Markey with a native cast on the Isle of Ghosts, New Zealand, "Hei Tiki" is only mildly interesting despite a commendable simplicity and a picturesque background, excellently photographed.

The story, based on a legend of the native Tapia tribe, has to do with the love of the tribal chieftain's daughter, who has been designated to become the bride of their legendary war god, for a young warrior of an enemy tribe. The film, in preview form, appears to be too long. Judicious cutting might tend to speed the action and heighten interest, as well as eliminate several selective scenes by men which contribute nothing to the picture and might be found objectionable by many.

Performances of the native principals are passable. Musical accompaniments and narration by Markey are good.

No code seal. Running time, 86 minutes. "G."

Wall Street

Small Gains on Big Board

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<td>Paramount, pfd (14c)</td>
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Technicolor Off 1% on Curb

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Paramount Buy Bonds Up 2% Over

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(plus cash extras. (b) Paid last year. (c) Excludes 1). Deemed not in best interest.

(Quotations at close of Feb. 1)

Saunders Is Guest At Surprise Dinner

Cloud Saunders, general manager of Radio Federal Service, was guest of honor at a surprise testimonial dinner last night at the French Casino. A number of men formerly associated with him in the Paramount exploitation department were present and telegrams were received from 15 others.

Among those present were:

Hal Hove, United Artists; John Goring, Harry Waugh, The Criterion; Hal Bergman, sales promotion manager, RKO Radio; A-Mike Vogel, chairman of Motion Picture News; P.F. Boasberg, general manager of the Loew's Theatres; Fred V. Greene, Jr., executive assistant to the president; the Rev. Harry Lloyd; Vernon Gray; Columbia; E. M. Orwitt, radio commentator; Ray Tandy; Club Oscar Dow; Loew's Theatres; etc.

The dinner was given by the District Manager; the guests included several other personalities and government officials.

Looking 'Em Over

"Flash Preview" Mutiny Ahead—... acceptable fare for secondary houses ... aims to satisfy action and thrill fans. This film will be reviewed in full in a later issue of MOTION PICTURE DAILY.

FWC Hearings on Today

los Angeles, Feb. 1.—Formalities lifting Fox West Coast out of bankruptcy start tomorrow before Referee McNabb.
Supreme Court Hears Appeal On Tri-Ergon

Para. Argument Up; Two Cases Set for Today

WASHINGTON, Feb. 4.—Arguments in the first of the three so-called Tri-Ergon cases started before the U. S. Supreme Court with the presentation of the Paramount Publiclix case, to be followed by the Alcoona Publiclix and Wilmer & Vincent cases, the last two being joined. It is expected the hearings will be concluded tomorrow, the court having allowed a total of four hours for all presentations.

The case came before the court on appeal from Paramount for reconsideration of its original refusal to review the decision of the lower courts holding that William Fox, through Tri-Ergon, was the owner of important sound patents.

The argument presented to the court today was highly technical, revolving around the flywheel and other

(Continued on page 14)

See Mild Hearing On Code's Levies

WASHINGTON, Feb. 4.—With no requests before them for time, officials of the NRA tonight expressed the belief that the hearing on code assessments Tuesday will be comparatively short and devoid of controversy.

So far, he said, not a single request to be heard has been received, although it was pointed out there is

(Continued on page 3)

Machine Gun's Fire Ends Maloy Career

CHICAGO, Feb. 4.—A machine gun today ended the hectic career of Thomas E. Maloy, 25, owner and dictator of the M. P. Operators' Union. His head was practically blown off as he sat in an automobile, accompanied by Emmett Quinn,

(Continued on page 13)

Skouras Loses Espy To Goldwyn Mar. 15

LOS ANGELES, Feb. 4.—Reeves Eespy, associated with Skouras for 14 years, the last three as division manager of the circuit's Los Angeles de luxe houses, will resign March 15 to join Samuel Goldwyn as a production aide.

Cohen Out of Paramount; Lubitsch May Fill Spot

Quick Action Is Looked for On FWC Setup

LOS ANGELES, Feb. 4.—Quick action is expected on the final steps removing Fox West Coast Theatres from bankruptcy in spite of the filing of two new anti-trust suits against the bankrupt circuit.

The sale price totalled $15,443,886.66. During the late stages of the negotiations Chase National Bank withdrew a claim of $2,766,000, which was secured by $800,000 in collateral.

Many of the final details probably will be handled in New York. Spyros Skouras and the legal talent that attended the formalities here Saturday

(Continued on page 14)

Expect Decision by Warner in Nashville

Whether or not Warners' option to take over five Nashville houses of Crescent Amusements, Inc., will be exercised is expected to be decided

(Continued on page 14)

Blacklisting Not to Apply On Film Quota

WASHINGTON, Feb. 4.—Blacklisting of nations unfair to American goods is not expected to extend to those countries which have created quota barriers against films and other products, it was indicated today.

Having itself adopted the quota system, the government is in no position to insisted upon its abandonment by other countries. Instead, it is hoped situation may be straightened out through the reciprocal trade agreements which are in process of negotiation or will be undertaken. In the case of the treaty with Brazil which was signed last Saturday, that country pledges itself not to increase import rates on films.

The proposed blacklist has not yet

(Continued on page 4)

Non-Committal

Hollywood, Feb. 4.—Ernst Lubitsch told Motion Picture Daily tonight he knew nothing of reports that he would handle Paramount production as successor to Emanuel Cohen, whose services were terminated in New York today.

The director admitted he had heard such a rumor in circulation about a year ago. Beyond that, he would say nothing.

Zukor Informs Him He Is Through—Herzbrun On Administration

By RED KANN

In a two-minute interview with Adolph Zukor yesterday, Emanuel Cohen, vice-president in charge of production of Paramount, told this newspaper that he has informed his period of service with the organization had been terminated.

No word came from many sources last night as to his successor, but the understanding is Henry Herzbrun, long the company's legal representative at the studio, will handle business administration with Ernst Lubitsch, vice-president, in charge of production.

In his New York apartment towering high above Central Park, Cohen personally and virtually last night told of the end of an association which began with Zukor's invitation in 1927 to join Paramount and launch Paramount News. He issued no statement, merely announced briefly and succinctly that he was finished; that he had not resigned, but had been asked to step out. In paid advertising elsewhere in this edition, Cohen expresses his thanks to his co-workers in Paramount and, as a closing "beau

(Continued on page 4)

Review Denied for N. E. Receiverships

WASHINGTON, Feb. 4.—The U. S. Supreme Court today denied E. M. Loew, Inc., and other New England concerns a review of a lower court appointment of receivers for two Paramount subsidiary companies. The court did not pass on the receiver's efforts to have the receivership and receivership of the subsidiaries, the Olympia Theatre Co., Inc., and the Olympia Operating Co., were involved in the anti-trust suit. New England Theatres, Inc., filed an equity receiver's suit in the state court which was challenged by the Loew interests.

(Continued on page 5)

Writers Strike Out for a Fair Practice Code of Own

Hollywood, Feb. 4.—Close on the heels of actors who are seeking a fair practice code of their own, writers now have been pressing on the desk of Major J. O. Donovan, head of the local Campion office, a 20-page brief outlining working conditions under which they seek to function.

The highlights include:

Writers to be employed on specific contracts with work on a speculative basis to be eliminated.
Writers are not to be "farmed" without their written consent.
Pay for travel time.
Full screen credit for writers and no sharing with those who have not

(Continued on page 3)
**Purely Personal**

**CLYDE ELLIOTT**, who shortly will produce “China Roars” for Columbia release, yesterday gave the two leading stars of the picture an on-the-spot idea of how easy it is to make animal pictures in India and Africa. CARL BERGER, his cameraman, helped him along. Both leave for San Pedro next week and will start filming there on Feb. 18 for an eight-month camera tour “shooting wild animals in China.” SAM LEWISWITZ, SAM WINNINGER, LEON BELASCO, CARL BERGER, and MARTIN WEYRAUCH were other speakers. Two introductions in the audience were LEONARD LYNES, MARTIN DICKSTEIN, HY GOLDSMITH, ALEX YOKEL, KELCY ALLEN and others.

**MORRIS GOODMAN**, vice-president of Mascot, is now playing the proud father for the second time. Mr. Goodman presented him a six-pound daughter at The Doctors’ Hospital Sunday. Mother and daughter are reported doing fine.

**Quip of the Day**

Jack Levin, waxing funny yesterday, went into ideas of titles: “Well, I know the punch line. Joe E. Brown “The Wandering Jews” was the net result.

**Armando Agnini**, stage director for the Metropolitan Opera, has been signed by Paramount to authenticate the “Rigoletto” of Henry, “At Thy Sweet Voice” from “Samson and Delilah,” in her new picture, “How Am I Doing?”

**William Susman** joins the Fox home office group leaving for Chicago Friday to attend district managers meeting Feb. 10-11 at the Congress. Convention plans and sales clearups will be the principal topics.

**Lou Weinberg**, who has considerable to do with circuit deals at Columbia, leaves for Miami Beach Wednesday to be gone two weeks. Mrs. Weinberg will be with him.

**Al Lichtman** returned from Miami yesterday and the first thing he did when he got back was to go into conference with JESSE M. SCHENCK.

**Raymond Pace** and his orchestra will feature two songs from 20th Century’s “Polka Bergers” when he broadcasts Saturday night.

**Grad Sears** yesterday returned to New York and his desk at Warners following a combination business-vacation trip to Honolulu.

**Harry C. Arthur** returned yesterday from a week in St. Louis. Still reports everything quiet on the St. Louis front.

**Wilbur-Payton** and his wife, ANNA ARIEN PATTERSON, are in love from Detroit. At the Park Central, he does his dressing in the dark.

**WILLARD Mckay** and **HEBE YATES** occupied one of the corners, immediately off the bar, at “21” yesterday.

**A. S. Dickenson**, of the Hays office, left yesterday for a 10-day tour of Southern key cities.

**Leslie Thompson** is now temporarily residing in Miami.

**NATE BLMBERG’s** birthday party Sunday night was festive and gay. The turnout included Ruby Keeler, the invariable girl, with son ARNOLD trailer along later, the FRED MEYERS, the JOE GERBERNSONS, the BUSS BAKES, the AYATOLE FREDERICK, MAE AND KATTY FOX, the Felix MACISAACS, the LOU WEINBERGS, MARSHALL GRANT, that up and rising young actor, and some others.

**Al Christie**, fully recovered from a recent siege of the flu, arrived yesterday from the coast on the Virginia. He was accompanied by Mrs. CHRISTIE WILLIAM AATSON, associate producer and writer, and ART JARRETT, writer. They will start work soon on a new Joe Cook comedy at the Astoria studio.

**HERMAN ROBBINS** and SAM DEMB, Jr., entertained in the lavish manner at “21” yesterday. Robbins, incidentally, is one of many who expect to be aboard the M.P.T.O.A. convention special which pulls out of New York on Feb. 24 for Miami. Oh, for the life of a trailer man!

**Charles Moses of Century** was given a birthday party by 25 of his friends at Leon & Eddie’s yesterday. Lou Gellier, who added another anniversary to his life on Saturday attended but missed a celebration in his own honor.

**John R. Maroney**, attorney for Interstate circuit, is in from Dallas for a few days on business. Code cases come under that heading.

**Al Frielander** is on the road again. Detroit is his first stop. Chicago his second, and from the Windy City he goes to the coast.

**Jules Levy**, just back, is casting loving eyes in the general direction of Florida. Chiefly Miami, but any part of the state will do.

**Bill DANZIGER**, formerly with B. & C., is now handling short subject publicity and press books at M-G-M.

**Harry Hirschfield** says that the “Friars’ Frolic” on Feb. 24 has been switched from the Majestic to the Imperial.

**L. B. Abelson** of the Delman-Hoest, Tex., and his attorney L. M. RICE, are New Yorking for a few days.

**Pat Casey** says he’ll leave for Hollywood in two weeks. He’s optimistic about his current eastern visit.

**Harry Sturtevant** became a bumblediet Saturday, but is too busy to go on a honeymoon at present.

**TREM CARP**, Monogram producer, expects to stick around for a couple more weeks.

**Leon Belasco** left for Miami shores yesterday.

Joe Stein adds this alike: “As unimportant as the fourth Marx brother.”

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**Film Concerns Get Income Tax Rebates**

Columbia Picture Corp. headed the list of film companies which have received rebates from the Treasury Dept. on illegally collected income taxes for the fiscal year of 1934 with a refund of $2,482.59, according to information released from Washington.

Cinema Patents Co., Inc., received $1,43,900; Rex-New England Theatres, Inc., $1,25,70; B. F. Keith, $7,458; Keith Massachusetts Corp., $1,165; Keith Ohio Corp., $6,056; Loew’s Ohio Theatres, Inc., $31,199; Loew’s United Artists Columbia Corp., $3,85; Louis Mayer Prod., Inc., $7,388; Paramount Publix Corp., $14,07; Paramount Publich Corp., $3,566; Trans-Lux Daylight Picture Screen Corp., $2,114; and Universal Pictures Co., Inc., $2,09.

**“Copperfield” Held Again**

For the big weekend-end business, the Capitol is holding “David Copperfield” a fourth week, setting back “Sequoia” to open Feb. 15. This marks the third picture in the history of the house to be held a month. The previous two were “Flesh and the Devil” and “The Barretts of Wimpole Street.”

**Van Prang on Coast**

LOS ANGELES, Feb. 4.—Morton Van Prang, general sales manager for National Screen, is here on next season’s trailer deal with Fox West Coast.

**DuWorld Gets “Revolt”**

DuWorld Pictures has acquired from Montrose Prod., the world distributing rights for “The World in Revolt.” The picture will be road showed, with Gil Boag in charge.

**Closes Washington Deal**

ARTHUR A. LEE, vice-president of Gaumont British, has closed a deal with Radel & Levine of Washington for first run of all his company’s product at the Belasco there.

**East on Labor Payle**

HOLLYWOOD, Feb. 4.—Prank Brando, in Hollywood studio manager, is off for New York to confer with national labor heads. He expects to remain in the east for a month.

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PHILIP J. MACKAY, JR., COMPANY INC.
SPECIALISTS IN FILM AND THEATRE INSURANCE
75 Maiden Lane 510 W. 6th St.
New York Los Angeles
Nizer Book, First On Code, Out Soon

When "New Courts of Industry: Self-Regulation Under the Motion Picture Code" appears on or about Feb. 15 bearing the imprint of the Longacre Press, Louis Nizer, its author, will have the distinction of having written what is said to be the "first scientific review of the actual workings of a code under the NRA." The book is based on the film attorney's wide experience with code cases.

The book will offer a summary of the principles involved in every code dispute, with generous reference to Code Authority decisions, each of which will be analyzed. Clearance and zoning and overruling and other complaints will be discussed.

Code Officials will also be reviewed in the book, which will contain an appendix consisting of the text of the 1933 film industry code and the code analytical and code provisions.

"New Courts of Industry" has been written with an eye to making it of value to the lawyer in mind and is intended as a "guiding reference to exhibitors, producers and distributors who desire to know their rights under the code," according to the publishers.

Austin C. Keough, general counsel and vice-president of Paramount Pictures and chairman of the Code Authority committee, has written an introduction.

Houston Clearance

Appealed by Horwitz

Will Horwitz, operating the Rita, Houston, Tex., and Interstate Circuit of Texas yesterday appealed a decision of the Dallas clearance and zoning board which cleared the Delman, Houston, from 210 days to 75.

L. M. Rice, attorney for L. B. Adelman, operator of the Delman, stated that the board had acted against Houston within competitive zones and that, when Horwitz bought protection, the latter provided shows to make the picture run smoothly.

The Delman charges 25 cents and has to follow theatres in the same zone charging 15 cents. John R. Maroney of Dallas represented Horwitz and Interstate.

The committee hearing the appeal consisted of Charles Casey of Casey & Wheeler circuit and William Sussman of Fox West. George C. Geller appeared when the Rex appealed from a decision of the New York grievance board which found him guilty of violating the redaction of the protective code. Geller has the 6th St. theatre.

Although there were no appearances, the committee discussed the cases of Waco, Iola, Kan., against F. Van Hynig, Uptown, same city, issue on renewed admissions.

Dubinsky Clearance

For St. Joseph Cut

KANSAS CITY, Feb. 4.—Reducing the Dubinsky clearance run to only 15 cents, over complaining subsequents in St. Joseph, Mo., the local zoning board has decided as follows: decisions, each of which will be analyzed.

Pictures not dated into the Crystal, Dubinsky 15-cent second run, within 30 days after close of first run engage-ments shall become available to subse-quent dates earlier than 118 days from first run. This moves the subsequents up to the Crystal's present spot.

Pictures dated into the Crystal shall not become available to subsequents not sooner than 135 days.

The Crystal, moreover, has disturbed Dubinsk-ky's Orpheum clearance of 74 days over subsequents.

On the complaint of H. F. Strowig, Abilene, Kan., against Fox Midwest theatres in Salina, Kan., the board decided that the Watson, "A" house in Salina, should continue to receive seven days' clearance over Abilene, provided pictures are played in Salina within 45 days following completion of first run in Kansas City, Mo. If the Watson fails to play within that time, then clearance over Abilene is waived.

It was further determined that the Strand, Fox "B" house in Salina, shall get no clearance over Abilene when it reduces its admission under the tariffs in the latter town. This will permit the Lyric in Abilene, at 30 days, and the Warner at 45 days, to move forward in Salina, which charges 25 cents.

New Haven Revives Clearance Protests

NEW HAVEN, Feb. 4.—As a result of the failure of Campi to act on three clearance and zoning schedules set up by the New Haven board, several individual protests were calculated to have been settled under the schedules have been revived for hearing by the board.

Mike Cascioli of the Park held that the 30 days' clearance taken by the Fox from the.canon was unjust and unprecedented, and received a unanimous determination that the Rivoli, Cameo and Park may purchase a maximum clearance of 14 days over each other.

The Rivoli, Hartford, asked for a clearance in competition with Warner's Colonial and Lyric Theatres until Feb. 12, when Joseph Shulman and Maurice Shulman will maintain that the Warner is properly confined in view of the distances involved.

Philadelphia Vote

Upon Premiums Out

Campi has unanimously voted down the premium ban in Philadelphia on the ground that it was confined to one section instead of applying to the whole area.

Last summer a vote on premiums was taken, but was confined to southern New Jersey theatres. After the vote had been completed, it was found that one theatre was closed and another had burned to the ground. Some members of the board claimed that the 75.7 vote should be reduced to 75.2 because both houses were closed and were not qualified to vote.

Campi in throwing out the ban voted in favor of the 75.2 decision and further held that the vote, when it was taken, should not have been confined to one area, but must include the entire territory.

Writers Strike Out for a Fair Practice Code of Own

(Continued from page 1)

actually collaborated on given script.

Abolition of any understanding that writers are to pay costs of unsuccessful case of strikers be forever.

Restriction of period of suspension during which writers may be kept in active case of strikers be forever.

A week's notification to be sufficient to cancel out a week-to-week contract, such notification emanating from either party.

A weekly minimum of $50 for readers with individual readings to be paid promptly.

The brief which was signed by a committee composed of Ralph Block, John Gershon, James Gleason, Djad, Nicholas and Waldemar Young, all of them members of the writer-members of the five-five committee, stated the writing profession here has been negotiating with producers on several distinct occasions from Aug. 6, 1934, to Jan. 4 of this year, when producers declared they would not vote orally but submit a written report similar to the writers' own proposals.

Louis Curtain be forwarded from New York to Washington by Donovar in accordance with the method adopted for the recent Actors' and Directors' Guild.

The producers answer to the writers' five-five brief is now in process of printing and will be forwarded to Washington shortly.

Six Miles Distance

Fights Bank Nights

KANSAS CITY, Feb. 4.—Though the towns are six and a half miles apart, Walter Hofhold, Elite, Greenleaf, Kan., has lodged a bank night complaint against the Majestic, Washington, Kan.

The complaint ants the theatres in direct competition.

Frank H. Cassill is appealing the local board's determination in a bank night case that his Rialto is in direct competition with the Central in St. Joseph, Mo. The desire order against A. B. McNabb, Gen. Nesdoleh, Kan., also is appealed.

Coast Code Plea Up

In Court Wednesday

LOS ANGELES, Feb. 4.—Petition for an injunction against distributors to prevent them from shutting off film supply at the Oxnard, Oxnard, Calif., on the basis of a Coast A order to stop giveaways is slated to be heard in the U. S. District Court on Wednesday.

The Motion here complained of the practice, the complaint was upheld by the local board and Coast Authority.

The U. S. district attorney here has been ordered by Washington to represent the local code board in the action.

See Cause of N. O. Fire

NEW ORLEANS, Feb. 4.—The theory was advanced today that the fire which damaged the Carrollton on Saturday originated in the ventilating system and from there was carried to all parts of the house.

NRA Men Cited in Seattle Labor Case

SEATTLE, Feb. 4.—Three Seattle officials of the NRA have been cited to appear in Federal court here to answer a complaint filed by 20 prosecution of the John Dana Sterling circuit charge being treated in this court with satisfactory scales of wages and working hours. An injunction is sought.

The operators charge that the NRA arranged for wage increases at a hearing here which neither employed the employers attended and which would force the closing of seven Sterling houses, that it attempted to create labor disputes where none existed, and that it tried to induce employees to demand higher pay or strike, which they refused to do. It is also charged the NRA officials attempted to give the public a false impression that the circuit was chisel-

The houses involved are the Roosevelt, Winter Garden, Capitol, Colonial, State, Florence and Star. The NRA states these houses were running below the wage scale set by the code and must give up their blue eagles, the colors being forwarded to Washington by Donovar in accordance with the method adopted for the recent actors' and directors' guild.

The defendants are James Bradford, State NRA compliance director; R. D. Horning, State labor compliance officer, and Charles Dennis, U.S. attorney.

See Mild Hearing

On Code's Levies

(Continued from page 1)

always a possibility that individuals who failed to register will ask for time. Indications are, however, that the framework originally expected will not materialize.

Hiram S. Brown, former RKO president and now NRA budgetary officer, will sit in a technical advisory capacity.

No Protest Expected

On Campi Budget

No objections to the 1935 Campi budget of $36,000 are expected at the public hearing in Washington today before Compliance Director Sol A. Rosenblatt. John C. Flinn left for Washington last night to attend the hearing as Campi's representative. He returns tomorrow.

The production committee yesterday decided to shift the selection of personnel of the NRA have been cited to hear the C. C. Burr complaint against Larry Darmour in connection with Ben Maynard's contract to the coast office.

Grainer Returning

To Launch "U" Drive

HOLLYWOOD, Feb. 4.—With Universal's release schedule definitely set to begin this week and the studio working smoothly, James R. Grainer, general sales manager, left for New York last night to launch a selling drive. He will return here in April for conferences on new season product.
Cohen Out of Para.; Lubitsch May Fill Spot

(Continued from page 1)

Skourasian

Morris Kutinsky tells one on George Skouras:
Last week, a new office was set up by Skouras' and the latter operates under a Fox Met deal. Said Kutinsky: "The corporation asked and got a rent reduction. The second year you complained of losing money again, and I got another raise. The third year you bitterly complained of heavy losses and you got another cut. "If you're losing so much money, why don't you build houses and I'll take them back?" Skouras retorted: "Well, if I do that how am I going to make a living?"

Wolfson Would Keep Freedom of Appeal

KANSAS City, Feb. 4.—The right of appeal from decisions of local boards should remain unrestricted, declared Fred J. Wolfson, attorney and impor-
tant member of the Kansas City grievance board, when replying to the Campi questionnaire on code boards' activity. "I believe that this is in every instance a right sent to all Government representatives."

Answering the question, "How can a local appeal committee be denied an opportunity to present on appeal, in number without unfairness to any complainant or respondent?" Wolfson wrote: "In my opinion, appeals might be reduced if the local board would sit more often as an Industrial Adjustment, or as the Authority proposed, an advisory capacity. This, I believe, would probably enable the interested parties to arrive at a satisfactory adjustment of their own differences, at least in many instances. On the other hand, I am not at all sure that anything can be employed to reduce the appeals, as I feel that the power of appeal should be granted in every instance when the parties are thereby made to feel that the decision is not tempered by any local conditions, and that there is not a conflict of opinion."

Wolfson said: "In my opinion, the members of our local board are exceedingly busy and that the only way to reduce the number of appeals is my impression that each individual member of our board never allows himself to be swayed by the group he represents."

Cleveland Clearance Up to the Exchanges

Cleveland, Feb. 4.—The protection agreement which expired Dec. 31 was an exhibitor document. It was drafted by exhibitors, signed by exhibitors, and policed by exhibitors. Violations are reported to the exchanges by exhibitors, each protecting his own theatre, and the board is not bound to accept reports taken anywhere but at the exchanges to see that the provisions of the agreement are observed.

Now that is all changed. With the expiration of the agreement, the exhibitors no longer watch each other in these matters. If the exchanges, in order to protect their first run accounts, to account for the availability dates to each theatre in accordance with the classifications as set up in the agreement.

First run accounts were sold with protection in accordance with the Cleveland agreement and now the local boards of trade are extending their accounts by maintaining the terms of the agreement subsequent to its expiration. Such accounts have resulted in a great deal of trimming of the exhibitors by doing less business in the future, the exchange with the obvious objective of reducing the number of accounts and the over-all availability dates to each theatre in accordance with the classifications as set up in the agreement.

M-G-M Testing Use Of A New Developer

Hollywood, Feb. 4.—A new developer which is expected to create a sensation among photographic experts has been introduced by M-G-M. It is known by the name of "chemical flicker" from talking pictures. It has just been perfected by M-G-M engineers, according to the chief technical head of the company. The "chemical flicker" is created by developing the film with minute particles of chemicals as it goes through the laboratory. Increased brilliance, lessening eye strain, and improved quality of sound, particularly music, are claimed.

Blacklisting Not to Apply On Film Quota

(Continued from page 1)

become a reality, but is merely under consideration, the idea being to re-strict sales of American products by countries which do not enter into trade agreements with the United States. It would be done by confining to treaty countries the concessions which are granted under the agreements.

It would be possible, thus, to pene-trate France for restrictions on Amer-i-can films by providing that she shall not benefit by import concessions made to other European countries. Such action, however, might be made dependent upon France evolution with respect to entering into a trade agreement.

Two Sabbath Bills Up in Pennsylvania

HARRISBURG, Feb. 4.—Two new bills were introduced in the Pennsylvania Legislature. One proposes a compulsory referendum at the next general election. A measure intended by Senator Max Aron of Philadelphia proposes that the vote in order to permit movies after 2 P.M. on Sundays, such action to be binding upon the authorities. The bill provides that under the new law, the election of the new film code may be ascertained again by referen-dum when at least five per cent of the voters in the county or city that would have voted in the previous election should petition for it. No such referendum may be held more than once in three years. The other is a bill to amend the Committee of Law and Order.

A similar measure was introduced in the House by Assemblyman Louis Schwartz of Philadelphia. The Schwartz measure, however, would allow a second referendum to be taken in the county or city that would have voted in the previous elections once in 10 years. It was referred to the Committee on Elections.

Missouri Bill Aims To Stop giveaways

JEFFERSON City, Feb. 4.—Give-a-ways are hit in a bill just presented to the Legislature by Representative Frank F. Catron of Lexington. Missouri involving the possession of a certain ticket would be punishable by fines of $100 to $1,000.

There are now pending before the General Assembly a three per cent, two per cent and one per cent sales tax bills and also the Lindhorst bill to stop dazzling. The bills to date, other amusement taxes, and a few other selected industries to provide funds for an old-age pension plan. It is thought that the bills will give an opportunity to the sales tax measurers to have an opportunity to be heard. Businessmen of the state were on hand to express their disapproval of any increase. The legis-lators were told that if the present one-half of one per cent tax bill is rigidly enforced in all parts of the state there would be no necessity for seeking additional taxes.
And each little word says: “GET EXTRA PLAYING TIME FOR ‘DAVID COPPERFIELD’.”

(You’ll see!)
**THE SCREEN**

The Capitol Presents a Distinguished Screen Edition of *David Copperfield*

DAVID COPPERFIELD, adapted from the Dickens novel by Hugh Walpole, screen play by Howard Estabrook; musical score by Herbert Stothart; directed by George Cukor; produced by David O. Selznick for Metro-Goldwyn-Mayer. At the Capitol.

Mariana...W. C. Fields

Dann Peggotty...Lionel Barrymore

Mrs. Peggotty...Maureen O'Sullivan

Mr. Wickfield...Lewis Stone

David, the child...Freddie Bartholomew

Mrs. Copperfield...Elizabeth Allan

Miss Betsey...Roland Young

Em'ly...Ann Sothern

Mr. Murdstone...Nigel Bruce

Nurse...Elsa Lanchester

Mr. Micawber...Jean Cagetti

Peggotty...Rachel Kempson

Mr. Dykr...Lennox Pawle

Heep...Brian Aherne

Mrs. Gummidge...L. O'Connell

Barkis...John Buckler

Steerforth...Hugh Williams

Lawrence...Ivan Simpson

Parkins...Herbert Mundin

Little Emily, the child...Ray Chailliot

Aeneas, the child...Marilyn Knudsen

Little Emily, the woman...Pierine McKim

Dr. Chilp...Harry Beresford

Nurse...Josephine...Isabel Colford

The Vix...Lillian Gish

By ANDRE SENNWALD.

"I have in my heart of hearts," said Dickens, "a favorite child and his name is David Copperfield." The classic story of David's triumphs and sorrows, and of the amazing people who were his friends and enemies, has been made into a gorgeous photoplay which encompasses every kindliness and humanity of the original so brilliantly that it becomes a screen masterpiece in its own right. The immortal people of "David Copperfield," of whom G. K. Chesterton has said they are more actual than the man who made them, troop across the Capitol screen, and the animated duplicates of the famous Phiz drawings, an irresistible and enormously heartwarming procession. It is my belief that this cinema edition of "David Copperfield" is the most profoundly satisfying screen manipulation of a great novel that the camera has ever given us.

The film you will discover all the superb caricatures of blessed memory, led by a manly and heartbreaking David who is drawn to the life in the person of Master Freddie Bartholomew. There are all the old scenes of David's adventures, Blunderstone and Yarmouth, Dover and Canterbury, and London. Here are Pegotty, with no shape at all, and Aunt Betsey Trotwood, who expressed her hatreds and her affections in the furious manner, and poor Mr. Dick, who couldn't keep Em'ly, and his head out of his writings, and bluff Dan Peggotty, who owned the heart of a child, and Barkis, who was willin', and Uriah Heep, who was "umble, and dear Little Emily, and the terrible Mr. Murdstone, and all the rest.

Lord bless us, and Micawber, the incomparable Micawber, who inhabited a world of creditors and squanny souls, but sent his spirit soaring among the stars. Being himself pretty generally a spiritual descendant of Mr. Micawber, W. C. Fields matched with the greatest of ease to become one with his illustrious predecessor according to the direction laid down in the text of Dickens and the drawing of Phiz. The Fields Micawber is, as it ought to be, the one performance that is able to remain predominant among such splendid character acting as Lennox Pawle's Mr. Dick, Edna May Oliver's Aunt Betsey, Roland Young's Uriah Heep, Lionel Barrymore's Dan Peggotty and both Master Bartholomew as David the boy and Frank Lawton as David the man. Being himself touched by madness and genius, Mr. Fields is similarly the only player in whose cast who has the audacity to contribute anything of himself to these incredibly real people of Dickens. But when you have heard him in his lofty rhetorical flights, heard him in the speech that begins: "You perceive before you the shattered fragments of a temple that was once called man!"; heard him say: "With renewed courage I again throw down the gauntlet to society," you will perhaps understand that Mr. Fields can do no wrong.

Naturally, it is the magnificent Micawber, the indigent aristocrat, the tool of circumstance, who dominates that most splendid scene in which the sniveling Uriah is brought to account for his treacherous conduct toward Mr. Wickfield. Strikingly his regal pose, with the verminous Uriah quaking before him, and the victims of Uriah's duplicity at his back, he declaims that memorable declaration of independence which begins: "In denouncing the most consummate villain that has ever existed, I ask no consideration for myself. I have been myself emasculated in this villain's machinations." * * * I declare that Heep, and Heep only, of the firm of Wickfield & Heep, is the forger and the cheat!" Only a little below in her heroic stature that "other scene of liberation in which Aunt Betsey Trotwood, teals the Murdstones exactly what she thinks of the way they behaved toward poor David.

Although it is a film of enormous length, according to screen standards—two hours and ten minutes—Hugh Walpole's screen play has been arranged with such uncani correctness, and each of the myriad episodes which go into the making of the varied canvas has been performed so perfectly that the photoplay slips by in an unwearying cascade. It is astonishing to discover how very much of the novel has found its way to the screen. Some of it has been telescoped for brevity, some of it has been omitted out of sheer painful necessity, but the total impression is one of amazing completeness and accuracy. Posing only once or twice for the briefest of subtitles, the work flows on its invincibly entertaining way from beginning to end.

Like Dickens himself, it is able to invest each character in this complex story with such a completeness of personality that none is too minor to take his place in the unforgettable gallery. Certainly it is. In the great narrative tradition of the cinema, a novel which has already been enriched by several distinguished photoplays now adds a genuine masterpiece to its record with "David Copperfield."

"A SCREEN MASTERPIECE" says Mr. Sennwald of the N. Y. Times and Leo says:

"EXTRA PLAYING TIME MEANS EXTRA DOUGH!"
The screen adaptation of "David Copperfield" is that miracle of motion pictures; a drama that should satisfy the most literal-minded of the Dickens fans, the advocates of first-rate photoplays and the devotees of cinema wholesomeness at the same time. A film that runs for more than two hours without causing you to squirm in your seat unhappily, it seems so right in its atmosphere, characterization and story-treatment and so intelligent in its dramatization that it becomes a warm and comforting delight. Of course, it does a bit of plot telescoping here and there, and occasionally omits a fairly minor character, but on the whole it is not only so faithful but so intelligent in its fidelity that it can be recommended with heartiness, admiration and loud cheering. If you are a Dickens enthusiast, you should be a set-up for the new film at the Capitol, and it is my guess that you will enjoy it almost equally even if you are not one of the addicts.

It would be a pretty waste of your time and mine to attempt to remind you of the plot of "David Copperfield." It should be enough to say that it begins with the arrival of the eccentric Aunt Betsey at the Copperfield home upon the eve of David's birth and ends when the grown David finally gets around to marrying the faithful and slightly dull Agnes. At this point, I might just as well confess that I am an ardent partisan of Dora, the sweet little half-sis who was David's child wife, and add that I have never quite forgiven him for marrying again after her death. Anyway, there is neither reason nor room here for doing anything in the way of criticism of novel or picture, when all of the space should be devoted to hymns of enthusiasm for the casting and the playing of all the rich, famous and slightly caricatured roles of a really immortal work.

The fear sometimes strikes me that in old age I am beginning to weaken in my feud with child actors. Certainly Freddy Bartholomew, a handsome and sensitive-looking English boy, is beautifully moving as David in his younger days, playing the part in a manner approaching perfection. Then, too, as a surprising feat of casting, he is succeeded by a man who looks as if he might be a grown-up edition of him when Frank Lawton follows in the part of the man-sized David. It should not be necessary to add that W. C. Fields is a superb Micawber, reminding us again that he is not only the funniest of living men but a thoroughly fine actor as well. Roland Young smirks and grins in properly sinister fashion as the evil hypocrite, Uriah Heep, while Lionel Barrymore as the loyal old sailor, Dan Peggotty, Edna May Oliver, as the eccentric Aunt, and Jessey L. L. and the faithful nurse are just as Dickens must have meant. Maureen O'Sullivan is lovely and moving as the prettily helpless Dora, leaving her rival Agnes, as much in the background as Dickens unintentionally left her, Madge Evans is a realistic Agnes.

The lesser roles are equally successful in their handling. I would recommend particularly Lennox Pawle as the amiable madman, Mr. Dick, although Elizabeth Allan, a gentle and touching Mrs. Copperfield, and Hugh Williams, a dashingly handsome Steerforth, are especially good. Basil Rathbone and Violet Kemble-Cooper are the evil Murdstones to the life, while the pretty Florrie McKinney, as the unfortunate Emily, Lewis Bloome, as the alcoholic Mr. Wickfield, and John Buckler, as the valiant Ham Peggotty, are excellent. So, for that matter, is Hugh Walpole, who plays the vicar, in addition to writing the adaptation. In such brilliant fashion as to make the new film a thoroughly going treat.
Dickens' Tale Keeps Beauty As Film Play

By BLAND JOHANSON

"DAVID COPPERFIELD" at the Capitol.

A magnificent adaptation of the Dickens classic. Don't miss it. Produced by M-G-M; directed by George Cukor.

THE CAST:

The Vicar ........ Hugh Walpole
Mrs. Copperfield .... Maureen O'Sullivan
Mrs. Micawber ... Elizabeth Allan
Miss Betsey Trotwood .... Maureen "O'Sullivan
Mr. Murdstone ...... Lewis Stone
Mr. Wickfield ....... Lewis Stone
David, the child. Freddie Bartholomew
Dick ... Lionel Barrymore
Jane Murdstone ...... Jules Munshower
Violet Kembly-Copperfield .... Janet Gaynor
Harriet ..... John Bower
Ham ......... Osgoodrün
Steerforth ... Ned Sparks
Little Em'ly, the child. Anna Q. Plowright
Dora ... Edna May Oliver
Agnes, the child. Marilyn Knowlden
Agnes, the woman. Florine McKinney
Dr. Chillip .......... Harry Beresford
Mary Ann .......... Mabel Colcord
The Vicar ....... Hugh Walpole

OVBVIOUSLY, it was a formidable task to make a satisfying film version of a book so well-known and universally loved as "David Copperfield." Metro has done it. From its tender and beautiful adaptation by Hugh Walpole, in its large cast, in its careful attention to detail, "David Copperfield" is a fine, important, beautiful production.

Actors were drafted from every film company to play the familiar roles. The large cast is truly all-star. The boy, Freddie Bartholomew, who plays Davey as a child, and Frank Lawton, who plays the David grown, give flawless performances.

THEIR SUPPORT includes such stars as W. C. Fields, Lionel Barrymore, Edna May Oliver, Lewis Stone, Roland Young, Elsa Lanchester (Mrs. Charles Laughton), who plays Dickett. With Elizabeth Allan as Mrs. Copperfield, Maureen O'Sullivan as Miss Betsey Trotwood, Madge Evans as Agnes, the charming feminine roles are in competent and graceful hands.

STUNNING SETTINGS vividly recreate the familiar old English scenes. A delightful musical score by Herbert Stothart interprets the moods of the situations.

There is vast pathos in the play, tender romance, and great humor. Mr. Cukor, who directed "Little Women," gave "David Copperfield" the same sensitive and reverent treatment.

THE STORY OF DAVID, best known and best beloved of the Dickensian characters, needs no repetition. All who love it may fearlessly approach the movie, for it does no violence to the immortal book.

It is a wholly fine, beautiful, touching and impressive picture. Don't miss it.
"DAVID COPPERFIELD"
Dickens Novel Pictured
 Faithfully by Galaxy
 Of Screen Stars

By ROSE PELSWICK.

M-G-M has made a beautiful picture of "David Copperfield." In bringing the Dickens novel to the screen, Director George Cukor and writers Hugh Walpole and Howard Estabrook have handled their assignments with skill and charm and reverence.

The entire production breathes of a meticulous attention to detail, from the exquisite sets that reproduce scenes made famous by the book, to the large and able group of players who, in several instances, look as though they might have stepped out of a Cruickshank illustration.

Most of us read Dickens when we were young and formed lasting mental images of the characters that people his pages. So, in commenting on the film, there is no saying that this or that portrait is perfect. After all, each person who comes to the Capitol Theatre this week comes there with preconceived ideas.

Chosen with Care

The cast that M-G-M assembled was chosen with great care and understanding. In the role of David as a child is Freddie Bartholomew, an engaging English youngster who brings both intelligence and feeling to an exciting part. The sensitive David grown up is marvelously well played by Frank Lawton. W. C. Fields, with the Fields' slipping trick, is the hopeful Micawber. Basil Rathbone is the villainous Mr. Murdstone of shuddery memory. Elizabeth Allen, usually seen facing in the costume of the period, is David's lovely and helpless mother. And there are Edna May Oliver as the tyrannical Aunt Betsy Trotwood; Lionel Barrymore as the hearty Dan Peggotty; Maureen O'Sullivan as David's child wife; Madge Evans as the faithful Agnes and Violet Kemble-Cooper, who couldn't be improved upon as Mr. Murdstone's harsh sister; Jessie Ralph, heart-warming as David's devoted nurse; Jean Cadell as the long-suffering Mrs. Micawber; Una O'Connor as the wailing and lone Mrs. Gummidge; Lennox Pawle, a magnificent caricature of the gently mad Mr. Dick, and Lewis Stone as the kindly Mr. Wickfield who is robbed by Roland Young's Uriah Heep.

Faithful to Novel

It's a sincere and affecting picture, and if it runs a bit too long—something over two hours—it's because the director and scenarists tried to incorporate as many of the incidents in the book as possible. It follows the novel faithfully and frequently in episode manner, depicts young David's happiness with his mother; the heartbreak and misery caused by his cruel stepfather; the boy's apprenticeship in the London bottling works and his friendship with the Micawbers; his flight to Dover where aunt Betsy lived and Mr. Dick flew his kite; his school days in Canterbury; his entry into London to become a writer and his hero-worship for the dashing Steerforth who was later to become responsible for Little Emily's suicide; his marriage to the extravaganza of course, and in the end his return to Agnes.

Mr. Cukor tells his story with the same sympathy and appreciative sentiment that distinguished his direction of "Little Women." The backgrounds, costumes and photography are superb, and little credit goes to those who undertook the difficult task of translating Dickens, whose genius was work, into an entirely alien medium. You'll find the cinematic "David Copperfield" an important and outstanding production.

SWEET MUSIC THAT SAYS
"Arrange for EXTRA PLAYING TIME NOW!"

"DON'T MISS IT!" says Miss Johaneson of the Mirror.

"THANKS TO ALL" says Miss Crewe of the American.

"OUTSTANDING!" says Miss Pelswick of the Journal.

(and more pretty words on next page)
**PARDON THE INTERRUPTION please!**

—we've got to halt the flow of critical adjectives for a moment to tell you that "David Copperfield" is just the start of M-G-M's 1935 parade of hits. For instance:

"SEQUOIA," pronounced See-quo-yah, and already pronounced the unique exploitation success of the year. Held over second week, Seattle! Going strong everywhere.

WALLACE BEERY's happiest rough-and-ready role in "West Point of the Air" positively another "Hell Divers" at the box-office!

HELEN HAYES and ROBERT MONTGOMERY thrillingly romantic in "Vanessa: Her Love Story."

JEAN HARLOW, WILLIAM POWELL top the all-star musical melodrama, "Reckless." Advance tip-off from the Coast predicts one of the year's BIGGEST!

CLARK GABLE, your top male audience draw, is a charming woman-tamer, co-starring with CONSTANCE BENNETT in "After Office Hours." Made for the millions!

JEANETTE MACDONALD and operatic-favorite NELSON EDDY in Victor Herbert's glorious musical hit, "Naughty Marietta"—but nice!

—and, of course, "FORSAKING ALL OTHERS" is still in the headlines with Crawford, Gable, Montgomery getting the huzzahs! And watch for "THE WINNING TICKET," the howling sweepstakes comedy, and "SOCIETY DOCTOR," successor to "Men in White," and more Roars from Leo to come!

and so we go merrily on...

---

All the important characters in Charles Dickens's immortal "David Copperfield" are now living on the Capitol screen, where the highlights of the widely read novel are to be seen in a tender, amusing and oft heart-rending screen version.

In order to get in enough material on the many masterfully drawn characters of the book to make each one of them recognisable and as much a part of the warp and woof of the pictures as they were of Dickens's book, the adapter, Hugh Walpole, the scenarist, Howard Estabrook and the director, George Cukor, had to make this an unusually long film. It runs, as it stands now, two hours and ten minutes.

This is much too long for an ordinary picture, but in the case of Metro-Goldwyn-Mayer's production of "David Copperfield" the length is justified by the results. There are several scenes that might have been shortened without injuriong the story, but on the whole, the tale of David's joys and tribulations is absorbing enough to keep one interest on the film throughout.

One has to see the picture to appreciate the great and loving care that went into the production. The players selected for the various characters, with the possible exception of Roland Young as Uriah Heep, are as nearly perfect as a Dickens' fan could wish.

Little Freddie Bartholomew, who plays the child David, is an ideal selection and a real film find. He is destined for fame and may now be chased with the other important child players of the screen. He enters into the character of the young David so thoroughly that he makes one laugh with him at his joy in his mother's gay spirits and his interest in his beloved nurse's affair of the heart with the terse but friendly Barkis, and weep with him at his mother's untimely death and shudder at the cruel treatment he receives from his stern step-father, and delight in his friendship for the dashing Micawber and cheer when his eccentric aunt, Betsy Trotwood, takes him in to live with her and the smiling and simple Mr. Dick.

Frank Lawton, as the elder David, gives a truly fine performance, as we see him meeting the hefty Dora for the first time and taking his friend Steerforth to visit the Peggotrys. His friendship for Agnes and Mr. Wickfield is touched upon and his uncovering of the deceitful Hepp's crooked work is one of the most exciting scenes in the picture. We are given a glimpse of the topsy-turvy household which Dora keeps for him after his marriage and the film ends on his reunion with Agnes after Dora's death.

Jennie Ralph is tender and loving as Peggoty. W. C. Fields's selection as Micawber was an inspiration on the part of the producers. Edda Mae Oliver's Aunt Betsy is one of the outstanding characteristics of the film, and Maureen O'Sullivan, as Dora, Madge Evans as Agnes and Elizabeth Allan as David's mother give satisfaction in their various roles. Basil Rathbone is excellent as the hard-hearted Murdstone and Violet Kemble-Cooper, thoroughly disguising in a black wig and heavy dark brows, makes an impression with her stiff-backed Jane Murdstone.

Lionel Barrymore's Dan'l is well done and Jean Cadell as Mrs. Micawber, Hugh Williams as the treacherous Steerforth, Lewis Stone as Wickfield, Una O'Connor as Mrs. Gimmidge and Lennox Pawle in the role of Mr. Dick help to make the picture a memorable screen event. Roland Young reads his part competently, but he fails to suggest the will, piercing Uriah that lived in the pages of the book.

The photography is of a high order and the entire production has been carefully mounted and given the proper Dickensian atmosphere.

By KATE CAMERON.

Herbert Mundin, Freddie Bartholomew, Jessie Ralph and Elizabeth Allen in a scene from "David Copperfield," now at the Capitol Theatre.
The New Talkies

‘David Copperfield,’ a Rich and Delightful Picture

By EILEEN CREELMAN.

The movies have again achieved the impossible. It must have seemed impossible at first to compress into the neat reels of talkie entertainment the verbose descriptions, meandering plots and colorful characters of a Dickens masterpiece. With courage and determination Hollywood tackled first the most beloved and perhaps greatest of them all, “David Copperfield.” Through one of southern California’s minor miracles this arrived yesterday at the Capitol Theater with none of the full, rich Dickens flavor lost in the filming.

“David Copperfield,” for an ordinary picture, is unusually long running well over two hours, and a crowded, fragrant two hours they are. For a Dickens novel, this is incredibly brief. There was so much to tell, so many familiar people to present. A smooth and workmanlike adaptation by Hugh Walpole and Howard Estabrook, who deserve a prize or two for their job, has gotten it in everything.

Perhaps it isn’t everything. David’s school days had to be omitted and some of the thousand other details. But the important things are here, the personality of Dickens himself as well as that of his David, Aunt Betsey Trotwood, Peggotty, Dora, Agnes and the rest of them. The charm is here, the vitality and the sense of living. This is a fine picture.

It was months in the making, with Director Cukor scanning England as well as America for the perfect cast. He seems to have gotten it, with ten-year-old Freddie Bartholomew of England carrying off top honors as the frightened, earnest, good little David. A handsome curly-headed boy, he has the quaint appearance and sensitive face of a Dickens child. His performance is a real delight.

The cast is studded with electric light names, each popping up here or there for a brief young woman. There are the three vivid women. Elizabeth Allan as the gentle Mrs. Copperfield, Maureen O’Sullivan as David’s gay, silly child-wife, Madge Evans as the tender, understanding Agnes. They wear their picturesqueness gowns deliciously and enter gracefully into the spirit of a Dickens background.

Edna May Oliver, at her best and the picture’s best, too, is Aunt Betsey, a lovable hurricane of a woman. Frank Lawton, quiet and serious, is likable as the grown-up David. Roland Young tries a serious character role, the evil Uriah Heep, and makes himself properly sinister and detestable.

Field’s Mr. Micawber is amusing, if perhaps a little less flamboyant than the Dickens character, a little sniffer and less Micawber, more Field’s and less Micawber. Lionel Barrymore’s Dan Peggotty is also very much of a Barrymore performance, and one occupying more space than it warranted.

Even the lesser characters have been assigned to such capable per-

“MEMORABLE SCREEN EVENT—★★★★★ 4 STARS!” says Miss Cameron of the News.

“HUMAN, TOUCHING” says Mr. Boehnel of the Telegram.

“SEASON’S TRUE DELIGHT” says Miss Creelman of the Sun.

AND LEO SAYS:

Do it NOW! And there’ll be no regrets later! EXTRA PLAYING TIME! EXTRA MONEY IN THE BANK! Because—
DAVID COPPERFIELD

AMERICA'S SWEETHEART!

In its 3rd glorious week at the Capitol Theatre, N.Y., and delighting box-offices Coast to Coast. The Extended-Run hit of 1935! (—and another M-G-M sweetheart—SEQUOIA)
**Hollywood Personalities**

**Hollywood, Feb. 4.—** Johnny Mack Brown, Charlie Farrell and Walt Disney among the stars judging the annual Pacific Coast eight-goal tournament at the Up-Lifters Club, Lak and Leslie Fenton back from Honolulu, where they vacationed.

Samuel Goldwyn sends a camera crew to Arrowhead for atmospheric shots for "The Wedding of the Century." Joseph Spurin-Calceia in from New York... Luise Rainer in town to begin her M-G-M contract.

Zio Lyons, radio producer, to Palm Springs working on an original story... Keye Luke cast in "El Camino" at Columbia.

Paramount assigns Joe Morrison the lead in "Small Stage." — Ted Reed. Benjamin Glazer's assistant back from New York... Major James Doolittle doing some fancy flying for Columbia's "Death Flies East."
Quick Action Is Looked for On FWC Setup

(Continued from page 1)

will leave Wednesday. Frank L. Newman, who heads FWC in Evergreen States, former F. W. C. division in the northwest, and his partner, Al. Finkelstein, are expected to make the trip east for conferences on details.

Until the formal court approval pertaining to refusal by Reserve S. W. McNabb, National Theatres Corp. will take over Wesco Corp., holding company for Fox West Coast Theatres, and Fox Fest Theatres will become Fox West Coast Theatres Corp. Wesco was never in bankruptcy, but was reorganized by Fox Film and Chase National Bank to get a fresh start under a new name and to take over the F. W. C. assets. F. W. C. creditors get 100 cents on the dollar. Some lawyers here say this is the largest bankruptcy case ever to be organized on the basis of full payment.

Complete lists of all the transactions of the bankrupt estate must be assembled into a bound volume as one of the final phases of the transfer. This is expected to take three months.

New Complications Arise

Some weeks ago the bankruptcy discharge was delayed by anti-trust suits filed by the Marshall Square Theatres Corp. of San Francisco and Harry L. Hartman of the Orpheum, San Diego. These cases were settled out of court, but new complications developed when Jules Goldstone, attorney for the two cases just settled, filed new anti-trust actions last Saturday in the L. H. L. Gumbiner case. The sale was approved before the papers could be served. A clause in the sale provides that the new company will not own any part of the old. This will apply in case Gumbiner wins a verdict against the old company.

Attorneys for National Theatres say the suits cannot interfere with the sale, as they have 20 days in which to file an appeal.

The bankruptcy now terminated began with a receivership on Feb. 27, 1933, before Judge James in U. S. District Court. Charles Skouras and John Treanor were named co-receivers.

The company listed liabilities of $13,000,000, with $2,000,000 owed to Fox Film Corp. The co-receivers were said at the time to have represented 75 per cent of the creditors, including Wesco Corp. They operated the house until April 4, 1933, when Charles Skouras, W. H. Moore, Jr., and Charles C. Irwin, western agents for S. W. Grau & Co., were elected trustees in bankruptcy at a creditors' meeting. A $50,000 bond was posted by each.

At the time of filing the petition, Charles Skouras said that the bankruptcy action was due to three things: the house’s huge house list, last year’s purchase contracts and cuts in admission prices. He also pointed out other factors, over which, he said, the circuit had no control.

F. W. C. was operating about 270 houses up and down the coast at that time. No statement has been made as to how many of these are left.

Schedules of assets and liabilities filed on March 21, 1933, listed Fox Film Corp., Chase National Bank and Wesco Corp. as major creditors. Wesco headed the list with a claim of $119,049,774; Fox had a claim of $2,454,000 and bondholders, who were listed at $2,000,000. Adolph Ramish, Inc. had a claim of $668,750.

Among directors’ recent claims were the following: Paramount, $118,000; Warners, $24,500; M-G-M, $145,000; RKO, $11,550; Universal, $34,250; F. W. C., $2,700.

Assets at that time were given as $7,750,978, but, according to the receivers, there were properties and certain theatre holdings, the value of which had not been determined at the time of the filing.

ITPA of Wisconsin Will Open Offices

MILWAUKEE, Feb. 4.—The Independent Theatres Protective Ass’n of Wisconsin and Upper Michigan has arranged for permanent quarters in the Marquette Block, which it expects to have ready for the next directors’ meeting Feb. 22.

The association plans to maintain a loose connection on the release dates in the Wisconsin distributing territory as well as the first release dates in Milwaukee county, from which it will determine the availability dates to subsequent houses. This plan is designed to serve as a check upon the exchanges.

MOTION PICTURE DAILY's

HOLLYWOOD PREVIEW

"Mutiny Ahead" (Majestic)

Hollywood, Feb. 4.—A yarn of regeneration moving to the tune of deep sea adventure and melodrama, planned to capitalize on action and excitement, the picture takes wide liberties with the standardized formula. The resulting amusement, however, makes up for the license taken and emerges as acceptable fare for secondary houses.

Neil Hamilton's successful stealing of Maidel Turner's pearls results in unexpected developments. He is robbed of the pearls, but falls in love with the victim's niece (Kathleen Burke).

The locale shifts to a treasure-hunting yacht. Against a background of a jealous woman, man-to-man conflict, efforts to steal a discovered treasure, mutiny, attempts to burn the ship, comedy, the thrilling underwater octopus fight and rescue, Hamilton works out his regeneration. He aids the loyal members of the crew in squelching the mutineers and saving the treasure for the Misses Burke and Turner. Then it is revealed that the gems were phoned by Miss Burke to enable Hamilton to prove whether he was a real man or not. Hamilton, of course, wins her heart.

Hamilton is convincing in his role, with Leon Ames, Reginald Barlow, and the Misses Burke and Turner adequate in support. Stuart Anthony's original screen play, directed by Tommy Atkins, aims to satisfy action and thrill fans.

No code sale. Running time, 65 minutes. "G."

Expect Decision by Warner in Nashville

(Continued from page 1)

within the next few days, according to reports.

Tony Sudekum, operator of Cre- ston, Neb., in addition to the Mis- sissippi houses, has approximately 30 other theatres in Tennessee and Alabama, has been here several days for conferences in connection with the Warner options, it is reported. Neither Sudekum nor Joseph W. Bernhard, Warner theatre head, who was in Philadelphia yesterday, could be reached for comment. The option is said to have expired Feb. 1 without anything having been reached by Warners.

Technicians Picking Best

Hollywood, Feb. 4.—Now that nominations for Academy awards are closed, the technicians’ branch of the Academy is busy trying to pick from among the many films which will be placed on the final ballot for vote of the general Academy membership. Thirty-two productions are candidates for the art direction award, 39 for the cinematography award, and 47 for the editing award.

Credits for Technicians

Hollywood, Feb. 4.—Plans are being worked out by the technicians’ branch of the Academy to give recognition to the work of technical men by publishing credits for all art directors, cinematographers, film editors and sound men regardless of whether their names appear on the screen.

Plan Air Spectacle

LONDON, Jan. 24.—A "History of Flight" is planned by London Films. It will show man's efforts to conquer the air, as it first related in classic myth until the achievements of the present day, and will reproduce historic stages in the story of aviation. Production scheduled to start immediately.

MOTION PICTURE DAILY

Supreme Court Heirs Appeal On Tri-Ergon

(Continued from page 1)

patents on which the company bases its charges of infringement in a number of suits brought against members of the public.

Counsel for Tri-Ergon developed their argument on the contention that the Circuit Court of Appeals had improperly decided the issues when it upheld the validity of the patents which, it was contended, were basic to all the double printing, which made possible the talking picture.

Attorneys for Paramount, attacking the court's decision, asserted that the patents involved were not properly patentable, charging that the double printing, on which suits were brought against producers, was a method which could easily be accomplished in other ways, while the patentability of the flywheel, involved in the talking picture, could not be said to have been settled when Thomas A. Edison was refused protex-

Newsreels Ordered Out of Flemington

(Continued from page 1)

dence of his orders while the post office is in progress.

Universal and Hearst Metrotone News were the only companies whose cameras and crews were present the day and they packed their equipment and were ushered out by a deputy sheriff.

Justice Trechman remained in his chambers until the cameras had been removed and said he "very much regretted" that newspaper photographers were not allowed to observe the proceedings of the court. "It was done," he said, "secretly and by methods that are not commonly understood, and I think that the matter will be investigated.

In the meantime, Paramount or- dered its reel withdrawn from the theatres throughout the country over the weekend and A. J. Richards, head of the reel, wired Attorney General Wilentz of this action. Loew theatre executives also ordered the Hearst Metrotone News reel discontinued.

These actions left only Pathe and Universal News playing the disputed scenes, for Fox Movietone withdrew its prints last week when the Jersey court first complained.

When questioned yesterday as to Pathe's plans, an executive of the company replied: "We are leaving the reel in the theatres, which is ex- actly as it should be..." A spokesman for Universal voiced the same sentiments and added that the reel had been booked into newsreel theatres here for the next three weeks.

M-G-M Signs 4, Drops 3

Hollywood, Feb. 4.—Leigh Jason, M-G-M's production chief, and Edward Ward, composers, have been signed by M-G-M. Options on Robert Livingston, James Ellison and William Deering, players, have not been exercised.
I WISH TO EXPRESS MY

Thanks and Appreciation

to my former associates and the entire personnel of the Paramount Studio for their confidence and co-operation which have rendered possible the progress the studio has made during the past three years—

•

to the staff of the Paramount News for their loyal support in the creation and development of the newsreel—

•

to the producers of Paramount short features for the continued excellence of their product—

•

to the Paramount sales force here and abroad for their successful merchandising of the program—

•

to exhibitors everywhere for their renewed confidence in Paramount Pictures.

Emanuel Cohen
Thank You Gentlemen!

MONOGRAM'S 'THE NUT FARM' FAST AND HIGH-CLASS COMEDY
Direction, Writing
And Cast Top-notch

"THE NUT FARM"
(Monogram)

Direction: Mel Brown
Story: John C. Brownell
Screen Play: George Wagstaff
Photography: Harry Neumann
Producer: Trem Carr

After the long, tedious interval between "Merton of the Movies" and "Once in a Lifetime," here comes something that really captures the nonsense aspect in Hollywood.

Nobody before ever thought to cast an analytical eye on one phase of Hollywood that is really fastest, funniest and loudest, namely, the gravy-train racket, which has its victims the drawing-room tourists who back pictures that never get on any screen outside of a laboratory.

The big asset of this opus is that it is just as funny to those who know nothing about the inside of independendent picture promotion, and the prevalent picture rolled in the aisles.

Oscar Apfel and Betty Alden are the Newark couple who come to Hollywood with their retirement savings of 40 grand and fall into the clutches of a "talent prospector," Bradley Page.

He takes their dough and the coin of the landlord, Spencer Charters, to make a turkey, which is turned into a box-office by skillful cutting on the part of the director, Wallace Ford, the wife's brother, who is teamed for romance with the landlord's daughter, Joan Gale.

Neck and neck for top honors in delivering the laughs, which come one after another, are Charters, Page and Florence Roberts, as "Ma."

As the heavy, Page is particularly outstanding, never muttering a bet and so convincing it is hard to believe he is not a Hollywood Wallingford in the flesh.

Mel Brown's direction is superb.

His timing in the comedy catches every break on the nose. Betty Alden, as the wife, turns in fine work and, although Joan Gale registers more personality than words she is a very vital element in the success.

Spencer Charters as the half-deaf landlord, who starts as a skeptic and winds up investing in the picture deal, is great. Oscar Apfel, as himself, is great.

Oscar Apfel, as the husband who wanted to buy a California nut farm and wound up as a picture producer, shows a versatility that, in Hollywood, was probably heretofore unsuspected.

This picture is definitely big time and will stand by itself in any class house. Production and photography are A-1.

NO WONDER AS A STAGE PLAY IT RAN 22 WEEKS IN CHICAGO AND 5 MONTHS IN NEW YORK

NOW BOOKING AT ALL MONOGRAM EXCHANGES
NRA Regarded
As Poised for
Crucial Tests

Unity Slips as Congress
Takes Up Extension

By BERTRAM F. LINZ
WASHINGTON, Feb. 5.—General dis-
integration of the unity which for two
years has marked the operation of
NIRA is revealed by discussions now
taking place as to the form in which the
act shall be continued and may result
in the disapproval of plans of
NRA officials to have the proposed
new legislation extend without change
the present law.

Appearing before the House Ap-
propriations Committee during con-
sideration of the money bill for his
department, Secretary of Commerce
Daniel C. Roper disclosed plans for
taking over some of the work now
being done by the Recovery Admin-
istration. Yesterday a flat denial that
(Continued on page 6)

No More Hollywood
For Cohan, He Says

KANSAS CITY, Feb. 5.—Filling a
time-sharing arrangement in "Ah, Wilder-
ness" at the Shubert here, George M.
Cohan told reporters that "never again"
would he go to Hollywood.
"There may be in a picture to be made
early next summer," he said, "but it
will be produced in the east, not Hol-
lywood. I have nothing against the place
or the people out there; I just don't
like it. They don't like me any
deeper, so we are all square."

Report Snyder Out
Of St. Louis Group

St. Louis, Feb. 5.—Unconfirmed re-
ports here have it that Allen L. Snyder has sold his interest in St.
Louis Ambassador Theatre, Inc., op-
erators of the Ambassador and New
Grand Central, and St. Louis Missouri
Theatre, Inc., operating the Missouri,
(Continued on page 18)

Maloy Inquest Hits
Snag; Is Postponed

CHICAGO, Feb. 5.—After a two-hour
session, an inquest into the death of
Tom Maloy was adjourned until Feb.
19.
Principal witnesses were Ralph
O'Hara and Dr. Emmett Quinn. Both
declined to answer pertinent questions
(Continued on page 6)

Music Hall After Zanuck’s
Output: May Annex Rivoli

The Music Hall is angling for Dar-
ryl Zanuck's 20th Century product.
United Artists is willing, but there
is the matter of its 100 per cent-
owned Rivoli to consider. There
would be considerable prestige—and
rental—in any blank deal whereby
20th Century would be housed in the
Rockefeller-financed house. Also
would there result a product short-
age for the Rivoli, now U. A.'s
Broadway first run.

The Justice Department is reliably
understood to have led to the poising of a deal
whereby the Rockefellers might ac-
quire the Rivoli at a price reported
by U. A. at $1,000,000; a pool-
ing arrangement involving the Music
Hall and the Rivoli with the "A"
product naturally playing the big 6th
(Continued on page 18)

Trenchard Refuses
To Modify Film Ban

PELHAMTON, Feb. 5.—Supreme
Court Justice Thomas W. Trenchard
was bombarded today with telegrams
and letters from newspapers and pho-
tographic services asking him to re-
sic his order barring all cameras
from the trial of Bruno Richard
Hauptmann because of newsreels taken
in court orders.

The Justice adhered to the same form
of reply that he sent out yesterday.
It reads as follows:
"I am sorry that it became necessary
to order all photographic equipment
(Continued on page 18)

Reverse Gear

Hollywood, Feb. 5.—Now
that the bankers are again
trying to step into some pic-
ture companies, a wag here
states he is grooming a pic-
to try man to take over a few
banks and try and run them
on a sort of exchange profes-
sorship arrangement.

Campi Surplus
Features NRA
Cost Hearing

WASHINGTON, Feb. 5.—Return
of the House Appropriations Committee
in theummy is revealed by discussions now
taking place as to the form in which the
act shall be continued and may result
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Daniel C. Roper disclosed plans for
taking over some of the work now
being done by the Recovery Admin-
istration. Yesterday a flat denial that
(Continued on page 6)

One-Tri-Ergon Case
In; Second Started

WASHINGTON, Feb. 5.—The hearing
of the first Tri-Ergon case was com-
bined today with a second action
brought by George Wharton Pepper, former
Pennsylvania senator, counsel for the
company, who summarized the ad-
vantages it is contended are secured in
the printing of sound pictures
through the patents on which the suit
is based.

The court then heard former United
States Attorney William D. Mitchell,
who went on to make the presenta-
tion of argument in the second case involved, relating to
the flywheel patent used in projection.

Erpi Wins Victory
On Danish Patents

Erpi, defending Fox and M-G-M in
an action against Nordisk, powerful
Danish company, yesterday emerged
as victor in what was hailed in foreign
sales circles in New York as an im-
portant patent victory.

Reports were fragmentary and, in
the absence of Erpi's legal talent in

Senate Authorizes
An A. T. & T. Probe

WASHINGTON, Feb. 5.—The Senate
Interstate Commerce Committee today
approved the resolution of Senator

Insiders' Outlook

By RED KANN

ATEST episode in the Paramount serial, the most thrilling and, in
some ways, the most ingenious in years:

Just when it appeared the new
board had assumed body and
soul, the entire question of
agreement on personnel faces
opening by creditor factions.
There you have one new and
potentially starting develop-
ment. The second is a formal
notice from Frank C.
Walker that he will not accept
the creditors' invitation to serve.
His withdrawal leaves the nom-
ines at sixteen while creditor
factions are seeking a complete
roster of either fifteen or eight-
teen in order to provide a total
divisible by three and thus facili-
tate annual elections after the
proposed initial three-year term.
Factor three has to do with
rumblings of opposition which are
reported bestirring them-
selves over retention of John D.
Hertz and Charles E. Richard-
son. . . .

Opposition to Hertz, while not
clearly defined, appears to be
concentrated in important credi-
(Continued on page 2)
Norton on Way to U. S.

LONDON, Feb. 5.—Capt. Richard Norton, British and Dominion executive, sails for America tomorrow aboard the Bregaria with the first print of the company’s Magnificent Seven, which was directed by Thornton Freeland and photographed by Barney McGill. Both are identified with Hollywood.

Hold Mrs. Turley Rites

ST. LOUIS, Feb. 5.—Funeral services were held Monday for Mrs. Lorenza Turley, wife of Joseph S. Turley, and mother of Clarence M. Turley of the Best Amusement Co. Interment was in Valvalka Cemetery. Other surviving children are William Howard and Helen L. Turley and Mrs. Wesley C. Avis.

Edward P. Kalafat Dead

Cleveland, Feb. 5.—Edward Paul Kalafat, 47, of Kalafat, treasurer of the Cleveland M. P. Exhibitors’ Ass’n, and president of Associated Merchants, was found dead at Flagstaff, Ariz., where he was a student in the State Teachers’ College. His father has left to attend the funeral.

“Lancery” Gets $22,000

First four days of “Lives of a Bengal Lancer” at the Rialto resulted in a $22,000 take, which was unusual in face of a three-week booking which was completed last Thursday at the Paramount. The picture goes over the Loew circuit starting Feb. 15.

Insiders’ Outlook

(Continued from page 1)

tor groups outside of the established committees. The groups are said to view with some apprehension possible friction between banking groups and lawyers. Hertz and Adolph Zukor, should the former remain on the board. The opposition to Hertz has increased in direct proportion to the increase of support for Zukor as president of the new company. Hertz’s creditor alliances have objected to the job going to Zukor.

Similarly, Zukor’s support for the presidency has been strengthened by the factions now reported gaining stature in opposition to Richardson. He had been regarded as a candidate for the presidency, either at the outset or to succeed Zukor after a period of grooming. Now, however, the objection to Richardson is being swaying to the support of those who have been advocating the retention of Zukor as company head. The tide presumably rising against Richardson apparently springs from apprehension over a possible Erpi-A. T. & T. link with Paramount in the face of the impending investigations of the public utility-electric organizations.

Richardson has not formally accepted the invitation to serve on the board. If he declines, the merchandise creditors’ committee, which he represents, would probably insist on another nominee, preferably a banker, on the board, with one finally to be eliminated or two more to be chosen. If the opposition to Hertz succeeds the Lehman Bros.-Lazard Freres cooperation would insist upon naming an alternate, Frank B. Altschul of Lazard, who is reported to have deferred to Hertz for a place on the board, is regarded as the likely substitute.

Considerable hammering among the creditors’ groups and possible delay in the reorganization is almost certain to result if it becomes necessary to name alternate nominees or to agree on a board, with two members, in either case. Judge Alfred C. Coke, it must be remembered, has reserved the right to veto any member of the initial board and may exercise the right on February 15, at which time opposition to Hertz and Richardson is expected to break into the open, unless the storm clouds dissipate themselves.

In the meantime, the constantly shifting picture promises in linking up the name of Eugene Leake, one of the three trustees in bankruptcy, with the vice-presidency in charge of finance but not necessarily with a place on the directorate. In and out of the board setup in the last few weeks, As a result, the secretary of the corporation, is buttled again for a place on the much wrangled over board.

About Manny Cohen. That his latter day demands for a place on the directorate hastened his exit is widely credited by insiders who say they know and who, by their segments in the tangle, should. Cohen, anxious for a showdown which would settle his future status in Paramount, is said to have pressed his demand at the very time his support was weakest among the powers-to-be in the reorganized company.

Once supported to the hilt by Adolph Zukor and George J. Schaefer, what brought about a change of heart and front where he was concerned? The rumors are that Cohen, after his last visit east and reputed talks with financial people downtown, tied in with prior discussions about this that prior his departure from Hollywood, are whispered in connection with that which took place in such decisive manner in Zukor’s office Monday.

Cohen’s dismissal from his high post at Paramount came to him as no surprise. If he did not know directly what some of his fellow in the board in his former company were thinking about and nulling over, he could have found out from diligent trade paper reading. This is ventured as the explanation for unconfirmed reports that Cohen, as a consequence, was ploughing his fields with a new crop to blossom eventually on other Hollywood lots. A high berth at Radio is among the reports to be heard if you are inclined to listen.

Speculative as well is whether or not the appointment—official now—of Henry Herzbrun as general manager of production with Ernst Lubitsch as supervisor of the M-G-M operation is a forerunner of a temporary arrangement, the permanent selection to be left to the new directorate when the company actually emerges from its Federal court regime.

This is how and what the Paramount picture looked like yesterday. The yarn has additional chapters which cannot be told for a simple and very good reason; they have yet to be written...

Delay Is Expected

In St. Louis Case

ST. LOUIS, Feb. 5.—The elevation of U. S. District Judge C. B. Faris to the U. S. Circuit Court of Appeals probably will result in a delay in the trial of Harry M. Warner, Gradwell C. zakor, Daniel C. Thomas, Ned E. Depinet and George Schaefer on a charge of conspiracy to violate the Sherman Anti-Trust Act. C. B. Faris is a namesake of the St. Louis court in the next term, which happens to be March 16, but that does not mean that the cases will be called on that date.

Scheduled to move to the higher court, Judge Faris undoubtedly will not desire to be tied up with a long and complicated case. Unless he leaves the district court he is expected to confine himself to the trial of cases of defendants who are now in jail—having been unable to make the required bonds.

The defendants in the film case have posted their bonds of $2,500 each in New York and have waived the proceedings necessary for their removal to St. Louis.

Loew Again Witness In M. & S-RKO Case

David Loew spent another day testifying yesterday in the resumed arbitration hearings on breach of lease charges brought against RKO by Meyer & Schneider, lessors of the Apollo and Hollywood.

Max D. Steuer, counsel for M. & S., completed his examination of Loew yesterday and cross examination was begun by Bruce Bromley, counsel for RKO. Bromley will continue questioning of Loew when the hearing resumes today. The testimony concerned phases of the product agreement by which Loew’s relinquished Fox, Columbia and Universal pictures to RKO when the latter faced a product shortage.

W. B. Defers Tenn. Action

Action by Warners on an option to take over from Crescent Amusements, Inc., nine of the latter’s Nashville, Tenn., houses has been deferred for two weeks, it was learned yesterday. Tony Sudelman, operator of the Crescent, returned to Nashville yesterday.

RKO Party Returning

The RKO executive party currently visiting the studio, and made up of M. H. Aylesworth, Ned Depinet, Bart McCormick and A. H. Methe, revisited the RKO offices in RKO is due back here early next week.

External Friedman Deal

LOXOPO, Feb. 5—Joe Friedman, general representative in England for Columbia, has had his contract extended.

‘Right to Live’ to Rivoli

EDWARD G. ROBINSON

All who have followed the making and the previewing of THE WHOLE TOWN'S TALKING are unanimous in agreement that this is a new ROBINSON, a startling ROBINSON, a ROBINSON such as the screen has never seen before.

That "the play's the thing" has never in my opinion been more forcibly proven than in THE WHOLE TOWN'S TALKING. It's a grand story by two grand story tellers: Bob Riskin and Jo Swerling, based on a tale by W. R. Burnett.

For all of the elements that have contributed to what I think is a truly great picture, I am deeply grateful:

To COLUMBIA, for its splendid cooperation;

To JOHN FORD, for his magnificent direction; and,

To the other players for their enthusiasm, their inspired performances and their whole-hearted support. They have all been a part of the making of a grand, exciting picture.

EDWARD G. ROBINSON
WARNING!
There’s an Epidemic of WORD-OF-MOUTH DISEASE in New York City and it’s SWEEPING THE COUNTRY!

Produced by DAVID O. SELZNICK. Directed by GEORGE CUKOR A METRO-GOLDWYN-MAYER PICTURE.
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The 17th day registers biggest gross for a similar period since "SMILIN' THRU". And now it's stepping high, wide and handsome into its 4th big Week!

SECOND FRIDAY BIGGER THAN OPENING DAY
THIRD WEEK-END WITHIN FEW DOLLARS OF SECOND WEEK-END
SECOND FRIDAY BIGGER THAN SECOND FRIDAY
SECOND WEDNESDAY BIGGER THAN FIRST WEDNESDAY
SECOND THURSDAY BIGGER THAN FIRST THURSDAY

Such fun! Now comes—

4th WEEK
at the CAPITOL

DAVID COPPERFIELD

HELD OVER FROM COAST-TO-COAST

and when we urged you to get EXTRA PLAYING TIME we did it for the wife and kiddies. (Yours and ours!)
Campi Surplus Features NRA Cost Hearing

Violent attacks on the industry code and the Hays organization have been made by A. B. Momand, Alabama exhibitor, in a booklet entitled "The Hays Office and the NRA." The booklet, 32 pages in length, has been mailed to all members of the Senate and House of Representatives and to the heads of all state universities and leading newspapers.

In a foreword Momand says he has printed the book and distributed it at its own expense. He says the first half is devoted to a history of the Hays organization, boards of arbitration and Film Boards of Trade, and to Judge Thatcher's decree which ended the arbitration boards.

In the closing paragraph of this section of the pamphlet Momand says there is talk of naming Postmaster General James A. Farley as Will H. Hays, Jr.'s successor. He calls this a "challenge to the Congress of the United States."

"The section devoted to the NRA he charges that the code was dictated by major producers, that it is a new attempt to nullify the anti-trust laws, and that it would be "morally indefensible" primarily only to the "trutified element."

"America has progressed as far as she can upon the fundamental law of the nation exists for the benefit of the peculiar class," he writes.

He appeals to Congress to "assert the sovereignty of the United States" and at the end of the booklet has perforated sheets in blank addressed to Senators and Congressmen to "urge their influence to prevail upon the Attorney General to have him immediately begin prosecution of the film and theatre trust."
Fox Midwest Plans
To Share Profits

KANSAS CITY, Feb. 5—A profit participation plan for Fox Midwest employees has been launched. As worked out by E. C. Rhodes, division manager, the plan provides that over the preceding year will be paid out every 13 weeks in cash bonuses, ranging from five to seven and one-half and 10 per cent, depending on the class of operation.

Similar to a plan put into effect by Fox Western, the bonus is spread over all employees from district managers and managers to cleaners. Special prizes will be set aside for cashiers, doormen and ushers, earned for excellence in appearance, personality and acts of courtesy. Operators will be given prizes for efficient and economical projection, and janitors for efficiency in keeping the theatre spic-and-span.

The sharing plan was explained to managers at district meetings held in Kansas City, St. Louis, Rockford, Chicago, St. Paul and St. Louis. Rhodes is working on other plans for the benefit of employees, including a benefit and retirement fund, which would be started when the division is taken out of bankruptcy. Revenue from a pass tax and commissions on candy sales in the lobby is deposited in the fund.

Toronto Ruling on Premiums Protested

TORONTO, Feb. 5—They still want to give away crockery, silverware and other merchandise. Although police commissioner Archibald has ordered the giving of premiums by theatres illegal, a number of independents have protested the decision. On the other hand, retail merchants selling the same or similar crockery, etc., that is distributed by the theatres, have urged the police to enforce the law.

The police have practically passed the buck, so far, with the intimidation that they don't want to upset the existing arrangement. Any complaints will be referred to the courts if the theatre management is willing to go to court.

Ohio Censors Want To See “Time” Reel

CLEVELAND, Feb. 5.—Dr. B. O. Skinner, head of the Ohio censor board, has raised the censorship issue on the March of Time reel. He contends it is subject to the board's supervision. The local First Division exchange has insisted that it is exempt as a newsreel.

Plan Film for Laughton

LONDON, Feb. 5—London films plan to show Carl Laughton's film based on "J. Claudius" and "Claudius, the God," Robert Graves volumes, rights to which have been acquired by lawyer Alexander Korda, production executive of the company. Production will get under way upon the actor's return here from Hollywood.

Flu Hits 3 Players

HOLLYWOOD, Feb. 5—Richard Dix, Glenda Farrell and William Haines, all of whom have joined the army of film victims here today, Dix is also suffering with a bronchial infection.

Industry's Leaders Turn Out for First M. P. Forum

By J. M. JERAUD

Industry leaders turned out in force yesterday to get the M. P. Chas. Frohman Forum off to a belated mid-winter start, aided by Judge James A. Wallace of the Court of General Sessions and abetted by Nathan Burkan, Amsterdam Pinchot, Louis Nizer, et al—meaning others.

Judge Wallace turned out to be a showman who knows the show business. He modestly admitted that he was no expert, but a practiced attorney, who helped induce Mae West to spend a 10-day vacation on Welfare Island. Most of the diners leaned forward.

Burkan had just finished introducing the jurist as a "delightful companion, a good friend, and a generally wholesome fellow." He had also related how he had represented Miss West in a well-known case after one of her shows had been raided. Judge Wallace was prosecutor in that, too, but it resulted in a "tie," Burkan said.

"You always thought that case was a Paramount publicity stunt," Burkan said, "but I wasn't in on it. Mae West paid me."

Burkan Is Persistent

Will H. Hays, seated on Nizer's left, removed his glasses and looked incredulous. George Schaefer gazed at Burkan, turned away and persisted, "Paramount signed her up immediately afterwards."

"Yes, it was a tie," Judge Wallace admitted, after acknowledging the "falsome" introduction. "Both cases helped make her famous."

Then he directed his remarks to Hays: "I hope, General," he said, "that you won't do anything to restrict her art. I think she is a fine actor and deserves the opportunity to display her—her, er, very ample talents."

Everybody joined in the laugh. The 1935 forum was under way.

"Speaking seriously," the judge went on, "I've always been interested in pictures. Years ago I used to watch J. Stuart Blackton make pictures in Brooklyn. I had an ambition to become an actor, but I thought I had my chance when I could make any picture that I wanted."

Nizer then explained that Ferdinand Pecora, another new judge, couldn't be in today after all. "He didn't show up on time."

"I hope he don't show up next week when all the bankers are here," Pecora investigated the bankers in a big way during the recent Senate probe.

Next week's speakers will include Felix Feist, chairman of Metro Pictures, Clarence Dillon of Dillon, Read & Co., and Richard Whitney, president of the Stock Exchange.

"There was a big crowd. At the head table were Phil Reisman, Austin Keough, Jules E. Bruratour, Jack Coill lawyer, Pan Am Pinet, H. M. Schaefer, H. M. Warner and others.

"Mitzvah" on Broadway

"Bar Mitzvah," Sov-Am Film Corp.'s Yiddish talking version of Boros Thalmayhels's stage play of the same name, opens at Loew's Broadway about Feb. 20. This will be the first all Yiddish picture to be shown on Broadway.

Comic Strip for Shirley

"Little Annie Rooney," comic strip syndicated by King Features, has been purchased by Fox which expects to use it as the theme of a Temple vehicle from the character.

The William Morris Agency cleared the sale.

Curb Issues Remain Unchanged

Net High Low Close Change
Sentry Safety 34 34 34 —
Telecorder 12 12 12 —
Trans-Lux 3 3 3 —

Pathé Bonds Up 1/4

Net High Low Close Change
General Theatre 81 80 80 1/8 1/8
Empire, 60 59 58 4/8 4/8
Loew's 79 78 78 3/8 3/8
Paramount 73 72 72 3/4 3/4
Pathè "A" 72 71 71 3/4 3/4
Warner Bros. 66 65 65 1/4 1/4

Quotations at close of Feb. 5.

Horror Photos Irk Chicago Exhibitors

CHICAGO, Feb. 5—Exhibitors here are waxing indignant over the unpermitted policy of the Sunday Herald & Examiner in printing a truck of crime slaying scenes in the same form that contains the amusement section and theatre advertising.

Like the recent Hearst horror section in the Sunday Sun, these horror pictures show victims of one way rides and machine gun bullets in equally gruesome vividness. Exhibitors contend that such horror pictures are bad for theatre patronage. They want them shifted away from the amusement section.

Murphy to Pittsburgh

PITTSBURGH, Feb. 5.—With the resumption of stage shows at the Penn and a subsequent increase in activity, Loew's has sent Gene Murphy here from New York to relieve Mike Cullen, house manager, of the theatre's publicity duties. The Penn hasn't had a press-agent in several years, with Cullen doubling in brass.

Murphy reported in Pittsburgh this week and immediately took over his new duties.

IEPA Meet Postponed

PHILADELPHIA, Feb. 5.—The meeting of the International Exhibitors' Protective Association held here today was postponed due to the storm. The meeting will be held next week.

Hill for Direction

HOLLYWOOD, Feb. 5—Bob Hill has been signed by Ray Kirkwood to direct "The Cyclone Ranger," featuring Bill Cody, for Spectrum Pictures.
ANN DVORAK—The singing and dancing surprise of 1935!

HELEN MORGAN—The top torch-singer of the land.

FEBRUARY 23RD WARNER BROS.

RUDY VALLEE in

NED SPARKS, Robert Armstrong, Joe Cawthorn and Al Shean, in a hilarious battle of half-wits.

100 HOLLYWOOD CUTIES in the big "Fare Thee Well, Annabelle" finale directed by Bobby Connolly.

Rudy as the producer and "Gold Digger" Rudy in a laugh-creating "20th Mil." Rudy in 5 songs by Rudy surrounded by 9 STARS! 2 BAI
ALLEN JENKINS AND ALICE WHITE — Two minds without a single thought.

THE CONNECTICUT YANKEES — Rudy’s own world-famous band.

WILL LAUNCH A NEW DEAL IN RUDY VALLEE PICTURES!

SWEET MUSIC

"Flirtation Walk," present him!

SURPRISES as Rudy steals the show with hilarious character impersonations.

FRANK & MILT BRITTON’S BAND — merry musical maniacs.

ORAK ! 100 GIRLS !
IT OUT-MONSTERS 'FRANKENSTEIN'

IT OUT-THRILLS 'KING KONG'

SHERMAN S. KRELLBERG Presents

THE

IT IS 100 YEARS AHEAD OF ITS TIME!
MORE TERRIFYING THAN 'DRACULA'

OF THE LIGURIANS

PRODUCED AND DISTRIBUTED BY
SUPER SERIAL PRODUCTIONS, INC.
729 SEVENTH AVE.
NEW YORK, N.Y.
“Copperfield” Towns’ High, $5,500

Minneapolis, Feb. 5.—Three big pictures reached the Twin Cities simultaneously. They were “David Copperfield,” “The Green Lancer” and “The County Chairman.” Of the three, “Copperfield” made the biggest impression, going over par by $1,500 for a gross of $5,500 at the Century. The “County Chairman” was $700 up on a take of $5,200 at the St. Paul Paramount, and “Lives of a Bengal Lancer” reached $6,000 in its second week at the Boyd.

This competition was pretty strenuous for the other first runs. Total first run business in Minneapolis was $24,700; in St. Paul it was $23,000. Total first run take in St. Paul was $17,500, average is $16,500.

Estimated takings:

Minneapolis:

Week Ending Jan. 31:

“DAVID COPPERFIELD” (M-G-M) CENTURY: 3,000, 4 days.
Gross: $3,500. (Average, $875.)
LYRIC: 1,250, 2nd-6th, 7 days.
Gross: $1,500. (Average, $214.)

Week Ending Feb. 1:

“WONDER APRIL” (Radio) ORPHEUM:* (2,900), 26-40c, 6 days.
Reserve 2nd-6th, 7 days.
Gross: $2,000. (Average, $286.)

“LIVES OF A BENGAL LANCER” (Para.)-
SALON: 5,080, 7 days.
Gross: $2,800. (Average, $393.)

“THE SILVER STREAM” (Radio) TIMFLANNY: 1,100, 7 days.
Gross: $1,200. (Average, $171.)

“POWER” (Geumont British) WORLD: 450, 7 days.
Gross: $1,000. (Average, $143.)

St. Paul:

Week Ending Feb. 1:

“THE COUNTY CHAIRMAN” (Fox) PARIS: 1,650, 26-40c, 6 days.
Gross: $2,600. (Average, $433.)

“THE SECRET BRIDE” (Radio) RIVERA: 1,540, 7 days.
Gross: $2,000. (Average, $286.)

“THE BEST MAN WINS” (Col.) ORPHEUM:* (2,000), 26-40c, 3 days.
Gross: $1,700. (Average, $567.)

“ENCHANTED APRIL” (Radio) ORPHEUM:* (2,000), 26-40c, 3 days.
Gross: $1,500. (Average, $500.)

“LIVES OF A BENGAL LANCER” (Para.)-
TOWER: 1,050, 1st-5th, 7 days.
Gross: $1,500. (Average, $214.)

“EVENSONG” (Geumont British) WORLD: 500, 7 days.
Gross: $1,200. (Average, $143.)

“Lancer,” $8,800, Hit in Providence

PROVIDENCE, Feb. 5.—High gross, which resulted in a holdover for the picture, was scored by “Lives of a Bengal Lancer,” which booked for a week that started off poorly, due to the storm. The take was $8,800, which is better than $5,500.

Fay’s and the RKO Albee, both spotting films and vaude, caught an average of $9,000 for the week. The steady pull of the splendid “David Copperfield,” curiously enough, drew but $8,000.

Total first run business was $38,400. Average for week was $5,486.

Estimated takings for the week ending Jan. 31:

Philadelphia, Feb. 5.—After this city dug itself out of the snow film takes received good boost at top figure went to “David Copperfield” at the Boyd. The take was $23,000 and the picture may be held another two weeks.

The Earl’s low price policy brought good response with a gross of $7,500. “Hail to the Damsel” did well with the red nose and hangover eyes:

“Well are you doing today?”

The answer was: “Oh, I am just one of those Larry Dar- mons.” Said the one with the red necktie:

“Gee, that’s a Swift one.”

Pittsburgh’s Top, $20,000, “Copperfield”

PITTSBURGH, Feb. 5.—The Penn was the only house in town last week with anything to cheer about. “David Cop- perfield” was the reason. It built day by day and wound up with a sensation $20,000, the best straight picture takings this theatre has had in years. It was only five days he was held for a second week had not a change of policy, including a reduction in prices.

Elsewhere, however, there was nothing but the blues. The Stanley, with “Limehouse Blues” and “Polly Moran” at the stage, took it on the chin at $11,000, while the Alvin also slipped badly, getting only $7,000 with “Loot- Free” and a picture by Mitzi Green. Not since before Christmas has the Fulton had a $3,300 week, which was all that “The Band Plays On” attracted, and a double feature, including “Romance in Manhattan” and “I’m a Thief,” couldn’t better $4,750.

Total first run grosses were $45,150. Average is $5,950.

Estimated takings for the week ending Jan. 31:

“LOTTERY LOVER” (Fox) ALVIN: 4,700, 26-40c, 6 days.
Stage: Mimi Grene, Ralph Dunn, Monroe and Grene.
Rivera: 2,300, 26-40c, 6 days.
Stage: Streamline Avettines, Jerry Mayhurly’s orchestra.
Gross: $4,050. (Average, $675.)

“The Band Plays On” (M-G-M) STANLEY—(2,700), 26-40c, 5 days.
Gross: $3,500. (Average, $700.)

“Copperfield” (M-G-M) FULTON—(1,250), 26-45c, 4 days.
Gross: $2,550. (Average, $638.)

“DINEME BLUES” (Para.) STANLEY—(3,000), 26-45c, 6 days.
Stage: Polly Moran and “Words and Music” unit with Lester Cole, Herman Marks, Paul Whiteman, Hugo Winterhalter.
Gross: $2,500. (Average, $417.)

“ROMANCE IN MANHATTAN” (Radio) WARNER—(2,650), 26-40c, 6 days.
Gross: $4,000. (Average, $667.)

Withdrew “Lancer” For “Copperfield”

OMAHA, Feb. 5.—This town had a plethora of big pictures. “Lives of a Bengal Lancer” was pulled after grossing $3,500 at the World in four days to make room for “David Cop- perfield.”

In spite of bad weather conditions, the Boyd’s “David Copperfield” at the Orpheum took a strong $8,800 and “West of the Pecos” and “Grand

Authors Elected

Hollywood, Feb. 5.—Rupert Hughes has been elected president of the Writers’ Club of Hollywood.

“Behold” Is Only Draw in Seattle Skid

SEATTLE, Feb. 5.—Business went into a general decline last week with “Behold My Wife” making the best showing, to take a $5,800. Even this was $200 below normal at the Paramount.

“Velsius” was strong for five days of its second week, taking $4,100 at the Fifth Avenue. “Enchanted April” failed to draw at the Majestic Hall, as it was pulled at the end of six days with a take of $3,900.

Total first run business was $28,600, Average is $36,900.

Estimated takings for the week ending Jan. 29:

“STRANGE WIVES” (Univ.) RED HOT TIRES (F. N.) BLUE HOUSE—(950), 10-25c, 7 days.
Gross: $650. (Average, $93.)

“SEQUOIA” (M-G-M) FIFTH AVENUE—(2,500), 10-25c, 5 days.
Gross: $2,900. (Average, $580.)

“I’LL FIX IT” (Col.) IN DANGER (Col.) LIBERTY—(1,800), 10c-15c-25c, 7 days.
Gross: $2,600. (Average, $371.)

“ENCHANTED APRIL” (Radio) MUSIC BOX—(2,000), 10c-15c-25c, 6 days.
Gross: $2,000. (Average, $333.)

“BEHOLD MY WIFE” (Para) PARIS—(2,500), 10-25c, 7 days.
Gross: $1,800. (Average, $257.)

“Copperfield,” a Cleveland Smash

CLEVELAND, Feb. 5.—“David Cop- perfield” was a “wow” at Loew’s. It grossed $20,000 in one week.

The picture, which moved into the Stillman for an extended run.

“County Chairman” was another hit, getting $12,000, or just double average. “Baboon” made a fairly good showing with $8,300 at the RKO Palace. The weather was very cold.

Total first run gross was $51,300. Average is $3,100.

Estimated takings for the week ending Jan. 31:

“THE MAN WHO RECLAIMED HIS HEAD” (Univ.) ALLEN—(3,000), 26-40c, 4 days.
Gross: $5,800. (Average, $1,450.)

“BARBOLE CHAN IN PARIS” (Para) ALLEN—(3,000), 26-40c, 4 days.
Gross: $4,500. (Average, $1,125.)

“COUNTY CHAIRMAN” (Fox) WARNERS’ HIPPODROME—(5,000), 26-40c, 7 days.
Gross: $13,500. (Average, $1,930.)

“BARRIO” (Fox) RKO PALACE—(1,000), 26-40c-45c, 7 days.
Gross: $10,000. (Average, $1,429.)

“BEHOLD MY WIFE” (Para) LOEWS’ STATE—(3,000), 26-40c-45c, 7 days.
Gross: $1,800. (Average, $257.)

Wednesday, February 6, 1935

MOTION PICTURE DAILY
Chicago, Feb. 5.—“Lives of a Bengal Lancer” was the biggest attraction in town in spite of the fact that it was in its second week at the Roosevelt. The $16,000 take was $5,000 over a first week average.

Chicago.—The next best box-office magnet on a take of $18,000 at the United Artists. This was over par by $1,000. "Amis the Thief" was $1,000 up on a gross of $16,000 at the Oriental, but the rest of the Loop was in the doldrums.

Total first run business was $117,700. Average is $129,600.

Estimated takings:

**GOOD TIME WAS HAD**

Rosa Ice Shelf, Bay of Whales, Feb. 5.—It’s all over. The Penguin, which started one of the biggest runs on record on Friday, May 1, 1934, and then became a second run, a third run and a fourth run without being bought at a single argument over clearance, is washed up.

The Playwright’s boys can repeat most of the dialogue of 93 features supplied by M-G-M. Withers, U. A., Paramount, Fox, Universal, Radio, and Columbia, but it was all in fun. There was nothing else but doing a six-month wintry night.

Now the boys are pushing the projection machine across the ice to the Bear of Oakland.

**Gilded Lily**

Hits $9,000, Portland

Portland, Feb. 5.—“Gilded Lily” has been running very well for the past week. It grossed $9,000, over par by $4,000, at the Paramount. An excellent stage show helped.

Chicago.—“Gilded Lily” in its fifth week at the Loew’s has its best business with an average of $1,250.

Week Ending Feb. 1:

**HEDY** (1,375), 25c-3Sc-40c, 2nd Loop.

**APELLO** (1,400), 25c-3Sc-50c, 2nd Loop.

**BROADWAY BILL** (Col.)

**GARRETT** (900), 25c-3Sc-50c, 7 days.

**WHITE LIES** (Col.)

**ROOSEVELT** (1,571), 25c-3Sc-50c, 2nd Loop.

**STATE-AND-LAKE** (2,729), 25c-3Sc-50c, 7 days. Stage: Dave Vines, Leo & Evelyn revue. Miss Tony, Bragg. Gross: $12,500. (Average, $1,750)

Week Ending Feb. 2:

**CITY OF INDIA** (G. A.)

United Artists (2,400), 25c-3Sc-50c, 7 days. Gross: $18,000. (Average, $2,571)

Withdraw “Lancer”

For “Copperfield”

(Continued from page 12)

Old Gilly reached a par $3,800 at the Brandeis. Total first run business was $15,100. Average is $1,560.

Estimated takings:

**Week Ending Feb. 3:**

**LIVES OF A BENGAL LANCER** (M-G-M)

WORLD—(2,400), 25c-3Sc-50c, 7 days. Gross: $16,000. (Average, $2,286)

Week Ending Feb. 10:

**WEST OF THE PACIFIC** (Radio)

**GRAND OLD GIRL** (Radio)

BRANDERS—(1,200), 25c-3Sc-50c, 7 days. Gross: $3,300. (Average, $471)

Week Ending Jan. 31:

**THE GILDED LILY** (Par.)

**ORPHEUS—(3,000), 25c-40c, 7 days. Gross: $4,000. (Average, $571)

Karloff in “Black Room”

Hollywood, Feb. 5.—“The Black Room Mystery” plays at the Strand and the Capitol. After fighting all the objections on the screen adaptation, it has just been signed to a long-term contract by the studio.

**Lancer,** $8,800,

Hit in Providence

(Continued from page 12)

**THE WHITE LANCER** (M-G-M)

**THE RIGHTEOUS LIVES** (M-G-M)

**THE MISTRESS OF THE WORLD** (Warner’s)

**FAY’S—(1,500), 25c-3Sc-50c, 7 days. Stage: Diamond Review. Gross: $7,000. (Average, $1,000)

**LIVES OF A BENGAL LANCER**

**STRAND—(2,500), 25c-40c, 7 days. Gross: $4,000. (Average, $571)

**SCHOOL FOR GIRLS** (Liberty)

**THE INDIAN” (M-G-M)

**LOWE’S STATE—(1,500), 25c-3Sc-50c, 7 days. Stage: Diamond Review. Gross: $7,000. (Average, $1,000)

**COURAGE OF THE NORTH** (Century)

**RKO VICTORY—(1,600), 10c-25c, 4 days. Gross: $2,000. (Average, $500)

“Copperfield”

Lone Draw in Frisco Slump

San Francisco, Feb. 5.—“David Copperfield” was the only first run in town to make average, and it didn’t go very far. The $17,800 take at the Warfield was $23,500. Normal is $23,000.

“Bordertown” and “Evergreen,” a dual at the Paramount, made the next best showing with $10,500, but this was split equally between one from a Bengal Lancer” was off at the St. Francis with $7,500.

Total first run business was $76,500. Average is $9,560.

Estimated takings:

**Week Ending Jan. 29:

**ENCHANTED APRIL** (Radio)

GOLDEN GATE—(2,000), 25c-40c, 7 days. Stage show. Gross: $12,500. (Average, $1,750)

**CHARLIE CHAN IN PARIS** (Fox)

LOEW’S—(4,600), 25c-3Sc-50c, 7 days. Gross: $19,000. (Average, $3,286)

**Week Ending Jan. 31:

**STRAIGHT FROM THE HEART** (Warners)

MILLS OF THE GODS” (Olivero)

ORIENTAL—(2,370), 25c-3Sc-40c, 7 days. Gross: $8,000. (Average, $1,143)

**LIVES OF A BENGAL LANCER”**

ST. FRANCIS—(1,400), 15c-35c-50c, 7 days. Gross: $14,000. (Average, $2,000)

**MAN WHO RECLAIMED HIS HEART**

UNITED ARTISTS—(1,500), 15c-35c-50c, 7 days. Gross: $5,500. (Average, $8,750)

**BORDERTOWN** (Warner’s)

VEERGREEN (Gaumont British)

PARIS—(2,400), 25c-3Sc-50c, 7 days. Gross: $15,000. (Average, $1,750)

**WARFIELD** (2,500), 25c-3Sc-50c, 7 days. Average: $9,000. (Average, $2,125)

“Divorce” $7,000

Lead in Oklahoma

Oklahoma City, Feb. 5.—Business picked up in a big way last week, with all first runs breaking par to go over par. “The Gay Divorcee” was a smash hit at $7,000 in the Midwest, as this figure is $5,000 over the line.

Charlie Chan in Paris and the Warfield with $4,000 on a take of $2,400 at the Capitol. “Lives of a Bengal Lancer,” a hit practically all over the country failed to make much of an impression at the Warner, the $5,000 gross being just average for that house. “The Daring Young Man” with a stage show at the Liberty for four days, reached $1,500, and “Maybe It’s Love,” for the other three days, grabbed $1,050.

Total first run business was $16,950. Average is $1,150.

Estimated takings for the week ending Feb. 2:

**LIVES OF A BENGAL LANCER**

WARNER—(900), 15c-25c-35c-50c, 7 days. Gross: $4,000. (Average, $571)

**DAMNED If** (Radio)

MIDWAY—(1,000), 15c-25c-35c-50c, 7 days. Gross: $7,000. (Average week, $1,000)
WHEN this little golden-haired sweetheart
storms the affections of this crusty, silver-haired vet-
eran . . . to rout his bitterness and false pride with her
childish love and laughter . . . every face in the audience
will light with the happiness that only Shirley Temple can bring.

— and watch it zoom your grosses
into the box office stratosphere!
Shirley Temple
Lionel Barrymore
in
The Little Colonel

A B. G. DeSylva Production with
Evelyn Venable  John Lodge
and Bill Robinson

Directed by David Butler.
Screen play and adaptation by William Conselman.
Based on the story by Annie Fellows Johnston.

Surprise
Adorable, dainty Shirley in her true colors
... in the big Technicolor sequence.
MEET KAY PARRISH,
NIGHT CLUB HOSTESS

Park Avenue to Broadway ... just a few city blocks ... yet worlds apart! ... Bridged by a beautiful girl born to the social register, whose own kind failed her in her hour of need! ... The vivid drama of a proud debutante whose love found root in the shadows cast by Broadway's brightest lights!
GIGOLETTE

WITH

ADRIENNE AMES
RALPH BELLAMY
DONALD COOK
ROBT. ARMSTRONG

FROM THE STORY BY GORDON KAHN
DIRECTED BY CHARLES LAMONT
PRODUCED BY SELECT PRODUCTIONS
ASSOCIATE PRODUCER—BURT KELLY
RKO-RADIO PICTURE
London Films
Sets Deal for Use of Studio

By BRUCE ALLAN

London, Jan. 26—Pending completion of its own plant at Elstree, London Film has signed a lease with E. R. Goward for use of the Inter- ward, W. E. Hall, Isle- worth. The contract may run for 12 months, as the opening of the London plant, originally set for March, is not now expected until a much-later date.

Worton Hall, one of the earliest British studios, has recently been modernized and greatly extended. It is the only British studio with Western Electric equipment,arring British and Dominions at Boreham Wood. Leslie Banks, who scored a hit in "The Man Who Knew Too Much," has been signed on a multi-type exclusive contract by Alexander Korda, for whom he will appear in the stage plays of L. E. Sturgis Prod. as well as in London films.

A total of 117 features were finally banned from exhibition in the Irish Free State during 1934, it is revealed in the annual report of James Mont- gomery, Government censor. Original rejections were 164, but appeals succeeded in certain cases and in others cuts were accepted.

During the year, dramatic films submitted numbered 1,464, of a total footage of 4,711,958. British films were 138. The all-in total was 2,275 films of all length with a foot- age of 6,964,092.

"Pictorial publicity," chief post- ers, was rejected in 79 instances.

An official inquiry has been asked into the workings of censorship by the trade-controlled British Board of Film Censors.

Informed by the Archbishop of Canterbury, a deputation which saw Prime Minister MacDonald included representatives of the British film trade, the National Society for the Prevention of Cruelty to Children, the National Union of Teachers, the Free Church Council, the Salvation Army and the Jewish Social Service.

S. J. Grant-Robertson made the assertion that at least 25 per cent of films that had passed the censor were "unsatisfactory and in many cases distinctly demoralizing."

Joe Rock, who is producer in Eng- land for Leslie Fuller Prod., is in a hospital as a result of his car skid- ding and hitting another close to the Elstree studio. Severe shock is diag- nosed, in addition to other injuries.

Important extensions of the use of the film for educational purposes may result from a conference at the Ministry of Education.

Practical methods for the inexpen- sive installation of projectors in state- owned schools were discussed, and the standardization of sub-standard apparatus and films also came under review.

MOTION PICTURE DAILY
HOLLYWOOD PREVIEW

"Straight from the Heart"

Hollywood, Feb. 5—While Scott Beal's direction and B. F. Zeid- man's production are good, story and characteristics tend to hinder audience appreciation.

Trying to make Roger Pryor, a crooked, double-crossing politician, sympathetic and giving Mary Astor a sugar coating by having her care for orphans seemed insufficient to white- wash the characters, even though the trouping of both is okay.

While the author tried to spread sweetness and light around moral motives, the yarn is smug and hackneyed, with likable actors doing unlikable things.

Jane Ougley being cute is the entertainment high spot, with the audience about evenly divided regarding her cuteness. Henry Armetta, Andy Devine, Robert McWade and Doris Lloyd round out the cast.

Production Code Seal No. 490. Running time, 70 minutes. "G."

Report Snyder Out Of St. Louis Group (Continued from page 1)

Snyder and Harry Koplar refuse to comment on the reports. Arthur was here last week to attend a board of directors' meeting at which time, it is said, the matter was discussed.

Harry C. Arthur could not be reached at his Bronxville home last week as he was attending a meeting in Peekskill, where he could not be reached by telephone. Earlier in the day Arthur told Morris Picruza, Daily there had been no change in the St. Louis situation since his visit there last week. He said he planned to return to St. Louis in 10 days.

Jack Partington, when reached last night, said he knew nothing about the reported sale of Allen Snyder's interest in the St. Louis houses, referring all queries to Arthur.

Trenchard Refuses To Modify Film Ban (Continued from page 1)

and instrumentality in the nature thereof out of the court room.

In a telegram to Attorney General Wilentz of New Jersey R. H. Cochrane denies that the Hauptmann news- paper stories were "taken by trickery," as Wilentz charged late last week.

Explaining that his reply has been delayed by his illness, Cochrane says that he takes full responsibility for ordering the pictures used and also says that he has not recalled them.

Cochrane charges that the trial has been ballyhooed, that well known writers have editorialized on it, have "con- victed Hauptmann" and that such panes have been used to get Park avenue debutantes into the courtroom.

Newspapers, he insists, have treated the defendant with a dignified manner and with respect for the court.

Erpi Wins Victory On Danish Patents (Continued from page 1)

Washington on the Tri-Ergon case before the U. S. Supreme Court, de- tail was not available. Impression had, however, that the suit re- es- tablished the rights of those two distri- butors to dub versions for release in the Danish market.

Other distributors, by virtue of an earlier ruling favoring Nordisk, are understood to have agreed to pay that company a flat royalty fee to assure distribution of their pictures in the territory.

Music Hall After Zanuck's Output; May Annex Rivoli

"Lily " Boles
On Stage, Big
Detroit Draw

DESPRIT, Feb. 5—"The Gilded Lily" on the screen and John Boles heading a stage show at the Michigan ac- counted for the big money here last week. The take topped normal by $2,400 and totaled $22,400.

"The County Chairman" was still strong in its second week at the Adams, getting $5,000, and "Music in the Air" ran up a strong $17,200 at the Michigan.

Total first run business was $65,000.

Average is $56,000.

Estimated takings for the week end- ing: "COUNTY CHAIRMAN" (Fox) $5,000, 5-10c, 7 days, Gross: $5,550. (Average, $793)

FISHER-George M., 15c-55c, 7 days, Gross: $3,100. (Average, $443)

"LIVE OF INDIA" (U.A.) $10,000, 15c-55c, 7 days, Gross: $11,100. (Average, $1,586)

Production at New Peak; 48 Features

Hollywood, Feb. 5.—Production for the week ending Feb. 4 reached the highest peak in the past two years, with 48 features and 11 shorts before the cameras as compared to 40 and five the previous week. In addi- tion, there were 17 features and 10 shorts in the final stages of prepara- tion, while 45 features and 14 shorts were in the cutting room.

Warners led the field with nine fea- tures before the cameras, two prepar- ing and ten editing. At M-G-M-M-G-M had seven, none and 11; Paramount, seven, two and six; Radio, six, one and five; Fox, four, eight and four; Columbia, four, one and three; Century, three, zero and zero; Universal, three, zero and one; Goldwyn, zero, zero and one; and Research, one. Radio, zero, two and one, while the independents had five, six and eight.

Laemmle's Eyes Improve

KANSAS City, Feb. 5.—James R. Grainger, Universal sales manager, stopping here today on his way west, reported that Carl Laemmle, Sr., had recovered from his eye affliction and was expected back on the job today.

Charter Blair Theatre

TROY, Feb. 5—a state charter of incorporation has been issued to Blair Theatre Enterprises, Belleville, Kan., capitalized at $5,000. Sam Blair is the president.
DROP EVERYTHING if necessary

for the 15th ANNUAL M·P·T·O·A CONVENTION
at the Roosevelt Hotel
New Orleans
Feb. 25th, 26th, 27th, 28th

Get a nationwide slant on motion picture theatre management. Confer with fellow-exhibitors on showmanship problems. Hear well-known authorities discuss different phases of your business. Enjoy a corking entertainment program...planned by experts.

Eat at world-famous restaurants with food specialties from all over the globe. Stay over, if you wish, for the gala Mardi Gras celebration. And you can do all this at specially-reduced rail and hotel rates. • Make your hotel reservations now!

For further details consult the

Motion Picture Theatre Owners of America
1600 Broadway
New York City
Erle OBERON arrived late for the cocktail party in her honor atop the Music Hall yesterday afternoon, but, when she arrived, she was leaning on Joseph M. Schenck’s arm. There was a goodly crowd assembled, made up of U. A. executives, including Al. LICHTMAN, in a swell coat of tan, Arthur W. KELLY, Hal HORENE, and others from that office, as well as newspaper and magazine writers gathered in from around the town. Lady in Van SCHOICK’s attractive cubicle, pictures were taken. Leslie HOWARD, who was slated to attend, could not. A hull and a fever running with him prevented him. The reason for the party? Opening tomorrow of “The Scarlett Pimpernel” at that theatre.

JANET GAYNOR, accompanied by Henry FONDA, stage player recently signed by Fox, has left for the coast. Miss GAYNOR, who has been vacationing here for some time, will do “The Farmer Takes a Wife” as her next Fox role, but, with the lead opposite her.

BUSTER LOMAX, who, during his past three years at the Rosco has been at the theatre all hours of the night, now quits it 5:30 P. M, sharp. Reason? Last week he married NELL KELLY, mistress of ceremonies.

HARRY M. WARDON, back from Miami with a swell coat of tan, is matching colors with brother ALBERT, who returned last week from the same resort.

CLAIRE EZZEL is back from Dallas again and plans to leave for his home town on Monday. He left WILLIAM UNDERWOOD, his partner, in Dallas.

RUTGERS NELSON is still keeping those dental appointments and his office is filled with the candy, much to Rutger’s delight.

HARRY H. THOMAS returned yesterday from a brief trip to the Quaker City. AL FRIEDLANDER is in the Windy City.

MAX COHEN, manager of Warners’ Cinema, left for the coast yesterday. He’ll be away three weeks.

LEE LEE goes to Chicago Friday to attend the two-day Fox district managers’ meeting at the Congress.

EMILE SCHNITZER is around again after spending the week-end in bed with a bad cold.

HERMAN RIFKEN was in and out yesterday. His happy hunting ground is Boston.

GEORGE BANCROFT braved the snow flurries yesterday on Broadway.

SAMUEL GOLDWYN is due in from the coast in about a week.

J. M. Jerald tells one about the Bronze exhibitor who thinks he could do more business with the picture if Metro allowed him to change the name to “David Copperfield.”
Seek Formula For Producer Code Payment

Percentage Arrangement Being Worked Out

WASHINGTON, Feb. 6—Development of a formula governing the payment by producers of their share of the producer-distributor assessments for administration of the code today received the attention of the NRA legal staff.

Following the hearing on assessments yesterday, at which it was brought out that statements for the distributors had not been sent out pending approval of a formula governing the proportion of the assessment that was to be passed along to the producer, Deputy Administrator William P. Farnsworth and other Administration officials discussed the

(Continued on page 6)

Two More Years of NRA May Be Sought

Washington, Feb. 6.—Extension of the NRA for a period of probably two years, with only such changes as will give the administrative board greater discretionary powers, may be expected to be recommended to Congress by the President within a few days, it was indicated tonight.

A series of conferences between the President and Congressional leaders and administration officials have been held at the White House at which the

(Continued on page 6)

MPTOA Is Drafting New Code Attitude

Anticipating provisions in the new NRA legislation being drafted in Washington which will permit wide revisions of industry codes, the M.P.T.O.A. is formulating plans for drafting a new code policy for the organization during its annual convention in New Orleans late this month.

Immediate reopening of the code is expected to be asked by the organization and numerous amendments

(Continued on page 6)

Warners Will Test Airplane Broadcast

WASHINGTON, Feb. 6.—A plane of the Central Airlines, especially equipped for the showing of pictures, will make its first passenger flight tomorrow

(Continued on page 3)

New Paramount Appointees

HENRY HERZBRUN
He’s vice-president in charge of production. Also general manager of the studio.

ERNST LUBITSCH
He’s the new supervisor of production. First, however, he will make the next Dietrich.

Two Operator Cost Plans Up For Argument

Following elimination of the Harry Brandt proposal for a basic operators’ scale for this territory, the first to be submitted, metropolitan New York exhibitors and operators are now studying plans recommended by Charles L. O’Reilly, president of the T.O.C.C. and Local 306. A meeting of exhibitors is expected within the next two weeks for an open discussion on both plans.

The O’Reilly plan, listed as Sched-

(Continued on page 3)

“U” Schedule Next Year to Be Unchanged

CHICAGO, Feb. 6.—Universal is planning to produce the same number of pictures next year as it did this year, said James R. Grainger, general sales manager, as he passed through here today en route to New York after spending six weeks at the studios. Thirty-six features, six westerns and the usual serials, Grainger continued, are on the schedule for next year.

Grainger expects to return to Hollywood about the middle of April to

(Continued on page 3)

Music Hall’s Deal Extends To U. A. Program Complete

Negotiations for a hookup between United Artists and the Music Hall go beyond the 20th Century’s lineup and extend to the distributor’s entire program.

“I have been discussing a deal with the Music Hall,” Joseph M. Schenck, told Motion Picture Daily yesterday, “but at no time were those discussions confined to 20th Century, of which I happen to be president. The

(Continued on page 8)

Keough Given New Executive Jobs at Para.

Becomes Vice-President Of Film Subsidiaries

Austin C. Keough, secretary and general counsel of Paramount and subsidiaries, was named a vice-president of the company’s picture subsidiaries yesterday in addition to his other posts.

The vice-presidencies he assumes, those of Paramount Pictures Corp. and of Paramount Prod., Inc., were formerly held by Emanuel Cohen. In these capacities, according to the brief announcement of the appointment by Adolph Zukor, Keough will coordinate the production departments in New York.

In addition to his new vice-presidencies, Keough is secretary and a member of the board of Paramount Food, and secretary of Paramount Pictures. He is considered a likely nominee for the board of reorganized

(Continued on page 6)

Legislatures Have 111 Film Measures

In the 39 state legislatures which convened during the past month, 111 measures affecting the industry have been introduced, it was learned yesterday.

Five more legislatures will convene during the next month and before the 44 session close next summer the

(Continued on page 3)

William Fox’s Name Linked to Audubon

William Fox’s name crept into Broadway rumors last night as active bidder for the Audubon, upper west side house once part of Fox Theatres Corp. and recently dropped by the Schoures by court mandate. Joe Leo, Fox’s brother-in-law now operating the Los Angeles theatre in that city, was mentioned as managerial head.

Milton C. Weissman, receiver for Fox Theatres, stated yesterday several deals were under way with no cash in sight.

J. F. Dermody Dies After An Operation

James F. Dermody, Universal district manager for New England, died suddenly Tuesday at his home in Celtics
Leon J. Bamberger is planning all over the RKO offices these days. Yesterday was Friday, and for the second time when his brother, Herman C. Bamberger, manager of the Paramount North America, Mass., wired him his wife had just presented him another daughter.

Bob Sidman of Columbia's exploitation department, is receiving congratulations these days. Ray Sidman, his son, became the manager of Girls Monday at the Park East Hospital. Mother and daughter are doing fine.

Lou Smith and Tom Baily of the Paramount publicity department, are on a tour of principal cities paving the publicity ways for the forthcoming "Ruggles of Red Gap," "All the King's Horses," "Mississippi" and "How Am I Doing?"

Pat Casey, Nathan Yamins, Sidney Samuelson, Walter Gould, Donaldson, Herman Gluckman and Herman Robbins, veritable stragglers at the M. P. Club of late, put in an appearance yesterday.

Quip of the Day
Jack Ellis supplies the following conversation between two exhibitors after a preview: "Sam: 'How did you like it?' Joe: 'Well, I think it would make a swell double feature during a blizzard.'"

Charles D. Hilles, Paramount bankrupt trustee, left for New York last night. Charles E. Richardson, a former trustee, is due in from his Philadelphia home today for a brief business visit.

Tom Terlis, the Vagabond Adventurer, will relate one of his experiences for Rudy Vallee over the Flemishman hour tonight. "The Mysterious Mummy Case" is the tale he'll tell.

Governor Harold G. Hoffman of New Jersey has been invited by Sidney Samuelson to attend the annual meeting of New Jersey meeting at the Stacey-Trent Hotel in Trenton on Feb. 21.

Flan, Washington representative for Monogram, was in town and out again yesterday. Business brought him up.

John C. Flynn returned yesterday from a hectic day in Washington on Tuesday.

R. B. Willy is in town from the south for Lions club conferences with Y. Frank Freeman of Paramount.

Ethel Barrymore, Kitty Carlisle and Tom Howard are on Rudy Vallee's radio program tonight.

Nicholas M. Lurching, president of First Division Prod., is due to land from the coast shortly.

Jack Schaefer, Gaumont British sales representative here, is off on a four-week tour of the west coast.

Purely Personal

Gene Raymond, Merle Oberon, Jane Wyatt, Jimmy Celine, Rudy Vallee, Eddie Cantor, Ben Hecht, Charles MacArthur, Martha Sleeper, Hardie Albright, and Noel Coward are among those who have accepted invitations to appear at the Press Photographers' Ball at the Astor this week.

Stephen Callaghan, one of those slated to become a member of Paramount's new board of directors, has been appointed a temporary trustee of the Prudence Co. in its reorganization proceedings. He is also a trustee of Allied Owners, the Paramount creditor which nominated him for the company's board.

Joe Rivkin hasn't decided yet whether the new apartment will be on Park Ave., or in the Park Vei-
dome. Members of Radio's publicity department are all in a dither over the choice. They are trying to figure whether it will have to be Mr. Riv-
kin in the future.

Merle Oberon, by the way, is hav-
ing trouble these days now that the name of her hotel is known. Several people have tried to see her by posing as newspaper men, but no luck so far. That appears to be an old English trick.

Nance O'Neil and Effie Shan-
non, both stage veterans and not unfamiliar in film circles, have been elected members of the cast of "Bitter Oleaner," stage play due to bow in at the Lyceum Monday.

Herb Berg's newest pipe tops all the others in size. He is having trouble getting tobacco, however. His contributors are shying off trying to fill that bowl.

Bernice Claire, well known stage and radio star, starts work tomorrow in a Vitaphone short at the Brooklyn Polish Mutual and Billie Leonard are also in the cast.

Cliff Elliott has been popping in at various offices and has been on the road for the last two weeks. He is believed to be in Europe now.

Frank Conklin has been named assistant general manager of the Hearst hotels. He will supervise special service for film celebrities.

Freddie Meyer, RKO executive, is rapidly becoming known as the master of the Westminster hounds, Mt. Ver-
on branch.

Creisson Smith has been the envy of all the press rounds since those tropical post-cards have been arriving from Havana.

TV & Group Returning

Los Angeles, Feb. 6—Ending conferences with division managers, and Fox West Coast partners on future operating plans, Spyrus and Chelsea Cleary of the Fox Broadcasting Co. left Elmer C. Rhoden and others tonight were on their way east, where final signatures will be affixed to the Skouras' 10-year operating contract.

Germans' 10-Month Takes $12,500,000

Washington, Feb. 6—During the first 10 months of 1934, more than 40,000,000 people attended theatres in Berlin, according to a report to the U. S. Department of Commerce from the German-American Chamber of Commerce in Berlin. Nearly $12,500,000 was grossed by the theatres, of which $9,650,000 was taken in during the first 10 months of the year.

An average of 385 theatres operated during each month (including the theatres running daily as well as those in operation only a few days with a little more than 390 in October, 1934, and a low of 375 during July. The number of theatres operating daily in Berlin during October, 1934, totalled 387, with a seating capacity of 194,476. They grossed $1,634,692, 40.

October grosses, were the best since the 10-month period, exceeded those for the corresponding month of 1933 by more than $120,000, as well as the January figures, usually the best of the year.

The first two months of the 1934-35 season, a total of 82 features was approved by the censor. Of these, 57 were German, 10 American, four Austrian, three Danish, two French, and 20 English, and the equal number of first editions. Approval of the German production, a heavy de-
cline in the American share, and an increase in imports from other European countries.

Loew Finishes His Booking Testimony

Cross examination of David Loew was completed yesterday by Bruce Bromley, counsel for RKO, in the arbitration hearings of breach of lease charges brought by the Leiter & Schiffme-
der. Loew has been on the stand for the last three hearing days. Mayor La Guardia, who said that RKO violated provisions of the leases under which the latter operates the Holly-
day and Apollo, and seeks to compel RKO to play the same product in the houses that is played in other RKO spots. Involved in the hearings is a suit filed September 19, 1934, under which Loew's made available its Fox, Columbia and Universal product to the Allied Theaters. Yesterday's testimony was largely technical, and concerned production, distribution and exhibition trade prac-
tices. The hearing was adjourned for the Saturday due to the inability of the arbitration board to convene today or tomorrow.

Censure "Hei Tiki" Ads

Complaints against the theatre front advertising being employed by the Hearst "Hei Tiki" describing it as "suggestive" and "indecent," have been received by the Advertising Advisory Council of the M.P.D.P.D.A. The com-
plaints may be turned over to License Commissioner Paul S. Moss, as the council is without jurisdiction over the subject of the pictures. First Division, and the theatre operator, Harry Brandt.

B. & K. to Play Gaumont

Gaumont British product will go into the 34 B. & K. houses in Chicago as the result of a deal closed by Abe Fischer of the producing company's office there.
Two Operator Cost Plans Up For Argument

(Continued from page 1)

The "306" Plan

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<td>2,001 to 2,200</td>
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<td>2,201 to 2,400</td>
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<td>155</td>
<td>247</td>
<td>351</td>
<td>477</td>
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</table>

Additional hours to be figured on a pro-

The O'Reilly Plan

A theatre under 600 seats with 15-
cent admission would pay $81 a week. If the admission be 20 cents, the scale jumps to $99; if 25 cents, $117. For 30-cent admissions the booth cost would be $135. For 35 cents, $153; for 40 cents, $171. The scale jumps to $217 if the admission is under 15 cent-day week-day to pay $405. If the admission is 20 cents, $423; if 25 cents, $441; if 30 cents, $459.

According to the O'Reilly plan, the theatres are divided into seven classifications: de luxe, luxury, second, third, fourth, fifth and sixth. The de luxe type house is a theatre which includes an orchestra and a stage in the territory. The booth house is one which plays first run in neighboring areas. The de luxe house is a dock playhouse, usually in the center of the territory.

The second type classification are theatres of Loew's and RKO playing product of their parent companies, with the exception of exceptional films. The third type is the "B" class house of major circuits.


to $2.40 an hour and the 25-cent the-

With all factors the same, the theatre not playing vaudeville, the 35-cent house on the union plan would pay $279 a week, a difference of $99 from the O'Reilly schedule, and $5.24 an hour for overtime; for 30-cent houses, $361, or 93 more than the exhibition proposal, and $4.89 an hour for extra-

For 25-cent theatres, $243, or $87 above the independent schedule, and $4.50 for overtime.

 Nebraska Has Three Bills Hitting Films

LINCOLN, Feb. 6—With the close of the Nebraska legislature the film commission was a consistent target. Three bills are up which will work hardship on picture men if passed. One proposes a three-cent sales tax which includes theatre admissions, one calls for two men in a booth, and the third a graduated circuit theatre occupation tax.

Legislatures Have 111 Film Measures

The fourth type includes Skouras, Randforest, Consolidated, Cohn, Cocalis and a number of other circuits which play major theatres. These same circuits are grouped under the fifth classification, but are said to be houses of the same circuits following runs of theatres identified with the circuit. The sixth unit incorporates houses paying last runs in the partic-

A rate approved by the State Department of Agriculture in Georgia early next week.

To Change "Whole Town"

Columbia has returned the first print of "The Whole Town's Talking" and will bring the coast for changes recommended by home office executives. The picture opens Feb. 21 at the Music Hall.

Ampa Meeting Closed

Ampa's session today will be closed with discussion centered on the Naked Truth Dinner to be held at the Astor on April 27. Paul Benjamin is in charge of the annual event.

Warners Will Test Airplane Broadcast

(Continued from page 1) after noon, it was expected that the first screening broadcast of "Devil Dogs of the Air," a Warners' film, would be imminent. But reports have been contradictory, and sanitary officials, the War-ners' film, which drew all three of the Warner brothers—Harry M., Albert and Jack L.—to the theatre.

More of the proper atmosphere was supplied to the cast and director of "Devil Dogs" by the use of a trans- mission, while literally hundreds of the cast and crew brought in, including the members of the Warners' family. Albert and Jack L.—to the theatre.

The naval militia band played for the red carpet.
HELD DA COPPE

Produced by DAVID O. SELZNICK. Directed by GEORGE CUKOR. A METRO-GOLDWYN-MAYER PICTURE.

ARE YOU ALL SET
"I have never had a picture that built from day to day like this one!"

The Extended Run Hit! 4th Week Capitol, N.Y. 3 Weeks in Philadelphia. Held over 2nd Week Cleveland, Dayton, Boston, Columbus, Toledo, Wilmington, St. Louis, Kansas City, Indianapolis, Youngstown, Nashville, Hartford, Richmond, Worcester, Cincinnati. New Haven, Minneapolis, Atlanta. Engagements extended in Akron, Evansville, Canton, Memphis, Portland, etc., etc. We could go on forever, every mail brings new hold-overs! Are you all set for EXTRA PLAYING TIME?

— and another M-G-M sweetheart—"SEQUOIA"

FOR EXTRA TIME?
Seek Formula For Producer Code Payment

Hollywood, Feb. 6.—Balloting for the annual Academy awards begins this week. Announcements of the winners will be made at the Winter Garden and announced at the banquet on Feb. 27.

The nominations from which one in each division will be selected follow:

**For Best Drama:** "Happiness Lane" (Columbia), "Till the Clouds Roll By" (MGM), "Man of a Thousand Lives" (Paramount), "Night of Love" (The Thin Man), "A Fine Romance" (Warner). 

**For Best Actor:** Paul Muni in "The Life of Emile Zola" (Columbia), Gary Cooper in "The Fountainhead" (Paramount), Spencer Tracy in "Johnny Belinda" (MGM), Fredric March in "Dinner at Eight" (MGM). 

**For Best Actress:** Claire Trevor in "Johnny Belinda" (MGM), Carol Bean in "The Postman Always Rings Twice" (MGM), Janet Gaynor in "The March of Time" (MGM). 

**For Best Supporting Actor:** William Tabbert in "The Great各 Pickle" (Columbia), Robert Young in "Twelve O'Clock High" (20th-Fox), Herman Borkman in "The Father of the Bride" (20th-Fox). 

**For Best Supporting Actress:** Estelle Winwood in "The Story of G.I. Joe" (20th-Fox), Andrea King in "The In-Laws" (20th-Fox), Elizabeth Patterson in "The Cotton Club" (20th-Fox). 

**For Directing:** Mitchell Leisen for "The House of Rothschild" (MGM), William Wyler for "The Letter" (Columbia), Alfred Hitchcock for " Rebecca" (Universal). 

**For Editing:** "The Great Escape" (MGM); "The Big Country" (20th-Fox); "The Best Years of Our Lives" (MGM). 

**For Art Direction:** "The Jolson Story" (Columbia); "The Lavender Hill Mob" (MGM); "A Place in the Sun" (20th-Fox). 

**For Cinematography:** "The Conqueror" (MGM); "Gilda" (MGM); "The Quiet Man" (Republic). 

**For Sound Recording:** "The Unforgiven" (MGM); "icaid Suite" (MGM); "The Red Dice" (MGM). 

**For Special Effects:** "The War of the Worlds" (20th-Fox); "We're No Angels" (20th-Fox); "One Foot in Heaven" (Monogram). 

**For Music, Dramatic:** "Mocambo" (20th-Fox); "Show Business" (MGM); "You Can't Take It With You" (MGM). 

**For Musical Score:** "The Great Waltz" (MGM); "St. Louis Woman" (20th-Fox); "Sing, Sing, Sing" (MGM). 

**For Writing, Story or Screenplay:** "Let's Make a Deal" (MGM); "Night of Love" (MGM); "The Great Gatsby" (MGM). 

**For Writing, Original Screenplay:** "The Road" (Hollywood); "The Film of Life" (MGM); "The Big Country" (20th-Fox). 

**For Writing, Adapted Screenplay:** "The Bad and the Beautiful" (MGM); "The Farmer's Daughter" (MGM); "Pick-up on South Street" (MGM). 

**For Production Design:** "The Sound of Music" (MGM); "The Mississippi Gambler" (20th-Fox); "The Red Badge of Courage" (MGM). 

**For Art Direction-Set Decoration:** "Happiness Lane" (Columbia); "The Parent Trap" (MGM); "The Robe" (MGM). 

**For Editing-Black and White Feature:** "The Bad and the Beautiful" (MGM); "The Robe" (MGM); "The Desert Song" (MGM). 

**For Editing-Color Feature:** "The Red Badge of Courage" (MGM); "The Robe" (MGM); "The Desert Song" (MGM). 

**For Film Title:** "The Great Gatsby" (MGM); "The Big Country" (20th-Fox); "The Robe" (MGM). 

A certificate of merit will also go to one of the following for music and lyrics:

*Vincent Youman* for the music and musical: "1935 Grand Hotel" (Columbia), "The Great Gatsby" (MGM), "The Robe" (MGM), "The Desert Song" (MGM)...

Keough Given New Executive Jobs at Para.

Paramount Publicity, having the support of important creditor groups, has been granted a further three-month extension to the principal reorganization plan. The company states that the board of directors will consist of 16 members, of whom 9 have already agreed upon.

The board is not confined to the 16 named. Keough, it is believed, stands an excellent chance of filling the two remaining vacancies. The Munger dehqute group is also in the running again and, according to reports, is advancing the name of R. D. Clegg, executive of the Cotterick Silk Co. and the Hahn chain stores, as its candidate for one of the vacancies. Mr. Clegg has no connection with the Cug, however, that the board will be maintained, at least until after its formal approval by Federal Judge Alfred C. Coxe, at the present 16. Judge Coxe has reserved the right to vet any member proposed.

Mann personnel both in New York and Hollywood, regard the new Paramount production chief, Harry M. Mankiewicz, and Ernest Lubitsch with obvious satisfaction. Zorbe and George J. Schafer remain in Paramount's staff. Mann and Lubitsch on their new posts and on production plans for the coming season.

Two More Years of NRA May Be Sought

(Continued from page 1)

details of the new legislation have been disclosed.

Presentation of the legislation at the Capitol is expected to unleash several attacks on the NRA and the codes which have been held in abeyance so far this session in the House of Representatives. Congressmen of both majorities in Washington will attack the present setup with a demand that labor be given equal representation with employers on the codes.

In the Senate, Senators Borah of Idaho and Nye of North Dakota will attack the whole organization.

Charnow Case Delayed

Because of the absence yesterday of two principals interested in settling the clearance dispute filed by Julius Charnow of the Leonia, Leonia, N.J., against Skouras and Loew's, the matter is being held in abeyance until the early next week in Washington and will be available for discussion when the next P.T.O.A. convention sessions open.

Among the major revisions in the clearance plan the national exhibitor organization has indicated are an increase in cancellations; restrictions on double featuring and code elimination of score charges.
MALOY

COHEN

TIME (the inside story)

in

MOTION PICTURE HERALD

Out today
Celler Avers Booking Bill Was Requested

WASHINGTON, Feb. 6.—Representative Emanuel Celler today addressed members of the M.F.A., who were the District of Columbia and explained the aim of his anti-book block booking bill now before a House committee, declaring it would be introduced virtually at the request of his constituency.

Celler further said he held no brief for the maverick exhibitors or for exhibitors not connected with their district. What he feared was a scheme to cull exhibitors of his district, and to include the Goldwyn productions, those made by Reliance, 20th Century-Fox Films and other producers in their setup.

Progress looking to a momentary decision advanced in double time yesterday, it was learned elsewhere. Per centage terms covering the attractions involved were reported to have been agreed upon, or virtually so. The Goldwyn output plays a particularly vital part in the barter with the Music Corp., which is highly eager to make certain that any deal embraces this producer's releases.

The hurdle yet to be jumped consisted in getting both United Artists and the studio to agree to the same terms, which would cut U. A. into operating profits, but also into operating losses, if and when.

Moves for New N. E. Group Are Reported

Boston, Feb. 6.—Another New England independent circuit is proposed for Jerome Parker Jerome, who recently left the F. E. Lieberman company, has a franchise in the Providence, R. I., Jerome, who was formerly with Loew's in Paris, is reported to be after 14 theaters. The Bates in Attleboro, the Park in Woonsocket, and the Metropolitan in Providence are said to be under consideration. If Lieberman closes the Columbia here, which Jerome managed until replaced by Edward Sellette a few weeks ago, he would be put in the same situation. Discussion of this point is now being held over by the concern.

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Producers' Answer To Writers to NRA

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M-G-M in Printer Deal

Chicago, Feb. 6.—Bell & Howell has closed with M-G-M for a second battery of automatic film and sound printing installation in M-G-M and Culver City laboratory. The deal, which was signed by Eddie Mannix for M-G-M and Loew's assistant's last minute, but no the basis of 100 per cent automatic printing on release pictures, it is said.

M. H. Dicker Includes Full U. A. Program

(Continued from page 1)

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Roosevelt NRA Message Goes to Congress Today

WASHINGTON, Feb. 7.—President Roosevelt is expected tomorrow to send to Congress a message asking for continuation of the National Industrial Recovery Act.

Details of the legislation being prepared for introduction after the message are being closely guarded, but they are understood to provide for a two-year extension of the law, retention of Section 7A dealing with the right of labor to organize for collective bargaining, granting the President the authority to order changes in code provisions at will, and prohibiting the inclusion in codes of provisions permitting monopolistic practices where such practices are considered detrimental to the public.

While the above are held to be practically certain of incorporation in the law, there are rumors that the

Committee Named in Burr-Darmour Case

Following nominations by O. J. Donnelly, in charge of the concert office, Cinema yesterday appointed Henry Herzbrun, I. E. Chadwick, Harry Weber, J. Farrell MacDonald and Ned Marr as a committee to hear the dispute between C. C. Burr and Larry Darmour in connection with Kem Marsh's services.

The first two members represent producers; Weber, agents; MacDonald, players, and Marr, impartial observer. Marr is identified with the Los Angeles city attorney's office.

Objections of Lawyers Slow L. I. Hearing

First round in the long-awaited hearing of Century's clearance complaint against RKO, which seeks seven days' protection of the Fantasy, Rockville Center, for its Alden, Jamaica, and Strand and Columbia, Far Rockaway, ended yesterday with 29 objections by Louis Nizer, representing the respondent, and 17 for Mitchell Klupt, for the plaintiff. Nizer's tally, according to Motion Picture Daily's tabulation, was 15 objections in the morning session and

Seattle Labor Row Starts Court Test

Seattle, Feb. 7.—Another local theatre has gone into court in a fight against the code, following closely on the hearing last week.

T.E. Damages on Bankrupt Attacked

An opinion which may result in reducing by two-thirds claims against Paramount Publicity for treble damages aggregating $10,000,000 as a result of alleged anti-trust law violations was submitted to Federal court here yesterday by Special Master John E. Joyce.

The opinion held that treble damages cannot be asked of a bankrupt.

Adoption of Los Angeles Plan Speeds Others

Settlement of several controversial points in the Los Angeles clearance and zoning schedule centering around geographical areas and adoption of the plan by Camarillo yesterday paved the way for acceptance of other schedules in territories where exhibitors have shown a desire to draw up clearance setups. The Los Angeles schedule supersedes all previous clearances on contracts now in existence. Twenty-nine zones in 15 cities, covering 450 theatres served by the Los Angeles exchange, are incorporated in the plan. Tye Dillard, Jr., legal head of Code Authority, is now busy framing the legal language of the plan which will be put into effect in about two weeks.

Although the New Haven schedule was slated for action yesterday, discussion of the plan was put over until next Thursday because of the

Announcement

Harry E. Nichols of the Quigley organization, at the request of the New Orleans arrangement committee, has set up a bureau in New Orleans that will make home offers for exhibitors who will attend the M. P. T. O. A. convention Feb. 22-28

Because of the Mardi Gras, hotel and housing facilities in New Orleans will be severely taxed. If Mr. Nichols can help you, wire or write him at 118 Cleveland Ave, New Orleans, La.

Way Smoothed For Disposal Of Clearance

No Cooper Fight for Cohen, Insists Moss

Hollywood, Feb. 7.—Stories that Gary Cooper intends to protest against the removal of Emanuel Cohen as
AD to the thousands of words written to date on the Paramount situation, there have been a few by Adolph Zukor to obtain contracts for Henry Herzhorn and Ernst Lubitsch which would give them comfort signatures on dotted line imparts, representatives of Paramount’s ruling creditor and reorganization groups have re-fused. Zukor, who leaves for Hollywood today with George Schaefer, is reported to have per-sisted in his fight to obtain the contracts up to late last night, without avail.

His feeling, it is said, was dic-tated by his firm belief in the need for investing the entire studio organization with a sense of security which only written contracts for the two new appointees could effect. Also said to have been a consideration was his desire that the studio regime remain undisturbed as Paramount emerges from bank-ruptcy, possibly by April 1. The disastrous consequences of a change coming at this time, close to the company’s annual spring sales meeting and the start of the new selling season—or even the possibility of change—was in Zukor’s mind when he asked for the contracts, according to those close to the center of action.

The reorganization dictators, having their say, explain their reasons for the contract. They say they do not feel they have the right to bind the company to im-portant contracts on the eve of reorganization—contracts which would have to meet the approval of the new board of directors when it comes into being and power within the next two months. Moreover, they add, the top studio positions may be made permanent by the performances delivered between now and re-organization, at which time contracts may be forthcoming. Zukor, however, wishes to have those contracts now, leaves for the coast without them.

Charles E. Richardson, the only nominee for the Paramount board of the 16 agreed upon by creditors’ committees who has not signed his willingness to serve, will probably give notice of acceptance. However, he may remain on the board only until the new company is launched and stabilized, resigning or refusing reelection thereafter. Café security experts that the slate of 16 will remain as the list which will be sub-mitted for Federal Judge Alfred C. Coox’s approval on Feb. 14, despite sentiment in reorganiza-tion circles which favors a board of directors much more than six.

Some of this may come from important creditor sources. Some of it is almost certain to be aimed at John D. Hertz, Richardson, and two others. Whether it will have any effect in influ-encing Judge Cox to exercise the right he reserved to veto any member of the initial board re-mains to be seen. Discussion is now veering that they have added a chairman with one school of creditors proposing Frank A. Vanderlip and another still urg-ing that Zukor be made chair-man and Schaefer. The agreement on Zukor as president, however, appears to be sufficient at this time to make it unlikely that any changes are still to be heard from. Undoubtedly, they will be.

Space cramped the idea the other day when the news was spot, but not so this morning. Aside from Bob Cochran told Attorney General of New Jersey Wilentz about the newsreel situation at Flem-ington is much too good not to be used. In the Cochranian style, which is a very good and a very compelling one, the Uni-versal vice-president said plainly. Here it is: "There has been an earlier answer to your telegram in which you registered a protest against the use of scenes from the Haupt-mann case, showing some scenes. The Universal Company has violated no agreement with the court in using the newsreel. The truth of the matter is that the whole trial has been ballyhooed in some of the news-papers and over some of the radio stations day after day while the newsreel has been so decent and dignified that they have been faulted in their duty to the the-atres they serve."

"Some of the newspapers have spread the trial over innumerable pages. They have not stopped with handling the news. They have尽情ized in articles by special writers and in cartoons. They have found Hauptmann publicity a gold mine and others who have been soaking up the verbatim report of the trial with all the questions and answers. On the radio the trial has been handled directly from Flemington at least ten minutes.

"Of course of the stations, actors and actresses have been used to impersonate Hauptmann, his wife and the other who this has been done with"

(Continued on page 15)

**Insiders’ Outlook**

**By RED KANN**

Friday, February 8, 1935

**MOTION PICTURE DAILY**

(Formerly *Insiders’ Day*)

Vol. 37 February 8, 1935 No. 33

MARTIN QUICHEL Chairman

MAURICE KANN Editor-in-Chief and Publisher

JAMES A. CRON Advertising Manager

Published daily except Sunday and holidays by Motion Picture Daily, Inc., 114 West 42nd Street, New York, N. Y. Copyright, 1935, by Motion Picture Daily, Inc. Martin Quicke, President; Calvin Brown Vice-President and Treasurer.

**DAILY**


distributed by


Subscription rates per year: $6 in the United States and for-est $12. Single copies: 10 cents.

**R I C H A R D S O N**

Friday, February 8, 1935

**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

**Insiders’ Outlook**

**By RED KANN**

Pittsburgh, Feb. 7.—The first combination broadcast from and showing with the flight of the Spirit of the Air, the first Cosmopolitan picture to be released through Warn-ers, was shown with some of the film distributors as audience broadcast over stations WCAE and WRC of the NBC network. The movie was released as an exploitation stunt for the openings here and in New York.

With a passenger list including General Good, assistant commandant of the Marine Corps; Senator Guffey of Pennsyl-vania; Gene Vidal, director of air commerce; Stephen Cisler, superintendent of mails, and newspapermen, the ship, which had been christened and formally turned over to the government, took off, left Washington at 5:35 o’clock. Helen Richey, only licensed female transport and airmail pilot, was at the controls of the dirigible. At 5,000 feet the picture was flashed on the screen. Half an hour after takeoff, in New York, the announcer commenced the broadcast. The ship landed here at 7:15. Burton Greeney, pilot and ex-ecuted by Joseph Feldman, Warner advertising director in the Pittsburgh zone under Harry Kalmine, Frank Falce, of the Warner Western office, handled things from that end. Mort Blumenstock, director of adver-tising for Warners’ theatres, super-vis ed it.

**New System Adopted In Rating Pictures**

A new system of classifying pictures as published by the Catholic News for the New York Archdiocese has been adopted by the Catholic Educational Services, Roberts Moore, secretary of the Lei-son of Decency for the archdiocese. Under it are arranged four effect four classifications. This is brought about by the division of Class A, that is, some of the films in this division by the one for adults, and juvenile audiences and others are approved for adults only. The classi-fication is as follows: Section 1: "Approved for Adults Only," Section 2: "Approved," Class B continues to include films neither recommended nor con-demned and Class C is for condemned films.

In describing the second section of Class A, Father Moore says: These pictures may readily be thor-oughly acceptable and wholesome en-tertainment for the adult, yet might raise in the child’s mind questions preferably deferred to a more mature age."

**Norwegian Film Opening**

"En Stille Flirt" ("A Little Flirt")-Norwegian musical film starring Titta Berntzen, will be given its American première on the employee of the British Academy of Music on Saturday.

Zukor, Schaefer West

Afton, Utah, George J. Schaefer and Russell Holman leave for the Par-amount studios today.
Daily Variety: "Combination of Harold Bell Wright's name on one of his best known stories, plus an interesting and fast-tempoed production, makes this one top-notch entertainment. All of the punch of the author's story has been transferred to the screen."

Motion Picture Daily: "This speedy, human, high-class western gives George O'Brien the best role of his career and presents top-notch entertainment to all houses demanding this type of show. Should clean up, as star, story and amusement values tab it for higher brackets."
Emerging gloriously from the vital smash-seller of today by Robert Nathan come
the adventures of two who suffered, strove and triumphed..... guided by
a pure, unselfish love that no man or circumstance could crush. Life
and laughter..... depth and drama..... played with inspired
fervor by your favorite star team!
FOR THE STARS WHO GAVE YOU "DADDY LONG LEGS" AND "PADDY"!

Janet Gaynor

Warner Baxter in

ONE MORE SPRING

with

Walter King  Jane Darwell  Roger Imhof
Grant Mitchell  Rosemary Ames  John Qualen
Nick Foran and  Stepin Fetchit

Produced by Winfield Sheehan
Directed by Henry King
From the novel by Robert Nathan
Screen play and dialogue by Edwin Burke
Radio:
- Pre-opening broadcast over WOR featuring UNCLE DON, children’s radio favorite.
- Nightly broadcast during run by UNCLE DON over WOR with passes offered to children on their birthdays.
- “BABOONA” program over WOR with Martin Johnson outlining his experiences.
- International broadcast over Columbia Broadcasting System and affiliates (62 stations) to Admiral Byrd with Martin and Osa Johnson exchanging notes with South Pole explorer.

Newspapers:
- 10-day contest in N.Y. Evening Post on “My Thrilling Experience” during run of picture. This tie-up is possible in all situations with sectional prizes of 75-day African trip. (Also run in Cleveland News, Louisville Times, Indianapolis Times.)
- Special story on 25th Wedding Anniversary of the Johnsons in leading dailies.
- Flashy smashing theatre ads selling unique thrills of production.
- Special illustrated six-column Story Strip series, “Danger Trails” in N.Y. Evening Post... syndicated in many other key city newspapers.
- Column upon column of general publicity and photos in all New York papers.

Stunts:
- “The Flying Theatre”... an aerial preview to newspaper publishers, critics, etc., in co-operation with Eastern Airlines, Inc. Played up big in all dailies.
- Special showings for schools with Department of Education distributing circulars to children.
- Displays in Public Libraries and Museum of Natural History. Endorsed by them.
- Window and interior displays in travel bureaus through American South African lines.
- National advertising tie-up with full-page Coca Cola ad in American Magazine. Local Coca Cola tie-ups with fountains.
- Window displays in the great Reeves grocery store chain, tied in with products used by the Johnsons on safari.

Lobby:
- Flash jungle-style lobby plastered with high-power selling lines, cutouts, special gorilla-mouth box-office, colored enlargements, hundreds of arresting stills, unique marquee display.

MR. & MRS. MARTIN JOHNSON’S
“BABOONA”
An Aerial Epic Over Africa
Supervised by Truman Talley
**Short Subjects**

**"Going Places with Lowell Thomas"**

(*Universal*)

Starting in Turkey, Lowell Thomas journeys on to Mount Hood in America and then to Bermuda. His remarks are by far the most interesting part of this short which includes ground already covered by many a travelogue. It should please audiences, however. Production Code Seal No. 0259. Running time, 9 mins. "G."

**"Going Places with Lowell Thomas"**

(*Universal*)

In an interesting and entertaining manner, Lowell Thomas takes the audience through a Mexican fishing ceremony, the manufacturer of billiard balls, the mountains of the west and festive Japan in this reel. To be recommended. Production Code Seal No. 0200. Running time, 10 mins. "G."

**"Stranger Than Fiction"**

(*Universal*)

This, the sevenieth of the series, is equally interesting and as entertaining as any before it. It contains scenes of a girl bathing a lion cub, the world's smallest mail train run by batteries, fishing for pearls, an artist who draws with a typewriter, a one man town, a blind violin maker and a pet cemetery. James Wallington, of the radio, does the off-screen commenting. Production Code Seal No. 0200. Running time, 10 mins. "G."

**"Hill Billys"**

(*Universal*)

This Oswald cartoon has all the characters of the series as hill billys, and the usual story should prove entertaining. Oswald is in love, but the object of his affections is a member of the family with whom he is living. To the accompaniment of mountain music the lovers manage to get married and stop the feud, but only momentarily. This one is slightly above the average set by preceding members of the series. Production Code Seal No. 040. Running time, 9 mins. "G."

**"Parrot-cite Old Folks"**

(*Van Beuren-Radio*)

Here is a cartoon done in color that should have particular appeal to children. The characters are all parrots and their antics are amusing. An old parrot sea captain and his mate go over to the old folks' home to entertain the inmates, with the result that several songs and dances are presented. No code seal. Running time, 7 minutes. "G."

**"Stranger Than Fiction"**

(*Universal*)

Tells with liquid air, a girl with a weird variety of pets, screen-writer John McDermott's odd house in Hollywood, the world's tallest newreel camera, a rooster with a 13-foot tail, a windmill boat, a man who makes his living tasing soap and the mining of quicksilver are all shown in this, the sixth of the series, and is the commentator. Recommended, with combined to make an interesting short, but production code seal. Running time, 9 minutes "G."

**Looking 'Em Over**

**"Captain Hurricane"**

(*Radio*)

Hollywood, Feb. 7.—A slow moving story produced without much imagination tells of a retired Cape Cod sea captain and his romance of 13 years which has never culminated in marriage because of his temper. There is a minor plot involving an adopted daughter and a visiting youth who comes to the Cape to work on an invention.

In trying to weave these elements into an entertaining story, the picture gets tangled and seldom becomes convincing. New England characters reflect penury with hearts of gold while the atmosphere is mostly drab.

James Barton, who makes his feature debut, is handicapped by material, although on several occasions he overcomes these obstacles, turning in superbly finished scenes. With a better vehicle Barton should be a good bet. Helen Westley, playing opposite, suffers from the same trouble, never being able to rise above the situations and lines. Douglas Walton and Helen Mack are cast as the young lovers and struggle valiantly to make their characters seem natural. Gene Lockhart and Henry Travers have occasional moments as comedy relief. John Roberson directed from a heavy-handed material. Fred O'Heron produced. No production code seal. Running time, 76 minutes. "G."

**"Northern Frontier"**

(*Ambassador*)

Here is red-blooded entertainment for young audiences. The film should satisfy a "G" the most ardent of action fans. Its story, while by no means original, is told in fast tempo with considerable suspense against a north country background that offers an opportunity for some fine outdoor shots captured by Edgar Lyons' camera. Hard riding, gun play, fistscuffs, these are to be found in generous proportions.

Kermit Maynard has the role of a Mountie in this film, based on James Oliver Curwood's "Four Minutes Late." Set to work on a counterfeiting case, he finds himself on several occasions a hair's space from death. To get the goods on the counterfeiting gang, he passes himself off as Russell Hopton, a fugitive from the States on his way to join the outfit when he is captured by the Mounties.

The suspense is supplied by Maynard's efforts to keep the gang from suspecting the truth. When his identity is finally revealed, Maynard finds himself in a pretty spot, but help comes in the nick of time and the facade has the hero and the girl friend (Eleanor Hunt) being married.

Other players include J. Farrell MacDonald, Roy Mason, Ben Hendricks, Jr., Gertrude Astor and Lloyd Ingraham. Sam Newfield directed.

No code seal. Running time, 57 minutes. "G."

**Just a Publicity Yarn**

Fox publicity department sends this one out sans blushes:

"Fox Producer B. G. DeSylva has cabled the final shooting script of 'Under the Pampas Moon' to Bert Glennon, chief of a camera crew making atmosphere shots for the picture in Buenos Aires. The cable amounted to $4,236 words. "Glennon has been in the Argentine for several weeks getting background sequences."

**Not from the Fox publicity department:**

The cost of this message by night letter rates would be $6,333.04 at 14 cents per word. By airplane in a pigskin portfolio carried by a special messenger it would have taken eight days and cost $1,267.20 for the round trip. By air mail it would have taken eight days and cost $90 for a five pound manuscript at 35 cents per half ounce.
Objections of Lawyers Slow L. I. Hearing

(Continued from page 1)

14 in the afternoon, most of which were sustained. Klupt had 11 in the morning and six in the afternoon.

Twice during the hearing Leo Abrams, chairman of the main clearance and zoning board, had to call executive sessions for decisions on objections by Nizer. In both instances Nizer was sustained. When it became Rockwell 5 and 6 and Sam the hearing would drag a long time, the board went into executive session and agreed to adjourn Midweek. Although the board usually adjourns until the next day, this procedure had to be discarded. If they were allowed to leave for Bermuda today on a post-poned honeymoon and will return next week in time for the resumed hearing.

Many RKO Men on Hand

RKO representatives who attended the hearing included Major I. E. Lambert, of the legal department; John R. Rockefeller, Jr., and chief counsel for RKO Film Booking Corp.; Charles B. McDonald, division manager for Manhattan, Brooklyn and Long Island; Brooklyn; Walter Gutteridge, manager of the Strand and Columbia, Far Rockaway; Fred Meyers, Leo. Goldenson, Harner, A. B. W. H. Nizervit and John Heinz, manager of the Alden, Jamacia. Thomas Murray and Long Island; Stephen Nizer, assistant manager for RKO and a New York lawyer, attended the hearings for witnesses for Century. Sitting on the board in addition to Abrams and Shiffman were ex-judge Alfred E. Stereo, Eugene Nizer and Mr. Leo's, Radford Rugoff of Rugoff & Fisher circuit, Robert Wolf, manager of the RKO Booking Office, Gambling Yules Bolognino, president of Trio-Consolidated.

The Nizer Connor was grilled by Klupt for the major part of the morning concerning his relationship with RKO and the booking pool between the circuit and Century. McDougall was questioned for about an hour on the mailing list of the Alden, roads and distances between Rockville Centre and Long Island and advertising by the RKO house. Gutteridge was next on the stand and testified mostly out of print and advertising. Nizer raised strenuous objections to testimony by Murray and Schwartz when contracts containing their statements could not be introduced. He was sustained.

Basis of Century Complaint

Century's complaint is that during the first week of February they have operated, RKO houses in Far Rockaway haven not had protection, running day-and-date. For three years there has been an operation of the RKO house in the litigants. Last year Skouras' Lynbrook house had seven day's protection when a booking arrangement was set between Skouras and Century.

With the lifting of the Lynbrook clearance, RKO is now buying a week's protection over the Fantasy for the Far Rockaway Strand and Columbia and Jamaica Olmen.

RKO's contention is that it held the right of the booking contract all along because it gave up two weeks' protection for three years as a result of the Schwartz pool. RKO had 14 days' clearance on all Kings, Queens and Nassau county theatres for a consideration of $100 for Schwartz protection rights.

On certain distribution contracts made last year, Schwartz testified that the only theatre green lighted in the抵押 was Skouras' Lynrock, but these pictures did not involve the RKO split.

Seattle Labor Row

Starts Court Test

(Continued from page 1)

the hearing of the Seattle strike which is now awaiting a Superior Court decision here.

Sam Sax's Mayfair, formerly the Ethiopian charged that R. D. Horning, state NRA compliance officer, is prejudiced in favor of organizing and that he withdrew his appeal after an NRA arbitration meeting. Its attorneys made a brief appearance to state that they would challenge the constitutionality of the recovery act as applied to this case.

The action followed a walkout of the theatre leaves and also stagehands and operators at a late evening show. Fifteen members of a negro service union, appearing in addition to a dual-feature, a popular film program, also walked out. The confusion, it is reported, led to a scene change in a different show and, by the way, the theatre was closed.

The theatre has been paying $1 an hour, it is claimed, but the union and NRA officers believe the scale should be $1.25 for a house seating 1800 persons.

Ban Neb. Bank Nights

OMAHA, Feb. 7.—Osland & La-Flue, State Central City, Neb., have been ordered to stop bank nights. C. J. Riggs, manager of the Sun, was the complainant.

Riggs was represented at the hearing by his wife, being taken to a local hospital for a serious operation the day before the hearing.

Order Iowa Film Stopped

DES MOINES, Feb. 7.—Discontinu-ance of service to the Strand and Casino at Marshalltown, la., managed by Don Thornburg, has been ordered by the grievance board effective Jan. 24 for refusal to comply with an order to discontinue bank nights. Thornburg's appeal to Campi was denied.

New Three-Dimension Test Stirs Coast's Interest

Laemmle Better

Hollywood, Feb. 7.—Carl Laemmle's eye condition has improved to a point where he may return to active duty at Universal by the end of the week.

Hollywood, Feb. 7.—Gregg Toland, head cameraman for Samuel Goldwyn Prod., is enthusiastic over a new device in three-dimensional photography devised by William Adler of Pasadena. Adler was camera man un till last year. He is now an associate in the California Institute of Technology, the institution of which Dr. Robert Millikan, Nobel prize winner, is head.

The Adler process is claimed to be different from any other three-dimen sional film process. Each frame of the image on the film, whereas the others used two, in the manner of old stereo optique machines, the new process is otherwise, a three-frame process which fits over the lens of the camera. The mirrors twirl with the camera and the third frame photographed is recorded on the same strip of film from three different angles.

Tested by Goldwyn

Samuel Goldwyn has put the process to various tests, and one reel of film which the trial out at Grauman's Chinese, proved satisfactory in every way, it is claimed. The three dimensional illusion was plain from every seat, and the general effect was that of looking at a scene as if there were no screens. The depth shown was real and the same as the theatre in the scene as it was photographed.

With the Adler process no additional equipment is needed in theatres, according to the inventor. The film is projected exactly as it is now. Only a few of the viewers' standpoint, additional cost will be entailed for lighting. It will also mean that more location trips will be needed, as the sets now used would not stand up under the new camera. The cost of the mirror attachment for the camera lens is nominal, it is said. For the actors' standpoint, it will mean that all of their features will be caught, and it will be impossible to bolster up their weaknesses by catching them from their best angles as is done now.

Way Smoothed for Disposal Of Clearance

(Continued from page 1)

amount of business on hand. With prices as the basic factor in the coast setup, and a provision protecting districts from over saturation, it is likely that any clearances where theatres with similar admissions get like availability, the new routine of clearances will be adopted in quick order.

Five Kansas City independent exhibitors have asked Code Authority not to vote on that schedule in the hope that an amicable arrangement will be worked out with Elmer C. Rhoden, Fox Midwest. However, Campi did not reach the Kansas City plan, but when it comes up on the calendar, it is understood that Code Authority will discuss its various angles and hold in abeyance its adoption until the Fox Midwest matter is disposed of. Milwaukee and Detroit schedules will be discussed following the K. C. plan.

Leonia Case Again Delayed

Action on the Leonia, Leonia, N. J., clearance complaint against Loew's and Skouras was again delayed for another week. A meeting of Edward Golden and Skouras and Loew officials was to have taken place Wed nesday of the clearance committee, but opposition to the application was made, but Loew's case is to have been on the stand for three days. A meeting of the committee is expected to take place within the next few days.

John C. Flinn reported on the Washington public hearing on the financial worth of $5000 for prints. He also advised the members that the two Los Angeles suits, brought by the Motion Picture Relief Fund of San Gabriel, to restrain the grievance board and distributors from shutting off film service for refusal to abide the rules on bank nights, were dismissed.

Vaudville amendments to the code were approved by Campi and Richard is now drawing an order for the changes. This will come through in about a week.

Questionnaires sent by Flinn to impartial members have not been returned 100 per cent and no report on the matter was made.

Roosevelt Message To Congress Today

(Continued from page 1)

measure may go further and may permit industries to elect whether or not they shall continue under codes.

The recovery legislation will be followed by a bill now being prepared by New York Senator S. Young, Central Theatre, Kansas City, by the Independent M. P. Operators, which is to be introduced.

Break of contract and discrimination is alleged. Young's contract with the group was to expire next May. Young was notified Sept. 1 and hired an operator from Local 170, I. A. T. S. E. The former operator, according to the agreement, is to be given a sum equivalent to his pay from the time of his discharge.

$9 a Point, Not 9 Cents

The value of a point in the Local 306 operators' booth plan is $9 and not nine cents as inadvisably published in yesterday's Morton Picture Daily.

MOTION PICTURE DAILY
Kansas City Again Stops Bank Nights

KANSAS CITY, Feb. 7.—Bank nights and similar devices continue to falter under the ban of the local grievance board, which has ruled against offenders in new cases.

Finding competition exists between the theaters in showing films, taxing them of more than three and one-half miles, the board has reaffirmed its original judgment that the ranks. If, St. Joseph, Mo., discontinue the nights because of unfairness to the Olive, operated by W. W. Wells, Kansas City has recently upheld the board's decision against Cassil, but the latter requested a rehearing on the element of actual competition. This case is now closed as far as the local board is concerned.

Cassil's cash night complaint against protesting in behalf of reading on a desist order against the respondent. The complaint was dismissed as against Barney Dubinsky, named as the alleged owner of the theater, the cause evidence failed to substantiate the claim.

A desist order was entered against A. B. McNabb, Gen., Neodesha, Kan., on complaints charging bank night and merchants' free shows filed by Glen Klock, same town. The order was for an Oklahoma case as a precedent, the board also ordered Klock to file a certificate of compliance on evidence of reduced admissions.

Tom Steele, Fox Midwest manager at Pittsburgh, Kan., has compiled an order to drop bank night, and discontinued reduced admissions. J. A. Lenski, Cozy, same town, has agreed not to resume cash nights or similar stunts.

POUZER WINS CLEARANCE

BOSTON, Feb. 7.—Morris Pouzner, Kausa City Council of Code Theatre Corp., has been sustained by the clearance and zoning board in his appeal for action against George Ransdell and William Lewis, property owners. The decision states that Malden shall be the key city to determine clearance over the theater of Ransdell & Lewis, Reading and the theatre of the resident in Wakefield and the theatre of the members of Tu Stoon when which was a part of the party to the petition; that Malden shall have 14 days' clearance over theatres in Reading, Wakefield and Stoneham charging admission price of not less than 35 cents or 21 days' clearance over theatres charging less than 35 cents but not less than 25 cents.

SEEK MISSOURI NRA LAW

KANSAS CITY, Feb. 7.—The Greater Kansas City Council of Code Authorities is preparing a "big stick" for code violators in the form of a bill making violations punishable by state as well as local law.

Representatives of 24 code boards voted to support the bill in the Missouri legislature. The bill is advised by the national NRA board. Similar acts have been passed by 14 legislatures.

STOP "ECONOMY CARDS"

NEW ORLEANS, Feb. 7.—The Lyceum, which for a long time has been selling "economy cards," 10 admissions for $1, has been notified by 'Code Authority to stop the practice. The theater will obey the order.

NATE SPINGOLD is not- neglecting his bridge now that he is in sunny Florida. He and Mrs. Spingold have as their house guests in Palm Beach none other than the late Mrs. E. Hays, her friend and wife. Spingold will probably have a few more pointers for the boys when he returns, for reports reaching New York say he is more than holding his own with the expert.

JULES LEVY has decided he'll attend the MPTO.A. convention in New Orleans late this month. But he'd better not count on those flannel and sport clothes that cut such a figure in New Orleans, because it's colder in the city.

LIO ABRAMS of Universal rates a big hand for the way he conducted the hearing yesterday on the Cincinnati-Kansas City clearance issue. He was chairman of the board.

MAJOR L. E. LAMBERT of RKO almost fell asleep yesterday afternoon while attending the session. He thought he heard someone mention Central bookings and he was all ears.

Quip of the Day

Mike Marco, now in Los Angeles, wrote Harry C. Lehr, chairman of the east, the other day that he understood the Music Hall war in a different way, with A. A. for all of the latter's product. Marco added it would be a good idea to try and get some of the product for the RKO. Arthur wrote back: "I saw the story in Motion Picture Daily. It would be cheaper to buy the Music Hall!"

HYMAN RACHIM leaves for the coast some time after tomorrow and will be away five weeks. While in Hollywood he will visit his son, Sunney, vice-president of Goldsmith Prod., Ltd.

DON ALESSANDRO TOLONIS and his bride, the former INFANTA BEATRIZ of Spain, went for a week in Los Angeles yesterday to see the newsreel shots of the recent wedding.

WALTER ABEL of the "Merrily We Roll Along" cast, who was recently signed by RKO, leaves for the coast next week.

Ed Smith, the terror of him, sends greetings to Jimmie Cronin from Miami where there's no weather problem.

CHARLES MOSES has been home with the grip ever since his birthday party last Monday.

LESLIE HOWARD is back again before the footlights in the "Petried Forest" after recovering from a minor ailment.

R. B. WILKIE is for Charlotte last night.

M. A. LIGHTMAN returned to Memphis yesterday.

HARRIE ALBREIT will return to the coast on Feb. 19.

HARRY SHIFFMAN leaves today for Bermuda for a belated honeymoon.

H. E. McINTYRE, RKO's southern division manager, is due in town Monday for home office conferences. He'll pick up Al Mertz, souvenir collector and manager, and tour the south with him, winding up at New Orleans at the end of the month.

Ed McEvoy is phoning the weather man every half hour these days. He is supposed to play host at the Westchester Country Club's manager, and tour the south with him, seeing new parties and he wants to be sure of snow. So far the prospects for the party are not good.

TIM WHelan, Gambrim British director, and his wife, MIMIA SEE, are among the town's sights before pulling out for the coast next week. They arrived on the Ile de France early this week.

JOHN BORITZGER, recent addition to the Hays organization, is being given the accounts of all departments of the M. P. P. D. prior to receiving a permanent working assignment.

DELORES COSTELLO is due in town any day from Hollywood, and is coming to join her husband, JOHN BARRYMORE, who recently arrived from abroad.

ALEC MURRIS is all steamed up over the "Zagelles of Red Gap" advertising and exploitation contest. He even dreams about it at night, it is claimed.

ERIC HATCH has sold his story, "101 Fifth," which appeared in Liberty, to Universal as a probable vehicle for Cesar Romero.

JOHN LODGE, who has been working at the Fox plant in Hollywood, is planning to return to the coast late next week.

HUGH WILLIAMS will appear with TAYE KORNELL in "Flowers of the Forest," new play by JOHN VAN DRUTEN.

EDWIN JUSTUS MAVER is responsible for a new play, described as a satirical comedy. New York probably will see it next season.

LEON JANNY has been signed for the Theatre Guild's cast for Shaw's "The Simpleton of the Unexpected Isles."

CHARLES J. GERICHT of Celebrity Press is planning an extended visit to southern and mid-western advertising centers.

J. H. LANG has been placed in charge of the Fox home office personnel department.

TALLULAH BANKHEAD opens in the revival of "Rain" (stage) Tuesday at the Music Box.

JOHN BOLES ended his personal appearance tour in Chicago yesterday and is on his way back to the studios now.

Ben Gotti, starring for Al Loew's, will operate in Florida, on the type of bridge played at the Motion Picture Club: "They play for 10 cents a point. If you can't think about the game at five cents a point, they don't even let you be a kibitzer."

Shea Is Ordered to Release 25 in Ohio

CINCINNATI, Feb. 7.—The local grievance board has ruled that M. A. Shea, Zanesville, overbought for the Weller, and has ordered him to re- lease 25 in the case. Shea, who had taken the matter up with the Department of Justice, at Washington, was met by the notice today.

Prof. E. V. Hollis, of the Morehead, Ky., State Teachers' College, has appealed to Campi to handle the films of the board's control since he can half-page-display ads in the Mt. Sterling papers stating that certain pictures would not be shown in complainant's town this season. The newspaper of Al. Shea incurred no expense of operation, except the film rental, as the college is entitled to 15 per cent towards the maintenance of which Hooven contributed as a tax payer. Space in the Mt. Sterling papers was donated, the evidence showed.

Glen Klock Files Appeal

KANSAS CITY, Feb. 7.—Balking at confining his operations to six to eight weeks a week, he has taken the case of the local grievance board, Glen Klock, Neodesha, Kan., has appealed to Campi the decision that he release surplus product to A. B. McNabb, his competitor.

Klock claims he has to use seven to eight weeks a week, to keep up with neighboring towns, which play close to release date. He also says there is some product which he has not bought and is available to

Delay N. O. Complaint

NEW ORLEANS, Feb. 7.—The clearance and zoning board has postponed action on a complaint from New Orleans of the Denharder's Peacock Theatre on zoning. No date for the hearing has been set. Denharder, whose house is in a recent ruling, has complained that he could not get Fox to fulfill a first run contract in that zone that he had to wait after the Dreamland, which the clearance and zoning board had placed in another zone.

Kenosha Case Dropped

MILWAUKEE, Feb. 7.—The local gri- vant and the Zanesville Times have dismissed a case against the Southport Theatre Co. vs. Saxe Amusement Management, Inc. The former, operators of the Butterfly in Kenosha, charged the latter, operators of the Kenosha Theatre in that city, with reducing admission prices.

Denton House Complaints

WILMINGTON, Feb. 7.—The Den- ton House, which has already filed complaint with the grievance board, is again against the Ridgely, Md., the Den- tonia charged the Ridgely with making cash giveaways in violation of the code. Both are independent houses.
PARAMOUNT - takes MIAMI

THESE ADS

AND THIS PUBLICITY

George Raft and Carole Lombard

with Margo, Lynne Overman, Monroe Owsley, Iris Adrian, Gail Patrick...
“RUMBA” by Storm!

GOT THIS OPENING!

OVER CAPACITY AUDIENCE OF WORLD PREMIERE OF RUMBA TONIGHT ENTHUSIASTICALLY ACCLAIMED PICTURE. AUDIENCE INCLUDED MANY SOCIAL CELEBRITIES AND BUSINESS LEADERS FROM ALL OVER THE UNITED STATES. THE REACTION TO THE PICTURE UNANIMOUSLY FAVORABLE, RESPONSE HERE UNMITIGATEDLY INDICATES RUMBA SURE FIRE HIT.

E J SPARKS.

10,000 people jammed Flagler Street, Miami, trying to get into the world premier of “Rumba”

ard in “RUMBA”

Paramount Picture . . . . Directed by Marion Gering
Hollywood Personals

Hollywood, Feb. 7.—Isabel Jewell is entertaining a papa, here for the first time from Shoshone, Wyo. July. Junior Hurton off on a hunting trip.


Lon Chaney, Jr., exhibiting about 20 cups won by Flora Mc Kinney in "The Doctor.""

"Forsaking" Pulls $12,500, Montreal

MONTRÉAL, Feb. 7.—Despite cold days, colder nights, winter sports and the annual auto show, theatres did a little better than average last week. "Forsaking All Others" played the Palace for three days before the house closed down for the week. Gross, $7,500.

"The First World War" at the Imperial proved a success at $5,500, considerably above par, and was held for a second week. "The Secret Bride" and vaudeville grossed $10,500 at Loew's, which was ordinary.

Total business was $43,800. Average is $40,500.

"Copperfield" Gets Indianapolis High

INDIANAPOLIS, Feb. 7.—This town went for "David Copperfield" in a big week and pushed the Palace gross up to $10,000, over normal by $5,500.

Business elsewhere was hit by the competition, with the exception of the Theatre Palace, which turned $7,200 on a combination of "Red Hot Tires" on the screen and a vaudeville bill on the stage.

Total first run business was $27,750. Average is $25,000.

Estimated takings for the week ending Feb. 7:

"BORDERTOWN" (Warners) $2,000, 7 days. Gross: $2,000. (Average: $250.)

"LIVES OF A BENGAL LION" (Para.) $1,750, 7 days. Gross: $1,750. (Average: $250.)

"SWEET ADELINE" (Warners) $3,500, 7 days. PALACE—(2,500), 25c-40c-50c-60c-75c. Average, $750. (Average: $125.)

"THE SECRET BRIDE" (Warners) $3,500, 7 days. IMPERIAL—(1,914), 25c-35c-40c-50c-60c. Average, $550. (Average: $125.)

"GILDED LILY" (Para.) $2,500, 7 days. GROSS: $2,500. (Average: $350.)

"RED HOT TIRES" (Col.) $2,000, 7 days. VAUDEVILLE—GROSS: $2,000. (Average: $285.)

Fox in Own Change

CHARLOTTE, N. C., Feb. 7.—Plans are going forward for construction by W. H. Williamson, Jr., of a building to house the local exchange, the project to represent an investment of approximately $60,000. The building is to be erected on South Church St.

Open at Grand Island

LINCOLN, Feb. 7.—Among the opening attractions at Grand Island, Neb., by Fred Haitor, former Hastings, Neb., operator. This leaves the town with A. H. Blank's two houses faced by two independent competitors, Harry Shillers, Grand and Haitor's Island.

Form Two Film Concerns

ALBANY, Feb. 7.—Two new film companies have been chartered. One is the Independent Producing-Distributing Corp. formed by Louis Hiler, Samuel K. Wiesenthal and Jack Hayes. The other is International Distributing Corp., chartered by Robert E. DuBois, Dorothy Frank and Godfrey Julian Jaffe.

Golding in Old Post

TORONTO, Feb. 7.—The appointment of K. M. Gougeon, Ont., to manage the Capitol, St. John, N. B., in succession to Walter H. Golding, noted for his contributions to the city, has been brought to Toronto for other duties.

Golding has been manager of the St. John Capitol for more than 20 years and he was recently promoted to the position of "managing director," with Finlay in active charge. Theatre fans did not entice over the absence of Golding and now he has been returned "by public request."
Inspired by the biggest front page sensation in recent years, "THE WHOLE TOWN'S TALKING", starring EDWARD G. ROBINSON, is we believe, the most exciting picture in a decade.

It represents a quality of entertainment in thrills, chills, laughter and drama as fine as anything we have hitherto attempted.

MR. ROBINSON's startling performance gives promise of being the most notable accomplishment of his screen career.

We cheerfully and confidently offer "THE WHOLE TOWN'S TALKING" for your entertainment and your profit.

Columbia Pictures Corporation

Producers of
BROADWAY BILL
ONE NIGHT OF LOVE
IT HAPPENED ONE NIGHT
LADY FOR A DAY
**Goldwyn to Produce Cantor Stage Show**

Hollywood, Feb. 7.—Samuel Goldwyn enters the lists of Broadway stage producers with an announcement that he will star Eddie Cantor in a musical written by the craftsmen who turned out “Anything Goes.” The current Broadway stage wow, Howard Lindsay, Cole Porter and Russel Crouse are the triumvirate behind which theогрэп® musical will later be filmed by Goldwyn. Cantor goes to Hollywood in April to make his annual picture for Goldwyn, later returning to New York to prepare for his first stage play in five years, or so “Whoopie.”

**Switch K. C. Booking**

Kansas City, Feb. 7.—Breaking a precedent, M-G-M has switched “Society Doctor” from Loew’s Midland, its first run-out here, to the RKO Mainstreet. It is understood the RKO house is to take individual pictures from M-G-M this season. Reports the Mainstreet is discontinued stage shows are denied with the statement that the cessation is merely temporary.

**Mamoulian Gets Offer**

Hollywood, Feb. 7.—The New York Theatre Guild has offered Ruben Mamoulian the job of stage director on the forthcoming presentation of “Opera of Porgy,” George Gershwin is penning the music. Mamoulian is currently directing “Becky Sharp” for Porgy, wants to accept, but is uncertain as to whether his film work will interfere.

**Dinehart Is Kept Busy**

Hollywood, Feb. 7.—Allan Dinehart wound up work in “Janeu’s Inferno” Saturday and immediately drew two more assignments on his term contract with Fox. Dinehart, who holds a four-way ticket with the studio, will have a featured role in “Silk Raise,” which went into work Monday, and “Secret Lives.”

**Wheeler to New York**

Kansas City, Feb. 7.—Al Wheeler, director of Deshler Theatre in Kansas City, will leave New York Monday to join the company’s booking department in the big city. Edward McGuire took over Wheeler’s duties locally, while Al Adler is added to the booking forcast.

**M-G-M Gets Bruce Cabot**

Hollywood, Feb. 7.—Bruce Cabot has been signed to a long term ticket by M-G-M. No definite assignment has been lined up. Cabot has just returned from a four-month trip to Europe with his wife, Adrienne Ames.

**Hal Roach in Bed Again**

Hollywood, Feb. 7.—Hal Roach, who has been in Palm Springs for the past four months recuperating from the flu, has been ordered to bed again by his physician following his return to Hollywood.

**Tarbox Gets “Frontier”**

C. Tarbox, head of F. C. Pictures Co., has purchased the rights to Spectrum for the distribution rights to “Frontier Days” in its territory.

**To Censor Soviet Film**

Tomorrow, Feb. 7.—Without waiting for the opening of the Provincial Legislature on Feb. 20, the Ontario Government has passed an order-in-council regulating regular censorship of the Soviet picture, “Ten Days That Shook the World,” before it is again exhibited. This release is a 16-millimeter film and, up to the present time, only 35-millimeter prints have come under the scope of the Ontario censors. At the coming session of the Legislature, the theatre regulations will be amended so that all narrow prints will not be passed upon by the board when intended for public presentation.

**Snow Closes Maine Spots**

Boston, Feb. 7.—Cold has cramped down hard on New England since the recent storm that Maine theatres have been forced to close in many instances because of lack of product. Roads have not yet opened in many parts of this section and train service is far from normal.

**Betty Haney Re-Signed**

Hollywood, Feb. 7.—Betty Jean Haney, a screen youngsters signed by Warner as a small role in “Wonder World,” did so well that the studio has re-signed her to play opposite Jackie Cooper in “Dinky.”

**Cincy Strand Cuts Scale**

Cincinnati, Feb. 7.—The Strand, first run independent, has reduced matinee prices to 15 cents, with evening prices of 15 and 25 cents for balcony and lower floor. Previous tariffs were 20 cents for matinee, and 20 and 30 cents evenings.

**Kansas City Local Board to Regional Board**

Kansas City, Feb. 7.—The regional labor board here will hold a hearing on the discriminatory discharge filed by stagehands’ Local 206, Topelka, against W. P. McKinney of the Best in that city. A similar hearing in the same local is reported settled with McKinney taking the union men back.

**Santell to Do “Brady”**

Hollywood, Feb. 7.—Al Santell has been signed to direct “Diamond Jim Brady” at Universal. The start is scheduled for next week.

**Wheeler Woolsey Back**

Hollywood, Feb. 7.—Bert Wheeler and Bob Woolsey returned from their trip to Hollywood from Chicago. Their next picture is scheduled to start Feb. 17, with George Stevens directing.

**Philadelphia**

Feb. 7.—Test No. 13 gets into full swing this month with 240 filmplanners at work.

Tomorrow a smoker is planned in the new home. At this time, members will be able to inspect the improveents and redorations, appropriate ceremonies are being arranged.

Feb. 18, at the Penn A. C., a preview of a picture, all the actors playing in town as well as screen stars and other features from other cities are invited. The proceeds, the club plans to get a treasury balance. Leonard Schlesinger is active with the club, with the assistance of a committee.

Test No. 13 mourned the death of B. A. McCarthy, veteran of the club. His funeral was attended by a large delegation of members.

Chief Barker Earle Sweeney is in active on active relations with the various committees and is pinning the unit for the spring season.

**Washington**

Washington, Feb. 7.—Lambasting the communist tactic, the American Motion picture editors with sundry solid missiles was one of the major diversions offered the backers of Test No. 11, when Edward M. Baches, dramatic editor of the Evening Star, and William C. Ewing, Warner publicist, as kings for a day, spread their royal smoker and general split.

The Varietyies were no respecters of persons, for their deadly aim was leveled at the “Jennings” of the Herald, the only daily in the city of town, with no less frequency than at her four confreres.

The principal guest of honor was (DAVID) RUBINO — without his violin! Since the first of the year the Monday weekly luncheons have been replaced by weekly Friday night smokers, but this rule was pushed aside when PETE MACLAINE, proprietor of the Heigh-Ho Club, and Osmond Roark, publicist for the Mayflower Hotel, tossed a luncheon at the club.

In a dance contest—yes, this was a Ladies’ Luncheon—the senior award went to MOLLIE DESCHATELS, whose partners were her mother and her wife. EDWARD DESCHATELAUX. Melcher took the junior title, with Mrs. Carbon (CARERI T.) PENDY, wid of Louis’ division manager, as his partner.

Last Friday, the first, Harry C. Brecher of CBS, and ANDREW R. KELLY, dramatic editor of the Times, resumed the night smokers. Kings for a day for the next few weeks.

Feb. 8.—LOUIS BERNEHEIMER and BEN LUST.

Feb. 15.—JOHN CHEVALIER and DON CRAIG.

March 1.—EDWARD HALLEY and MORRIS SIMON.

March 8.—ROBERT M. GRACE and SAM M. FLAX.
Insiders' Outlook

(Continued from page 1)

Concluded from page 2)

MOTION PICTURE DAILY

Treble Damages on Bankrupt Attacked

(Continued from page 1)

but that if actual damages can be proved the claimants are entitled to a claim for $10,000.00. The remedy for treble damages is a common law action, not an action in bankruptcy. The opinion points out that it was written in answer to a motion by the Paramount trustees to expedite the claims of A. B. Montand of Oklahoma City, F. M. Loew of Boston, which are based on alleged anti-trust law violations and sought treble damages under Federal Statute.

If the damages are provable at all, under Joyce's ruling they may not be trebled. The opinion is subject to review by the Federal district court.

Joyce also approved a proposal by the Paramount trustees for expedite

the organization of the National Audit.

The Paramount trustees for the organization of the National Audit, which is based on the premise that the Paramount organization is not interested in the matter of agreement filed against Paramount by the Paramount stockholders' committee.

Motion pictures are not to be seen as the silent partner of any other type of media, such as magazines, and they are not to be ignored.

Summary action may be taken against several "fan" magazines within the next month if objectionable material published counter to an understanding arrived at some time ago with the Advertising Advisory Council, it is continued, is not discontinued, it was learned yesterday.

The objectionable material has been evidenced in only "two or three" publications, but it is the majority of those publications which are the most part of stills and undraped night club entertainers presented in such a manner that they appear to be screen personalities.

Continued use of the material in its present form may result in the shutting off of all editorial assistance to the publications by film companies and barring of the magazines' representatives from studios.

No Cooper Fight for Cohen, Insists Moss

(Continued from page 1)

Paramount's production head are "absolutely absurd," declares Jack Moss, Cooper's manager.

The yarn was given wide circulation on James Fidler's national broadcast recently.

Cooper is now on his way east with his wife, Sandra Shaw.

A.R. Warner, like other stars, liked Cohen, but is not disposed to champion internal studio policies. His contract expires in August.

Allied Program Set

For Directors' Meet

(Continued from page 1)

up are the election of officers for the ensuing year, the adoption of a budget and the report of the Executive Committee. A convention in Atlanta at a later date.

It is expected the meeting will last two days and the second day will be devoted to a legislative program.

Ince Joins Warners

LONDON, Feb., 7.—Ralph Ince has signed with Warners as supervisory director at the Teddington studios.

Insiders' Outlook

(Continued from page 1)

Announcement—The following talk, mostly excised and mainly rash, about an injunction to stop the Rialto run with Loew Building inhabitants gloving across Times Square, the Loew Building residents in anything but a neighborly manner. Better judgment prevailed ultimately and all is now serene. More or less . . .

—

The report is more than mere rumor that Bill Fox is negotiating to resume operation of the upper West Side Audacious Than—

Is there any reason to view it as remote that this may be the first step in a planned re-entry of the New York theatre field?

And, accepting that—

What will Messrs. Loew and RKO think and feel about the comeback of a once formidable competitor? . . .

Did you catch the opening line of Dick Watt's Herald-Tribune review on "Devil Dogs of the Air"?

"The Warner Brothers are so lavish in their new screen drama about the air force that it may be ungracious for me to wish that they had sold one or two of their planes and used the money to buy a new story."

Nevertheless, the air opera is heading for big grosses, backed by bigger Hearst newspaper ballyhoo . . .

It's a business, this business of serving as arbitrator under contracts, such as the one between M. & S. and RKO which calls for round tables in private as a method of settling smaller issues, and to make the fight the East Side Hollywood and Apollo. Three outsiders are sitting in judgment. They earn $30 per hour, the cost dividing itself between the litigants . . .

Next chapter in the Music Hall-United Artists deliberations takes place in Southern California setting. Joe Schenck, flanked by Nate Burkan, is expected to go west in a hurry and any day now to tell Sam Goldwyn about it.

Two film colossi found themselves in the dead center of a terrific argument the other day. This happening as they do in this business, they went right out of that . . .

Spanish Censoring Hit

MOSCOW, Feb., 7.—Sparsariki, don't want censorship, it seems. Introduction of a bill in Parliament which would permit censorship of films, newspapers and magazines has stirred up general protest.

Sensation in Patent Investigation Seek

(Continued from page 1)

future by Congressman Charles Kramer of Los Angeles. The representatives, under the direction of the Dickstein committee completes its present investigations he will give the matter consideration. There will be no effort to regulate the entire industry, he said.

Academy Approves Contract Revision

(Continued from page 1)

consent to a revision which includes terms more favorable to actors than those contained in the present agreement.

When the companies sign the agreement it cannot be amended before March 20. The agreement is subject only by the consent of a majority of the signatories then active and also the consent of Academy executives and players.

The companies are RKO, Warner, M-G-M, Paramount, Universal, Fox, Educational, Columbia, Century, Roach, Educational and Harold Lloyd. The agreement will be presented for signing by all other companies which may wish to sign it.

The new deal requires a continuous call bureau with the record open to any one who desires to use it. It also outlaws the one-picture deal.

Approval of the new contract by the Academy's Acting upon the consent of the Screen Guild. It will continue its fight for code recognition and a free media. The nature of the call bureau and will insist upon what it calls a more equitable method of arbitrating disputes.

Under the terms of the new contract the Academy acts as arbitrator if the actor wants it. If he objects, there is no other form of arbitration provided.

Fox Executives Meet For Chicago Talks

(Continued from page 1)

today, returning late next week. This season's product, exploitation and advertising of coming pictures will be the topics of discussion.

Those from the home office who will make the trip include James A. Clark, advertising sales manager; C. E. McCarthy, director of advertising and publicity; E. C. Grainger, eastern di- vision manager; W. O. Reiley, western division manager and William Sussman, assistant to John D. Clark. Joe Lee, president of the local exchange, will also attend the session.

Usher Union Moves Disturb St. Louis

St. Louis, Feb., 7.—It is reported here that a meeting of all theatre heads was held yesterday to discuss the rumored formation of an usher's union in this city. Managers and theatre operators have been disturbed for some time over the report that ushers were organizing, and it is said that John Nick, head of the independent union here and an important factor in the national organization, is supporting the movement.

It is expected that an announcement from the usher leaders will be forthcoming some time next week.

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ONE MAN'S JOURNEY
Hours travelled—2
Miles travelled—24
Cities visited—2
Rivers crossed—1 (Twice)
Fares paid—3

TIME reader commuting from Mamaroneck to his work in lower Manhattan Friday, decided to see the first issue of THE MARCH OF TIME on the screen. Finishing work early, he journeyed by tube to Jersey City where THE MARCH OF TIME’s advertisement listed Loew’s theatre as the nearest one showing the new picture. (Unfortunately a mistake. Not until Feb. 8th can it be seen in Jersey City.) So back to Manhattan and up Broadway on a street car he went until the sign on the marquee of the Capitol (plus advice of another TIME fan on the car) led him to the box office of that theatre.
AMAZING

THIS is a true story. It happened Friday afternoon on a Broadway surface car. Overhearing a passenger questioning the conductor about the Capitol Theatre and noticing a copy of TIME under his arm, our informant* asked if he was looking for THE MARCH OF TIME. This story was the answer, an amusing tale of the efforts of one TIME reader who made up his mind to see THE MARCH OF TIME, even though misdirected all the way to Jersey City (for which THE MARCH OF TIME offers full apology).

Unusual, of course—but the determined action of this one TIME reader is typical of the public interest that has marked the start of this monthly series. That's why managers everywhere report constant phone calls asking "What time will it go on?" It's why audiences in theatre after theatre are applauding every performance. It's the reason why THE MARCH OF TIME on the screen of your theatre means a new kind of audience that will come back month after month. Talk to your nearest First Division exchange at once.

*Name on request to the March of Time, Inc., Radio City, N.Y.

THE MARCH OF TIME

Released by FIRST DIVISION
Harry H. Thomas, Pres., Radio City, N.Y.

At the Washington premiere of The March of Time was Col. Edwin Halley, Secretary of the United States Senate.

Soviet Ambassador Alexander Troyanovsky and Boris Shviksky, counselor of the Soviet Embassy, also at the Washington premiere, viewed The March of Time and its analysis of the Pacific situation.

Other figures prominent in social and diplomatic circles included Mme. Sze, wife of the Chinese Minister, Dr. Alfred Sze, with their daughters, Misses Julia and Alice and nephew, Wilbur Sze.

REVIEWS FROM COAST TO COAST

NEW YORK HERALD TRIBUNE: This feature should prove popular, for it is lively... current and brief.

WILLIAM BOEHNLE IN NEW YORK WORLD-TELEGRAM: It is... a comprehensive pictorial record that shows why and how things happen, as well as the climax.

ELSIE FINN IN PHILADELPHIA RECORD: March of Time entertains as it informs. The camera work, editing and selection of material promise much for the future of this new type of picture.

BALTIMORE MORNING SUN: At first sight The March of Time seems to be a revolutionary movement in the newsreel field... The first reel offered humor, satire, pathos... At the end there was applause.

BRIDGEPORT POST... It looks like the best thing since Mickey Mouse.

ABEL IN VARIETY... Each 20-minute short ought to prove potent b.o.
Australians’ Quota Plans Irk British

By BRUCE ALLAN

London, Jan. 28.—A memorandum addressed to the Government of New South Wales by the Production Department of the Federation of British Industries, has been published here. It is a strongly worded protest against the proposed Australian film quota whereby British films will be put upon the same footing as imports of other nationalities.

The memorandum stresses the fact that films made in Australia rank as British for quota purposes in England and says:

“It is scarcely credible that films made in Australia for Australian quota purposes will continue to be permitted to serve as British quota in Great Britain if British films are not only excluded from serving as quota in Australia but are actually treated on all fours with foreign films.

“The British film industry would be forced, however reluctantly, to protest His Majesty’s Government to debar Australian films from serving as British quota, if the N.W. bill in its present form were to become law.”

The memorandum sees illusory provisions in the bill limiting the right of cancellation of British films, declaring that American importers would book their programs with a compulsory order for quota films only, leaving no room for British films. The obligation to distribute Australian films would also rest on British firms and severe handicap, it is urged.

Film interests confidently expect that they will have a new champion in the House of Commons after the next general election, in view of the adoption as a party policy of the Wood Green, London, A. of Beverley Baxter, director of public relations for Guernsey interests, and previously managing editor of the Horticultural Press.

The Wood Green seat is regarded as a “safe” one for the Conservatives, the retiring member having returned large majorities since 1918.

Radio’s “Gay Divorcee,” at the end of its first two weeks at Paramount’s Carlton in Haymarket, London, had beaten all attendance records for a correspondence period in London when “I’m No Angel,” “Cleopatra” and “One Night of Love” were among the films shown in the “Gay Divorcee” drew in the fortnight just over 50,000 patrons out of physically possible 50,000.

The Home Office is to be asked, at the instance of the Entertainment Committee of the London County Council, to consider whether the excise duties on all inflammable films intended for educational or other non-commercial use in red cinema would be a sequel to a recent fire at a school display using inflammable films.

Herbert Brenon has signed with B. I. P. and will cooperate with Thomas Bentley in a King George ‘publicite’ film and later direct “Honours Easy.”

Wants New Zealand Pictures Selected

WASHINGTON, Feb. 7.—Greater discrimination on the part of American producers in the number and type of films sent to New Zealand is expected to improve the position of U. S. distributors, according to Vice-Consul W. W. Orebrough, at Wellington, in a report to the U. S. Department of Commerce.

It is the belief of a large section of the New Zealand trade that the reports, states that too many American pictures are being shown in that country. Several American companies now make selections of pictures exported, were selected in New Zealand. One large company, it is stated, sent only 20 and, of which, a large proportion, for entertaining value, whereas other American companies sent as many as 7 or more, a proportion of which were not rated high in New Zealand.

If each importer, the vice-consuls, would offer only about 10 films in the season, according to action, would gain a higher reputation for quality, which would in turn be reflected in increased box-office receipts. The administration is well aware of what is indicated in the report. It is stated that a dozen new theatres will be opened in the near future by a large circuit. This, it is pointed out, must sooner or later force out the less strong units.

Swedish Receipts Gain

WASHINGTON, Feb. 7.—The purchasing power of the Swedish population has risen with improved economic conditions, according to the American Commercial Attache Osborn S. Watson, of Stockholm, and theatre receipts for 1934 showed a gain of approximately $120,000 over 1933. The tax collection by the government, a greater part of which will be distributed to the arts, amounted to approximately $100,000.

Danszy Films 30% U. S.

WASHINGTON, Feb. 7.—The origin of the “Danszy” films is interesting. Director Danzgy is German, 65 per cent; American, 30 per cent; miscellaneous, five per cent, according to a report from the British Consul in Brussels to the U. S. Department of Commerce.

The report states that there are 22 theates in the city of which all but one are equipped for sound, with a 20 per cent amusement tax.

First Latvian Film Out

WASHINGTON, Feb. 7.—“Tataus Dels” (The Son of the People), the first Latvian film produced in the country is a Latvian in the Latvian language, being shown in several Latvian theatres, according to a report from American Vice-Consul Louis Gordon Mayer, in Riga, to the U. S. Department of Commerce.

Transfer Nebraska Spots

OMAHA, Feb. 7.—Several changes in Nebraska ownership have just taken place, M. Biemont has taken over the Lincoln City a present for himself, A. H. Sorenson; L. F. Tiede has acquired the Moan at Otoe from J. O. G. Biemont; G. L. Gerber has taken over Colorado Hall at Prague from Rev. A. Biskup, and H. W. Brune has taken the Brunada at Winaca formerly held by J. Jorgensen.

Colombia to Acquire Portable Projectors

WASHINGTON, Feb. 7.—The Government of Columbia is interested in educational films, according to a statement from Bogota office, by the U. S. Department of Commerce, based on a report received from its Bogota office. The Colombian government will purchase a complete set of current portable sound equipment to be used in small towns and villages. The Ministry of Education is now making a study of the needs.

Although handicapped by taxes, the industry had better business in 1934 than in any previous years. Bogota office records for the year amounted approximately to $1,060,000, compared with $1,200,000 in 1933.

Sound Dominates in Netherland’s Indies

WASHINGTON, Feb. 7.—Sound film companies have sent 75 per cent of the film imports of Netherland Indies in the first nine months of 1934, with German pictures taking for 20 per cent; Dutch, 11; French, seven, and British, two.

The United States, Germany and the Netherlands were the only countries with appreciative positions, the report stated, in the market during the nine months period. French pictures maintained their former position, while British pictures lost ground.

N.S.W. Bars “Stingaree”

SYDNEY, Feb. 7.—Because it has a “scandalou” theme, Radio’s “Stingaree” has been banned by the N.S.W. film board, despite the fact that its exhibition in other States is permitted. The ban is due to the R.K.O., which will lose $700 per cent of “Stingaree”’s earning possibilities in the Commonwealth.

McClelland Back on Job

TORONTO, Feb. 7.—Another veteran has returned to his post, Ronald McClelland is back as manager of the Capitol. He built the theatre 15 years ago, and the theatre is being re-decorated and re-opened.

Again Milwaukee Shows

MILWAUKEE, Feb. 7.—Shows are slated for a comeback at several of the downtown Fox houses with the latest release for the middle of the month at the circuit’s Alhambra. The future policy for this house, which has been played shows for the past three months, is still vague. Reports have it that the circuit will also stage shows into its ace house, the Wisconsin, soon, before long. E. J. Weisfeld’s Riverside is the only house on the avenue now playing vaudeville.

Northwest Is Cold to Film Rating Moves

SEATTLE, Feb. 7.—There is no movement on foot in the Pacific northwest to mark pictures according to audience appeal and opposition is strong in both Seattle and Portland, Oregon.

The plan instituted by Warmers in Philadelphia was declared to be en for the state by Frank L. Neumann, general manager of the Evergreen Circuit which operates houses in Seattle, Portland, Tacoma and several other spots.

“With the clean-up campaign now in effect, segregation of films as to adult or family appeal seems to me to be entirely uncalled for,” Newman said. “I have seen scores of pictures during recent weeks and there hasn’t been a film presented which I wouldn’t call fully fit for family trade, as well as adult consumption. In fact, there is a great field for argument as to what type of film might be suitable for adult appeal, and what type for family trade, assuming that the moral appeal was entirely proven in both cases, as is the case with all pictures now.”

The viewpoint was expressed by Hal Daigler, general manager of John Hamrick’s circuit in Seattle, with branches in Portland, where Warner product is the only film offered. According to Daigler, also, there is no need to try to limit attendance in theatres by a system of rating pictures, as the theatre manager shouldn’t attend certain pictures, when all pictures are morally fit for every age group, and generally have some appeal to all classes.

Blank Men Against Ratings for Films

OMAHA, Feb. 7.—The Warner studios plan to release pictures as suitable either for adults or for families is regarded by A. H. Cory, city manager, as “an outrageous practice and it certainly will not be tried here.”

Again, according to Cummings, district manager of the Blank Men in Nebraska and Idaho, and a number of his house managers said it would be poor policy, especially in this region where the Legion of Decency is still active.

“lts appears to us,” Cummings said, “there is no such thing as a great admission on the part of the Warner that something might be wrong with a picture to offer it as ‘adult entertainment.’

Jack Reel, a former showman of many years standing and now picture reviewer for the Midwest Box-News, declared he heartily favored the segregation idea.

Liebman’s Houses Close

BOSTON, Feb. 7.—The circuit headed by M. W. Liebman, which has grown rapidly in the last few months, is undergoing a temporary vacation. All houses in the Liebman circuit in Lowell, operated in conjunction with Norman Glassman, have closed because of removal of sound equipment. The Rialto is now the only one of the circuit’s former trio now running in Lowell.

NATIONWIDE DAILY

Friday, February 8, 1935

18
NEW YORK  "Radio City Music Hall—Arliss starrer gets Hall back to more comfortable position than it's been last two weeks. (Last week's blizzard no help to biz: the worst since '88) $70,000. Strictly okay."—VARIETY

BOSTON RKO Memorial—substantial $12,000. (Suburban roads just being uncovered after record-breaking blizzard.)”—VARIETY

LOS ANGELES  4-star—"Gross; $4,750. (Average $3,250)”—M. P. DAILY

United Artists—"Gross; $4,000. (Average $3,500).”—M. P. DAILY

BUFFALO Lafayette—"topped average by $1,000. Zero temperature."—M. P. DAILY

CHICAGO McVickers—"Life saver for house. Gross $10,000. (Average $9,000.)”—VARIETY

NEWARK Little, Arty House—"2G, Good. Going good. Expects $2,000, which will be swell."—VARIETY

BOSTON Fine Arts—"Breaking house records. Going into fifth week. Good for another month's run."—FILM DAILY

MINNEAPOLIS World—"Severest cold in 22 years. They liked this one here."—VARIETY

CHICAGO McVickers—"Big $13,000. Excellent notices. Making a handsome box-office return."—VARIETY

POWER PRODUCTIONS

THE IRON DUKE

E VERGREEN

CHU CHIN CHOW

MAN OF ARAN

PRODUCTIONS

PHYSICAL DISTRIBUTION • FOR EXCHANGES • CANADA: REGAL FILMS LTD
WE DON'T DOUBT YOU, MR. STROMBERG!

Comes a telegram from Mr. Hunt Stromberg, producer at the M-G-M Studios.

Mr. Stromberg calmly announces the GREATEST MUSICAL SINCE TALKIES BEGAN!

Those are big words, but we’re inclined to believe Mr. S. because he gave us the advance tip-off on such others of his pictures as “Thin Man”, “Penthouse”, “Chained”, “Hideout”, “Treasure Island”, etc.

Here are his exact words:

“NAUGHTY MARIETTA, STARRING JEANETTE MACDONALD AND NELSON EDDY IS IN THE BAG. REALLY GREAT PICTURE. IN MY ESTIMATION AND OTHERS WHO PRIVATELY SAW ROUGH CUT TODAY MOST SENSATIONAL MUSICAL SINCE PICTURES BEGAN. SHOOT THE WORKS. THE SKY’S THE LIMIT.”

We’ve been so excited about “David Copperfield”; “Sequoia”; Wallace Beery’s “West Point of the Air”; Helen Hayes, Robert Montgomery in “Vanessa—Her Love Story”, Clark Gable, Connie Bennett in “After Office Hours”; Jean Harlow, Bill Powell in “Reckless” that we hesitated to talk about “Naughty Marietta”.

But now we’ve done it. You’ve heard what Mr. S. thinks about it. You can check us up if we’re wrong, because we’re going to check up on Mr. S.
Missouri Bill Seen as Boon To Code Board

Bank Night Ban Would Cut Work by 90%

KANSAS CITY, Feb. 8.—Should the bill introduced in the Missouri legislature at Jefferson City go through to outlaw bank nights, cash nights and all other forms of gift enterprises at theatres, it would reduce by 90 per cent the number of complaints filed with the Kansas City grievance board.

At whose instigation Representative Frank F. Catron of Lexington, Mo., presented the bill, it is said is of deep mysticism, and the summary appeal that the people are trying to run down the measure, the bill is directed at something different than the price, and specifically aims at the various price-reduction devices dealt with in the code. It would ban prizes even though the only consideration is attendance and would declare violation a misdemeanor punishable by a heavy fine.

The Kansas City Better Business

(Continued on page 4)

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Bank Night Ban Would Cut Work by 90%

KANSAS CITY, Feb. 8.—Should the bill introduced in the Missouri legislature at Jefferson City go through to outlaw bank nights, cash nights and all other forms of gift enterprises at theatres, it would reduce by 90 per cent the number of complaints filed with the Kansas City grievance board.

At whose instigation Representative Frank F. Catron of Lexington, Mo., presented the bill, it is said is of deep mysticism, and the summary appeal that the people are trying to run down the measure, the bill is directed at something different than the price, and specifically aims at the various price-reduction devices dealt with in the code. It would ban prizes even though the only consideration is attendance and would declare violation a misdemeanor punishable by a heavy fine.

The Kansas City Better Business

(Continued on page 4)

Mexican Legitimate Shows Get Tax Cuts

MEXICO CITY, Feb. 8.—More official aid to keep the moribund Mexican theatres alive, in the face of heavy competition from films, has been granted by the government, which has exempted from special tax payments all houses that show legitimate plays, dramas, comedies, revues, musical comedies, operas, concerts, ballets and the like. This exemption does not apply to films spots nor to stage houses that present pictures as a part of their regular programs.

Theatres that receive this exemption must guarantee that their shows are always clean and essentially artistic.

Cooper Denies Any Protest Intention

CHICAGO, Feb. 8.—Gary Cooper during a train stop here today denied Hollywood reports that he was on his way east to protest on behalf of Paramount stars against the removal of easer film. Harry Cooper, his father, was left in Hollywood with a very sad looking photograph of the studio and one of the pallbearers.

Portland Theatres Seek License Cuts

PORTLAND, Feb. 8.—Independent theatres want their license fees cut and have appointed a committee to negotiate with the Portland City Council to put it over. In other words they state, are not going to wait for the state legislature to figure out

(Continued on page 4)

Protest Is Stirred By A. H. Blank Ads

OMAHA, Feb. 8.—A storm of protest has broken over the A. H. Blank district office here for alleged salacious advertising and publicity on “The Continental Revue,” which will be a feature of the program of the

(Continued on page 4)

Another Jolt

WASHINGTON, Feb. 8.—When A. T. & T. called for stockholders in confidence, for directors Peggy Hopkins Joyce and Will Rogers were urged by C. E. S. Gifford, president. He was testifying before the Federal Communications Commission. He may call for suggestions again, he said, but he didn’t explain what would happen if the suggestions were repeated.

English Plan To Reorganize Circuit Ready

By BRUCE ALLAN

LONDON, Jan. 31.—The Joint Committee of Investment Trusts and Insurance Companies, which has been investigating the affairs of General Theatres Corp., Ltd., has accepted with modifications a scheme of rearrangement submitted by the directors, and will recommend the shareholders to adopt it.

The ordinary shares of G. T. C. are held by Gaumont British, but, at the annual meeting, the shareholders refused to hear a reconstruction scheme proposed by the directors. The preference dividend being 18 months in arrears, that class of shareholders had a voting majority and it was at their instance that the joint committee was

(Continued on page 3)

Ohio Censor Dickers On “Time” Newsreel

COLUMBUS, Feb. 8.—Negotiations are under way between the local office of First Division exchange and Dr. B. O. Skinner, head of the state censor board, to catalogue the “March of Time” as a newsreel. Dr. Skinner has declared the reel is subject to state censorship because it uses its advertisements the line “not a newsreel.” Newsreels are exempt from censorship in this state.

Seattle Censors to Take Up Complaints

SEATTLE, Feb. 8.—Grievances of exhibitors arising from their competitors’ tactics may now be aired in private and in public at the hearing of the

(Continued on page 4)

Warners Win Coast Fight On Clearance

CAMPBELL, Feb. 8.—After three hearings on the Warner-Fox West Coast clearance dispute involving the Forum and the Uptown in Los Angeles, Campb has decided by a vote of six to one that the houses are non-competitive and in different zones. Code Authority’s ruling sustains the local clearance and zoning boards, but reverses a decision by an appeal committee which upset the local decision.

The complaint originated last fall when Warners started to buy protection over the F.W.C. Uptown, Charles Skouras objecting on the ground that the Forum was in competition and had been for many years. In addition, F.W.C. had been buying protection that way. The Forum has 1,886 seats, while the Uptown has 2,100, both charge 35 cents and are on an equal footing in other respects.

When the case was called last Thursday, I. L. Levinson of Warners and William T. Powers of F.W.C.

(Continued on page 4)

Flinn Goes West to Discuss Clearance

John C. Flinn left for the coast yesterday on a 10-day trip. Upon his arrival in Los Angeles he will call a meeting of the local clearance and zoning board and explain various phases of the schedule which was approved last Thursday. He will probably meet with the board on Wednesday and later with the registration committee on extras. The list of approved extras is now ready for publication, but before this is done Flinn wants to give it the final polish.

The executive secretary of Campi intended to fly, but because of bad weather had to take a train, arriving in Chicago where he will hop a plane, providing the elements permit.

New Type Admission Cut Is Ordered Out

A unique form of reduced admissions came to the attention of an appeal committee, consisting of Walter Vincent, Louis Geller and A. J. Mertz, yesterday when Warners Appleton, Appleton, Wisconsin complained against the practice of the Embassy, Neenah, Wis., admitting children for one performance after they had at-
DAVE CHATKIN and the missus, jointly postcarding it from winter headquarters of the film business: "This Miami Beach looks like a producers' and exhibitors' convention. They could use a few extra Astor tablecloths."

CHARLES WINNINGER plans to leave for the coast when he finishes seven weeks on the air for Good Golf. He's going out to appear in "Show Boat." He says he would like to appear in a film role he now playing in "Revenge of the Fifth Music." 

AL SHERMAN is about the various home offices these days demonstrating the methods of saying "hello" that he picked up in London. Quite the gay side this SHERMAN is these days with those "fancy English airs."

Quip of the Day
Johnny Weissmuller is Louis May- er's pick-and-choose artist, and Lester's and that leads to complications. Crabbe usually boils over at the mere mention of Johnny's moniker - "Weissmuller." At a Hollywood eating other day, Crabbe, explaining about the double feature idea in Tarzan roles, remarked: "What has Weissmuller got that I haven't?"
"Life," was the squeal.

WALTER VINCENT sails today on the Corinthenia for Nassau, taking a month's rest and Doctor's orders. He says he hates the thought of missing the M.P.T.O.A. convention in New Orleans.

TOM CHALMERS, editor of "Pathe Topics," has had several of his contributions printed in The Stage lately. He is also planning more activities in conjunction with The Theatre Guild.

HARRY BRANDY, who left Miami to attend the Washington public hearing on the local operators scale and schedule, despite as has been due back from Miami on Monday.

JOHNNY DOWN, after reading all the objections raised at the RKO hearings before the arbitration and code committee, "I object" when someone says "good morning."

J. P. FRIEDHOFF, Monogram office manager, is not about the office these days. The flu had laid him low and though he's feeling better he's not coming out in this weather.

J. J. UNGER winds up his southern trek the middle of next month. It was a business and an art vacation trip, the vacation angle coming up later.

FRANK SPIERKES, Columbia artist director, is busy receiving congratulations on his 15th wedding anniversary.

SIGmund SPERK is busy these days, filming, always ever, he's been making scenes for "Pathe Topics."

SIG WITTEN returned yesterday after four days in the Pennsylvania area.

NEIL AGNEW is in Atlanta for a few days. He'll be back next week.

DEPARTING on the Ile de France today are: MARGARET SULLIVAN, William WYLER and Dorothy MILLER, stage producers; MARCEL ACHARD, French playwright; MR. ROBERT E. SHEERWOOD, former wife of the writer; PIERCE ANDROUS, former editor, under contract to Gaumont British; JEAN TAPIEREAU, independent dis- tributor of French films, and MR. AND MRS. CARROLL DODGE DUNNING of Los Angeles.

ABE SCHNEIDER and NAH COHEN, of the Columbia Florida contingent, are having such a time that their reports are now indefinite. They were due back early next week, but yesterday's reports revealed that plan canceled. Walter JAFFE reports north any day now, however.

IRVING SHIFFRIN, of the Radio publicity department, was all steamed up over the Press Photographers' Ball yesterday and gave a preview of his program for his co-workers. He also denied it was rented for the occasion.

Hazel FLYNN of the Music Hall publicity staff is recovering from an appendicitis operation at the Roosevelt Hospital. She was taken ill suddenly last Saturday night and was operated upon Sunday.

ARCH REVY entertained at starday at his apartment last night for "Pink." WINGART, AL WILKE and some of the film's co-workers was at the last session at WINGART's den.

EDWIN H. CURTS, stage director, has been signed by Fox. He will have charge of the training of players in the Fox stock company.

LOUIS ROSENFIELD, manager of Columbia's Canadian exchanges, sails for the coast today on the VICTORY. Jules ALLAN joins him.

ANN STEEN did a scene from her latest, "The Winning March," last week for the "Hollywood Hotel" radio program.

DOROTHY ARNTH returns to the coast tomorrow. There she will pick up the reins of a directorial job for Columbia.

BILL PERLSK, casting director at the Columbia studio, here on a talent hunt, flies west tommorow.

GEORGE GERARD dusted off the evening clothes for the Press Photographers' Ball last night.

WALTER BROWN, head man for Ross Federal Checking Service in Chicago, is in town.

MRS. JOHN BARRYMORE (DOLORES COSTELLO) is ill in Hollywood of influenza.

JUDITH ALLEN is off to the coast to do a picture after a month's stay here.

Theatres Escape Levy
DENVER, Feb. 8 — Two per cent sales tax law, passed by the legislature and effective March 1, will not be levied on theatre tickets.

Wall Street
Eastman Up on Big Board

Eastman
High 73 7/8
Low 73
Change 1/8

Net High Low Close Change

Columbia vts. (6a) 37/16 365/16 375/16 + 1/16
Consolidated Film 231/4 231/4 233/16 + 1/16
Eastman (6a) 113/16 113/16 115/16 + 1/16
FOX 25 25 25 + 1/2
Paramount 33 33 33 + 3/16
Pathe 9 9 9 + 1/4
RKO 28 28 28 + 3/4
Warner 34 34 34 + 1/4

Technicolor Gains 3/4 on Curb
High Low Close Change

Net High Low Close Change

General Theatre 7 7 7 4 4 + 4
Lea's (4b) 7 7 7 4 + 4
Lea's (6b) 7 7 7 4 + 4
Paramount 82 67 86 80+ 6
Path 56 55 56 55 56 + 5
Warner Bros 78 78 78 78 78 78 78 78 + 6

(Quotes at close of Feb., 8)

Ohio Pastor Seeks
Block Booking End

COLUMBUS, Feb. 8 — A resolution was adopted by the convention of Ohio pastors here to ask both state and national legislation against block booking and blind selling. Suggestions of the motion picture committee, adopted by the convention, included an appeal to Governor Martin L. Davey and Dr. Beverly O. Skinner, censor head, for more rigid censorship. Dr. Davey is professor of religious literature and drama of the Chicago Theological Seminary, talked on the U.S. law and application of block booking, and described the recent cleanup campaign.

"More people will see Mae West's next picture, it was said, if it have a 'Hamlet' in the 300 years of its existence," he declared.

Skouras Office to Move

George Skouras will move the headquarters of Skouras Theatres Corp. from the Paramount Bldg. to the Academy of Music about June 1, at which time the lease on the Times Square office expires.


CLEVELAND, Feb. 8. — The Independent Theatre Owners of Ohio held a meeting of the board this week, at which it decided to hold a state convention on Feb. 26-27 at the Deshler Hotel, Columbus.

Metro-Goldwyn Dividend

Metro-Goldwyn Pictures has declared a regular quarterly dividend of 47 1/4 per cent on its seven per cent preferred stock, payable to stockholders of record as of Feb. 28.

Jackie Jax Fiers

Jack Fier, vice-president of Mascot, left for the coast yesterday with planned stopovers at Buffalo, Cleveland, Chicago and Kansas City.
English Plan To Reorganize Circuit Ready

"Car 99" (Paramount)

Hollywood, Feb. 8.—This is gripping and at times thrilling entertainment. It gives accurate backstage information about the radio police and the high-powered gangsters whom they battle.

The crooks, led by Sir Guy Standing, impersonating a professor, first learn the working of the state police radio system and then plan a bank robbery, with the method of beating radio pursuit cleverly figured out. In the early scenes they make State Trooper Fred MacMurray look foolish. MacMurray is fired, but later, when the gang is escaping after the robbery, he joins the pursuit, is instrumental in their capture and is restored to the force.

Despite the simplicity of the story and the weak love motive between MacMurray and Ann Sheridan, the picture holds the interest throughout because of the fine shadings introduced by director Charles Barton.

Though the cast lacks box-office names, the picture will stand up because in almost every scene the players carry their parts well, excellent comedy scenes being turned in by Frank Craven and William Frawley, who play a sheriff and a police sergeant, respectively. Standing, though not thoroughly at home in a crook role, carries the part smoothly. Production by Bayard Veiler is workmanlike and the photography excellent. Good music, dramatic entertainment.

Production Code Seal No. 583. Running time, 72 minutes. "G."

"The Right to Live" (Warner)

Hollywood, Feb. 8.—A drama of love and sacrifice which shines in all departments, this film is designed for the sophisticated trade and metropolitan cities. The feature tells the ideal wedlock of Josephine Hutchinson and Colin Clive, tragically marred by an injury to the latter in a air crash. Miss Hutchinson sacrifices all youthful pleasures for her husband until his brother, George Brent, arrives on the scene.

At Clive's insistence Brent is placed in charge of escorting Miss Hutchinson to social functions, with an ensuing romantic triangle. As Brent and Miss Hutchinson decide to sacrifice their love for the sake of the crippled Clive learns he is beyond recovery and subsequently commits suicide. Special Nurse Peggy Wood, who has fallen in love with Clive, believes his death to be a murder frameup until Henrietta Crosman, the man's mother, divulges his secret death-bed confession. Miss Hutchinson and Brent start anew as Clive would have wished it.

William Keighley's direction and all performances are of the highest caliber by all. Ralph Block penned the intelligent screen play from Somerset Maugham's story. There is high-class photography by Sid Hickox.

The appeal is limited to audiences of above-average intelligence.

Code Seal No. 443. Running time, 68 minutes. "A."

Looking 'Em Over

"Jack Ahoy" (Gaumont British)

"Hilarious comedy hit with Jack Hulbert" is the way the ads describe it. This may be quite true from Southampton to the Shetland Islands, or is it the Orkneys? Hulbert, no doubt, has a following from the banks of the Thames to Clydeside. He may even have a following some place between South Ferry and Yonkers, but the rain kept most of it out of the Roxy at the first showing.

The music is catchy, the story moves along rapidly from the time the navy gets under way in England until it reaches China and complications develop through the efforts of Jack to get back a submarine lost by Chinese pirates and to win the admiral’s daughter, Mary O'Neill. There's plenty of atmospheric naval stuff. Money has been spent freely on the production angles.

Hulbert's burlesque characterization, his snirking and exaggerated gestures probably would be good for a short sketch, but an hour or more of it with no change of pace, no softening of mood even in the romantic moments, little timing of gags is likely to prove a handicap in those sections of this country where Hulbert's name is just a name.

Production Code Seal No. 0141. Running time, 70 minutes. "G."

"Carnival," Big Show Hit Record in Hub

Boston, Feb. 8.—"Carnival" and an anniversary stage program at Keith's Grand which included Joe Penner, the Bowdwell Sisters, Stan Kastner and others, set a new record, $20,000. This is $8,000 over average for the house.

Roads were clogged and transportation was generally disrupted. In spite of this "Lives of a Bengal Lancer" was placed second, $7,000 at the Paramount, thereby topping the first run.

Total first run business was $75,300. Average is $65,000. Estimated takings for the week ending this date are $125,000.

"LIVES OF A BENGAL LANCER" (Para.)

FESWAY—(1,200), 25c-50c, 7 days.

"CARNIVAL" (Col.)

KEITH'S MEMORIAL—(1,200), 25c-60c, 7 days; Stage: Joe Penner, Bowdwell Sisters, Stan Kastner; Stars: Frederick Wood, The Yacopis. Gross: $300. Average: $42,857.

"DAVID COPPERFIELD" (M-G-M, Low) STATE—(1,300), 25c-60c, 2nd week. Average, $300. Highest, $618.25.

"WINGS IN THE DARK" (Para.)

METROPOLITAN—(4,130), 25c-60c, 7 days. Stars: Sarah Forbes, Basil Rathbone, William Collier and Mae Busby. Average, $167.10. Highest, $225.40; "LIVES OF A BENGAL LANCER" (Col.)

PARMINTON—(1,200), 25c-60c, 7 days. Gross: $7,700. Average, $1,100.

"SCHOOL FOR GIRLS" (Liberty)

RKO Roy Book—(4,500), 25c-50c, 7 days. Stage: Radio Ramblers and RKO acts. Gross: $10,000. Average, $1,400.

"Copperfield" at $11,000 in Denver

Denver, Feb. 8.—"David Copperfield" did an amazing $11,000 last week. This tops normal by $3,000. The feature was moved to the Paramount the few days additional.

The weather was remarkable—like early autumn—but grosses were down, except at the Denham where "Lives of a Bengal Lancer" ran up $7,000 second, and "Baboon" at the Orpheum was normal at $6,000. Total first run business was $24,000. Average is $20,500. Estimated takings for the week ending this date are $26,000.

"Rettile Rogers' Next" Hollywood, Feb. 8.—The title of Will Rogers' next for Fox has been changed from "The Torch-Bearers" to "Doubting Thomas."
Warnings Win Coast Fight On Clearance

(Continued from page 1) appeared before Campi and gave statements. Levinson stated that the bill has a draw ing population of 14,000, while the Forum could draw from 11,000 in its particular area. The board was agreed. The Worrier attorney added that the two theatres had enough people to draw from, and it has never been competitive. However, Powers held that the houses were competitive and that the U.P. had to draw not only from the 14,000 in its area, but also from the 11,000 people designated in the Forum.

One Declines to Vote

Because Felix A. Jenkins of Fox and Harold S. Bareford of Warners represented companies involved, they could not vote. One member of the Code Authority objected not to cast a ballot. In the final tally one vote was chucked up in favor of Fox West Coast, but the other six votes held in favor of Warners.

Considerable importance is given the Campi case, which, if upheld, will precipitate a plethora of complaints along the same lines. When Camps establishes a precedent by declaring a complaint against one house—mile apart with a drawing population of 25,000, and operation features of its own—practically the same, it is opening the door for hundreds of complaints with similar situations, it is stated.

Code Authority, in handing down the decision, added that if the new setup doesn’t work out, F.W.C. can bring in a complaint against any local board. If such a complaint is brought and an unfavorable verdict is handed down by the courts, the circuit can appeal to Campi.

Postpone Boston Cases

Boston, Feb. 8.—Again the grievance board case of Oze Tessier against E. M. Loew, accompanied by large and expected giveaways in the New Bedford area has been postponed, this time to Feb. 11. The case of the Brookland Amuse ment Co. operating the Brockton and Strand in Brockton, against Interstate Theatres, operating the Plymouth and Old Colony in Plymouth, has been postponed for the time being. No date has been set. The former-protests against Plymouth being served regardless of Boston precedent.

Gulf Sets Its Meeting

New Orleans, Feb. 8.—The Gulf States Theatre Owners’ Ass’n. will hold its second annual convention here Feb. 27. Members of the association will be here to attend the meetings, whose highlights of the M.P.T.O.A. convention which meets simultaneously in this city.

Rosenberg Gets Third

Moé Rosenberg, brother-in-law of Albert Warner, has acquired his third New Jersey house. That’s the Lewellyn, West Orange. He also operates the West End, Newark, and Nutley Nutley.

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**Variety Club Chatter**

**Pittsburgh**

Pittsburgh, Feb. 8.—Dinner Thursday night to J. Howell Davis, new chairman of board of censors, at club. Joe Berriez accompanied him here. Those in attendance were: J. T. McGreavy, M. J. Cullen, John J. Maloney, Gilbert Kreem, James G. Balmer, Judge M. A. Mummmano, Al Barnett, Bennett Amoro, Dave Kimmelman, James M. Michaelson, Joe Blowitz, Ira Cohn, Dr. Pittler, A. E. Klein, Harry Kalamenson, William J. Lewis, Tom Lyons, Joe Skib roll, Arthur Morbione, Harry Denby, Joseph Misraich and others. Benny Anker is No. 1 man now in attendance at the Club. Dinner every night, several meals during the week and late supper after he closes his Emporium each night. James G. Balmer on sick list again for a few days.

Eddie Lowry, Bobby Pincus, George Givot nightly visitors.

Barker Sie Wittman of Universal in town with Al Barnett this week.

Every Monday lunchrooms broadcast Variety Club gathering in popularity each week. Stations trying to crowd out present station.

Art Levy on vacation in Florida when the cold spell hit Pittsburgh. Al Barnett’s Miami trip canceled for the present.

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**Woman Who Failed To Get Prize Sues**

Tampa, Feb. 8.—A suit for $700 has been filed here against the Tampa Theatre by Mrs. Hazel Greene Felix. This was claimed as the $700 prize and the other $50 was for damages in refusing her the prize money. Mrs. Felix claimed that she was outside the theatre in an overflow crowd when a name was drawn for the $700 prize. A little later she saw that her name had been drawn, so she applied to the manager for the money. The management, she claims, refused to give her the money because she had not purchased an admission ticket.

About two weeks ago Attorney General Landis issued an opinion that bank night did not conflict with the lottery laws of the state, provided the winners must purchase an admission ticket or token.

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**Portland Theatres Seek License Cuts**

(Continued from page 1)

Some additional taxes, but start making pleas to have their present taxes cut down.

J. M. Marden, A. Cutts, executive secretary of Allied of Oregon, with Hal M. White, William Graper and I. Geller have been named on the committee.

The seat tax and the inspection charge will be the targets at which the committee will direct its fire.

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**Home Offices Closing**

Warner home office employees, along with those of Columbia, United Artists, Paramount and Radio have been notified that in celebration of Lincoln’s Birthday next Tuesday the offices will close at 1 o’clock. The Fox home office will be closed all day, however.

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**L.A. Law Limits Sound**

Los Angeles, Feb. 8.—The City Council today adopted an ordinance decreasing the sound from an open-air house must not carry farther than 50 feet from the property line of the theatre.

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**Seattle Censors to Take Up Complaints**

(Continued from page 1)

To L. Kenneth Schoenfeld, president of the censor board for Washington.

The board has established a grievance committee of three, headed by Chairman Schoenfeld, that will hear all complaints on advertising, entertainment, etc., and will attempt to settle the difficulties amicably. The committee will not conflict with the Code of文艺 and work. According to Schoenfeld, the plan has been approved in a letter received from Will Hays, who states he will inaugurate the program in other cities if the Seattle venture is successful.

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**Protest Is Stirred By A. H. Blank Ads**

(Continued from page 1)

Paramount, today, letters and telephone calls have been pouring in from Legion of Decency members.

Protests were inspired by the Catholic weekly, The True Voice, which urges a boycott despite the fact that the picture is “The Secret Bride,” which received an approved rating by the Legion of Decency.

E. R. Cummings, district manager for Blank, said he would keep silent and let the show go on.

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**Lubitsch Promised Full-cooperation**

Hollywood, Feb. 8.—Ernst Lubitsch, new supervisor of production for Paramount, today held individual meetings with all of the company’s writers and directors in a move to establish good-will and understanding as to the future operating policy. He emphasized the fact that he at no time would hamper individuality. He was assured of wholehearted co-operation in every instance.

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**Helen Westley East Soon**

Hollywood, Feb. 8.—Helen Westley will check out for New York on completing her role in Radio’s “Spring in Paris.” She may appear in the Theatre Guild’s final production of the season.

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**Missouri Bill Seen as Boon To Code Board**

Bureau, which has been campaigning against bank nights, is of the opinion the bill is unnecessary because the general of Missouri has ruled bank nights and similar drawings a lottery.

Meantime, the local grievance board continues to crack down on swindlers. Competition was found to exist between the Majestic, Washington, Kan., and the Earl against Greenleaf, Kan., though separated by more than nine miles of highway, and a desist order was issued against the Washington house, which advertised that they were in the distance between the towns, it was admitted they draw trade from each other.

J. Erwin Dodson testified one reason his Casino, Excelsior Springs, Mo., darkened shortly after reopening was bank night competition from the Fox Beyer, same town, and the board ordered it stopped. Both cases are to be appealed.

That Fox Midwest has no definite policy on the “nights” and is both for and against on local situations, is indicated in the filing of a complaint by Ray McLain, owner of the Fox Granada, Emporia, Kan., against General, in the same city. In two or three other spots the circuit has been using the stunt.

**New Type Admission Cut Is Ordered Out**

(Continued from page 1)

Tended 15 consecutive showings of a serial.

Children attending the showings each time have been given cards which were punched in the order of attendance. Juvenile holding cards in which no punches were punched were admitted into the theatre after the chapter player completed its run. Warners objected on the ground that the theatre was not in admission, as it was for the price of 15. The committee upheld the circuit.

Although the State, New Haven, won its reduced admission complaint against the Lawrene, same city, for permitting five-cent admissions, the plaintif appealed because the local grievance board did not hand down a cease and desist order. The respondent, at the New Haven hearing, promised he would discontinue the practice, and the board let it go at that.

The Campi appeal committee rendered a stop decision and in addition advised the local board the next time a complaint is heard it nature comes up to do likewise.

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**Omaha Closing Feb. 10**

Omaha, Feb. 8.—Date for closing the World, a complete remodeling has been definitely set for Feb. 10. Following the run of “David Copperfield” last week, Feb. 21, it will be known as the Omaha. New seats, new sound, new carpets, and screens, new vertical sign and the addition of a canopy to the front of the house are expected to cost $30,000.
Barring Those Interested in Cases Sought

Suggestions of Impartial Men Before Campi

Changes in the makeup of local clearance and zoning boards are in the offing, following receipt of a number of recommendations from impartial men answering questionnaires sent out by John C. Finn. Some of the letters were discussed at the last Campi session. While nothing was definitely decided, the matter will be brought up again when the 64 government representatives are checked in.

Opposition is chiefly directed to members sitting when cases involving affiliated companies are discussed and voted. Impartial men hold that after the open hearings are over and testimony and evidence completed by both parties, it is not unusual for one of them to be appointed as impartial men before Campi.

“Copperfield” at $160,120 for Run

Chalking up a gross of $80,370 for the thing, “David Copperfield” continues to keep the Capitol and Loew executives in a holdover frame of mind. For the first week the take was $35,350 and for the second, $44,000, or a total of $160,120 for the three-week period. The picture holds for a fourth stanza. Indications are that it may go a fifth. A decision on (Continued on page 3)

Expect Early Call On Operator Scales

Charles L. O'Reilly, president of the MPTOA, is expected to call a meeting of all local exhibitors to discuss the two operators' booth plans. One has been prepared by the L.A.T.T.S. for Chicago and the other by O'Reilly. Both use a point system, the former giving the value of a point at $9, while the latter figures it at $12. The union schedule bases its booth costs on admission and seats, while (Continued on page 3)

MPTOA to Discuss Effects of Repeal

The effects on theatre business of the first year of prohibition repeal will be discussed at the M. P. T. O. A. convention in New Orleans, Feb. 25 to 28. The organization takes credit in a (Continued on page 2)

Radio May Produce “Company” Films; No Producer Credits

Hollywood, Feb. 10.—Radio may try out a new idea in production during the coming year by turning out some pictures as “company” pictures with no special credits to producers. The idea is to make them the product of the combined studio talent.

The plan is one possibility only thus far, and just how many of this type of picture there will be is uncertain, it is understood.

First reports had it that the company intended to do a complete about-face on production and make all pictures this way, but this was emphatically denied at the studio. It was pointed out in refutation that Merian C. Cooper had just been signed as a producer and that Clifford Reid had just been given a producer's contract.

California's TOCC-ITOA Film Measure Merger Moves Barrage Heavy Stir Again

SAN FRANCISCO, Feb. 10.—When the California legislature resumes its deliberations March 4 among the 3,448 bills introduced in both the Assembly and the Senate during the recent first month's session, there will be at least 177 proposed measures more or less affecting the films.

This number, the largest in the history of the industry, was arrived at by Hulda McGinn, manager of the California Theatre Ass'n., following a capitalization of each of the 3,448 bills, a job she and her staff has worked on since her return from Sacramento.

Among the 177 bills, 131 are Assembly measures, and 46 Senate. At least 98 of the 177 are taxation measures, of a form or another of (Continued on page 3)

Ad Policies Studied In M. & S.-RKO Case

Advertising policies and film rentals prevailing at the Apollo, as compared with other major RKO houses in the metropolitan area, were scrutinized Saturday at the resumed hearing on (Continued on page 3)

Bernerd Sails Home; Likes Setup in U. S.

Happy over the progress Gaumont British has made here in the past few months, Jeffrey Bernerd, managing director, sailed on the Ile de France Saturday after a three-week sojourn. (Continued on page 3)

Announcement

Harry E. Nichols of the Quigley organization, at the request of the New Orleans arrangement committee, has set up a bureau in New Orleans to arrange accommodations in private homes for exhibitors who will attend the M. P. T. O. A. convention Feb. 25-28.

Because of the Mardi Gras, hotel and housing facilities in New Orleans will be severely taxed. If Mr. Nichols can help you, wire or write him at 1018 Cleveland Ave., New Orleans, La.

Report Ascap Suit Will Be Speeded Along

WASHINGTON, Feb. 10.—That the Department of Justice will make every possible effort to speed prosecution of the monopoly suit filed in Federal court at New York against the American Society of Composers, Authors & Publishers is understood to have been the gist of a report given to Ed Kuykendall, M.P.T.O.A. president, in response to inquiries made here recently as to the status of the government's action.

Kuykendall, while here, sought information of the government's office as to the likelihood of an early trial of the issues, it is reported, in order to advise his organization's national convention at New Orleans late this month on the progress of the action, which was brought by the government last September. The action (Continued on page 2)

Vaudeville Actors Seek Code Changes

A memorandum has been filed with the National Industrial Recovery Board by the American Federation of Actors urging revision of the vaudeville code.

The memorandum says the code has been of no value to the individual actor, that it has not been enforced, that maximum hours have not been (Continued on page 3)

Studio Labor Talks Continue This Week

Meetings on new studio union agreements, begun recently, will be continued this week with a possibility of their being concluded by Friday or Saturday, Pat Casey, major studio labor representative who is holding the meetings here, said Saturday.

All unions included in the basic agreement with studios are involved in the current discussions which are centered on wage and other provisions for the current year.

Skouras Will Renew Talks on Contract

With the arrival of Spyros and Charles Skouras and Charles Buckley from the coast yesterday, negotiations (Continued on page 2)
We can analyze the text to identify the main topics and themes. Here's a breakdown:

**Main Themes and Topics**

1. **Westbrook Pegler's Article**: Pegler's column discusses a newspaper's coverage of a trial, mentioning the boss, a newspaper, and a picture. It hints at legal or ethical issues.
2. **Insiders' Outlook**: The section seems to discuss the impact of an article on a newspaper's activities and consequences of such actions.
3. **MOTION PICTURE DAILY** and **Insiders' Outlook** sections indicate discussions about the film industry, possibly covering legal or ethical aspects relevant to the industry.
4. **Skouras to Renew Talks on Contract**: This suggests a contract renegotiation by Skouras, possibly involving the Motion Picture Daily organization.
5. **Fox Midland's New Deal Due in April**: This indicates a new deal for the Midland theater in Fox Midland City.
6. **Ritchey Gets Restrainer**: This possibly refers to a legal or contractual agreement that affects a specific individual named Ritchey.

**Key Phrases and Terms**

- "Mr. Martin Quigley, President, Martin Quigley, President;" indicates a discussion about Martin Quigley, possibly in relation to the company's leadership.
- "February 11, 1935, a to blanket the. 1879. clearance February by being any. " likely relates to a historical or legal context, possibly a clearance event.
- "Budapest, Orleans Bureau: " suggests a location or context related to Budapest or Orleans.
- "MOTION PICTURE DAILY" is a notable publication, likely central to the discussions.

**Contextual Analysis**

- The text seems to be discussing internal or professional dynamics, possibly within the film industry or related organizations.
- Legal or ethical discussions about newspapers and their coverage are evident, indicating an issue of journalism and its implications.
- The references to contracts and deals suggest business negotiations or legal agreements.

**Conclusion**

The document appears to discuss internal dynamics within the film industry, focusing on legal or ethical implications of newspaper coverage and contracts. It provides insights into the industry's practices and the consequences of reporting certain events.
Purely Personal

A LLEN RIVKIN and LEONARD SPREGLASS saw the fruits of their authoring labor assumed concrete form Saturday when "I Wasn't Born Yesterday" made its appearance. MacDonald is the publisher.

GARY COOPER, accompanied by his wife, arrived in town over the weekend from Hollywood. He expects to be here a month and will spend most of his time out on Long Island visiting friends.

Quip of the Day

Jack Cohn heard this same time back, but thinks it's so good he's laughing all over again.

"Producing can be a distraction into his office and raises hell because the story department fails to bring in salable material."

"Look," said the producer, 'last night I picked up a book and read 18 pages. It was marvelous; it was terrific."

"What was it?" asked the supervisor.

"The Life of Abraham Lincoln" and is it good," said the producer.

"I agree, but wait till you reach the part where he dies," said the supervisor.

"Don't tell, don't tell,' came the reply.

GENE RAYMOND and LILIE LEW played the leading roles in the Radio Theatre's presentation of "The First Year" over WJZ yesterday afternoon.

ED KYSKIENDALL is due in town Wednesday for a Camp meeting and final conferences on that M.P.T.O.A. New Orleans convention.

SIDNEY SAMUELSON and JULIUS CHARLOW leave for Washington and the Allied board of directors meeting tomorrow.

HARRY BUXBAUM and JOE LEE return from Chicago tomorrow.

Flash Previews

Roberto—As fine and entertaining a musical show as has ever graced the screen. .... It's Radio's wow. ....

All the King's Horses—Topnotch entertainment in any competition. ....

These films will be reviewed in full in a later issue of Motion Picture Daily.

La Hiff's Tavern

A chop house of exceptional merit

156-W West 48th St., N. Y. C.
In tribute to "THE GOOD"
by Carl Laemmle . . . Starring
MORGAN . . . Reginald Owen . .
William Wyler • Produced b

Heartily recommended," says the Daily News
pathos," says The Mirror . . . "THE GOOD
fun. And that 'universal' may be spell
YOU CAN SEE . . . OUTSIDE AND INSIDE OF MURRAY HALL, IN NEW YORK'S COLDEST WEATHER!

"THE GOOD FAIRY" that Universal gold-mine presented MARGARET SULLIVAN and HERBERT MARSHALL with FRANK Ian Hale . . . Eric Blore . . . June Clayworth • Directed by Carl Laemmle, Jr. • From the screenplay by Preston Sturges.

"THE GOOD FAIRY" BEWITCHING COMEDY! An exhilarating blend of mirth and WRY'SPINS CHARMING COMEDY AT THE MUSIC HALL! Rates tops for universal film with a big 'U' in compliment to the producers!" — says the New York American.
SCREENED IN A SUNBURST OF SONG . . . THE 

THREE OF THE NATION’S FAVORITES . . .

IRENE DUNNE
The Golden Girl with the Silver Song

FRED ASTAIRE
GINGER ROGERS
America’s Dancing Stars

in

JEROME KERN’S dazzling stage success! . . . a heart-load of romance in Paris at love time! . . . A lifetime of laughter! . . . a world of joy! . . . a riot of rhythm! . . . a screenful of dancing! . . . a feast of ravishing fashions, modeled by maddening mannequins!

with RANDOLPH SCOTT, HELEN WESTLEY, VICTOR VARCONI, CLAIRE DODD

From the play “Roberta.” Book and lyrics by Otto Harbach. Directed by WILLIAM A. SEITER. A PANDRO S. BERMAN PRODUCTION.
QUEEN OF MUSICAL ROMANCES!

YOU'LL NEVER FORGET THESE TEASING TUNES:
"I'll Be Hard To Handle" — "Smoke Gets In Your Eyes" — "Let's Begin" — "I Won't Dance" — "Lovely To Look At" — "Yesterdays"
The small staff of tireless workers grew larger and more expert... the one small office in New York divided its operations but not its efficiency.

A Chicago branch... a Los Angeles office... a complete Hollywood studio... with a large and competent staff of specialists... Dallas... Seattle... Atlanta... Minneapolis, and Boston followed in rapid succession until now National Screen Service with branches in eight major cities, strategically placed across the country is geared to service that comes close to perfection.

So that every exhibitor gets that vital necessity to successful exhibition... modern... sure-fire screen advertising on every picture he plays... and at the right time every time... And that's why we celebrate our 15th Anniversary while more than 9000 satisfied exhibitors say
Fox Theatres
Chances with Met Brighten

Delay Until March 15 Is Granted for Latter

Indications that Fox Theatres Corp. may succeed in establishing its claim to a right to participate in the reorganization of Fox Metropolitan Playhouses as the owner of all of the common stock of the latter were given yesterday following a hearing before Federal Judge Julian W. Mack at which the time for filing the Fox Met reorganization plan was extended to March 15.

Fox Theatres, which filed a claim of approximately $5,000,000 against Fox Met based on its stock interest in the latter, is ignored completely in the plan of reorganization sponsored by the Fox Met bondholders’ committee. This plan, completed several months ago but never sent out for creditor approval, asserts that

(Continued on page 3)

Pittsburgh’s Rate War Is Spreading

PITTSBURGH, Feb. 11.—The Stanley and the Alvin have joined the theatre price war, by reducing scales to the beginning of this week. The Alvin’s pictures and stage shows are now 40 cents, the same price charged by the rival Penn, against the 60 cents previously obtained. While the Alvin hasn’t cut its 40-cent top, it has inaugurated an opening price of 15

(Continued on page 2)

Monogram to Raise Schedule Next Year

Monogram will increase its current schedule of 28 pictures next season, the definite number to be announced at the annual sales convention slated to be held in Hollywood around April 1.

Trem Carr, production head, and W. Ray Johnston, president, last week approved production budgets for “Keeper of the Bees,” “The Hoosier Schoolmaster” and “The Healer.” Carr plans to leave for the coast early next week.

New Olympia Setup
Advanced by Order

Reorganization of Olympia The- atres, Paramount New England sub- sidiary, is expected within the next

(Continued on page 2)

Bay State in
Dark on Many Pending Bills

Sunday Sports Looming As New Competition

BOSTON, Feb. 11.—With the printing of bills filed in the Legislature running far behind, local representatives of the industry continue in the dark as to the details of much proposed legislation, the future of which will have a potent effect. The strengthening of Sunday programs will be a reality if the petition of Hyman Maneswich, House Bill 1202, is passed to permit stage dancing on the Sabbath. Although churches in the state have been allowed to put on exhibition dancing on Sundays, theatrical acts are entirely cut in this respect except in a few instances when the movements can be interpreted as an acrobatic performance.

Booking agents will be compelled to seek licenses from the Secretary

(Continued on page 3)

Massachusetts Bill
Seeks Town Censors

BOSTON, Feb. 11.—Groups of public officials in every city and town of the state will automatically become censor boards obligated to pass separately on each film shown in their communities where minors are admitted if a bill introduced in the Legislature by State Senator James C. Scanlan is passed. This petition, Senate No. 156, is one that was given leave to withdraw two years ago. It also contains a provision that no one

(Continued on page 3)

Missouri Bill Aims
To Permit Lotteries

JEFFERSON CITY, Mo., Feb. 11.—While a bill in the Missouri legislature would outlaw bank nights and other gift enterprises at theatres, another measure would legalize lotteries.

Representative Will L. Lindhorst of St. Louis has introduced a resolution

(Continued on page 3)

Loew to Be Called
For More Testimony

David Loew will be recalled to the witness stand today for further questioning by Max D. Steuer, counsel for Meyer & Schneider, in the arbitration hearings on breach of lease

(Continued on page 3)

$205,000 in Month

With a take of $18,000 over the week-end, the Capitol holds “David Copperfield” for a fifth week and the possibility of the Dickens film going a sixth are not so dim. For the current stanza, the Capitol will hit from $45,000 to $49,000, bringing the month’s tally to somewhere around $205,000. For the first three weeks, the box-office records show $180,120.

IATSE Takes
Over Chicago
Union Control

CHICAGO, Feb. 11.—Control of the local operators’ union was taken over by George Browne, I.A.T.S.E. presi- dent, on Saturday night, it was learned here today and Harland Holden, third vice-president of Browne’s organization, was placed in charge following the resignation of Tom Reynolds and Ralph O’Hara.

Motion Picture Daily exclusively printed last Saturday that Browne was here for full reorganization of the union along conservative lines and today Browne promised a new deal for local operators and a full investigation of union records and the activities of the late leader, Tom Maloy. Browne also stated everyone will get a fair hearing before I.A.T.S.E. officers, which means there is hope that the

(Continued on page 2)

Midwest Circuits’
Merger Completed

KANSAS CITY, Feb. 11.—Merger of Commonwealth Theatres, Inc., of Kansas City with Central States Theatre Co. of Hinsdale, Ill., became effective this week, combining opera- tions in 11 towns in Kansas, Missouri and Iowa. Of the 16 theatres involved, three are suburban houses in

(Continued on page 8)

Fox Asks Details
Of Douglas Invention

SAN FRANCISCO, Feb. 11.—Thirty-five questions, directly directed by Fox Film Corp. against Leon F. Douglas of Menlo Park, Cal., are on file here in the U. S. District Court as the latest development in the suit filed by Douglas against Fox Films, Para-

(Continued on page 3)

Gross Decline
Forcing Cuts,
Says Schenck

Save Through Shortened Schedules, He States

ALBUQUERQUE, Feb. 11.—“Smaller national grosses are teaching producers to economize,” said Joseph M. Schenck, president of United Artists, who passed through here on his way to Hollywood. “The picture that would bring in $3,000,000 in America several years ago,” he continued, “today grosses $1,000,000, and if it is really an exceptional picture it may do $1,000,000 top.”

The reason the first runs are not doing the business they used to,

(Continued on page 2)

Action Impends on
Copyrights Treaty

WASHINGTON, Feb. 11.—Future action on the long-discussed copyright treaty may be considered by the Senate Foreign Relations Committee at its next session, now scheduled for Wednesday.

So far this session there has been no consideration of the matter, but

(Continued on page 2)

Still Distribution
On Coast Is Stopped

Considerable agitation has been stirred up among fan magazine edi- tors by the insistence of Ray Long, new editor of Photoplay, that he be allowed to pick still pictures on the coast. The result has been that all the major companies have informed

(Continued on page 2)

Hiller, Hayes Plan
New Ind’p’t Concern

L. L. Hiller, partner years ago with Jake Wilk in Hiller and Wilk in the state right field, and Jack Hayes, producer of the “Baby Bar-

(Continued on page 3)
Action Impends on Copyrights Treaty

(Continued from page 1)

last season a special sub-committee was appointed to study the treaty. That sub-committee was expected to work during the summer but failed to do so. Now the committee would hold further hearings on the treaty were today denied. It was pointed out that no further hearings were necessary for that district as hot as the downtown battle. At the Family, 10 cents has been charged. Murray Levering, the $15 cent bayly and 25-cent downstairs scale in the afternoon and 25 cents for all seats at night. Neither the Penn and Fulton reduced their prices a week ago, leaves only the Warner, among the five downtown first runs with its old scale intact. That is 25 cents from opening until six, and 40 cents thereafter for double features.

New Olympia Setup

Advanced by Order

(Continued from page 1)

few weeks as a result of the signing of an order yesterday by Federal Judge Fred C. Cox, the film company is putting forward a plan for expanding the reorganization through purchase of Olympia stock not held by Paramount in order to permit Paramount to acquire the ground on that the company is insolvent. For this reason opposition to the plan, which it was feared might delay reorganization a year or more, was anticipated. The proposal approved by Judge Cox averts this dispute over the services of its own exchange, with opportunity to acquire the outstanding stock for $50,000 and allowing a stockholders’ committee claim of approximately $1,500,000 against Paramount Publix for breach of a stock purchasing agreement.

Judgment Denied in Suit Against Roxy

A motion for a summary judgment for defense motion pictures by plaintiff J. Rothfield was denied yesterday by Justice James T. Hallinan in state supreme court at Brooklyn.

Rexo-Max, a picture by Joseph A. Schaines, a lawyer who alleges the amount sought is due him as fees for services in the suit to restrain the Roxy Theatre Corp., from using the name "Roxy," Justice Hallinan directed that the judgment case should proceed to trial. Sum Spring is counsel for Roxy, who contends that RKO is liable for Schaines’ fees.

Bury Mrs. Hattrick Wed

MATCH CHUNK, Pa., Feb. 11.— Mrs. G. P. Hattrick, mother of E. B. Hattrick, vice-president and general manager of Cosmopolitan and Metrotone, was to be held up to the end of the first week in March and “Roberta” is tentatively set for then.

Pittsburgh’s Rate War Is Spreading

(Continued from page 1)

cents until 12:30. In the past, there has been a 25-cent tariff from opening right through until 6 o’clock.

With the Alvin retention of Harris interests have likewise cut their scale in East Liberty at the Family. This is the first slash in the East Liberty section in nearly a month and will hit that district as hot as the downtown battle. At the Family, 10 cents has been charged. Murray Levering, the plan for expanding the reorganization through purchase of Olympia stock not held by Paramount in order to permit Paramount to acquire the ground on that the company is insolvent. For this reason opposition to the plan, which it was feared might delay reorganization a year or more, was anticipated. The proposal approved by Judge Cox averts this dispute over the services of its own exchange, with opportunity to acquire the outstanding stock for $50,000 and allowing a stockholders’ committee claim of approximately $1,500,000 against Paramount Publix for breach of a stock purchasing agreement.

INATSE in Control Of Chicago Union

(Continued from page 1)

seven operators expelled by Maloy may be reinstated.

Browne will run the union until the next election, the date of which has not yet been set.

Local exhibitors are watching and waiting for developments with interest, but are reluctant to comment.

MATTHEW MAY, Jr.
COMPANY
INC.

SPECIALISTS IN
FILM AND THEATRE INSURANCE

75 Maiden Lane 510 W. 6th St.
New York Los Angeles
Cal.

Gross Decline
Forcing Cuts, Says Schenck

Schenck said, that is second and third runs are playing the product too soon after the first runs and at too low admissions. The distribution income from first runs used to be 40 per cent of the total national gross. Now it is only 20 per cent, he explained.

The companies are finding a solution to this problem in judiciously cutting production costs, Schenck continued, but not, however, in stars’ salaries. This cannot be touched because the supply of expert talent is inadequate and because the public demands them for their services. “Producers are learning to save on the time element and instead of needing eight weeks we are now shooting a picture in six, and in reducing the normal six to four there is a substantial saving in stars’ compensation and in the other factors that constitute a production budget,” the United Artists head said.

Schenck also said that because the general public has the idea that pictures made in the spring and not released until fall are old, 49th Century will complete this year’s production in March and the studio will close in April and May, resuming for next year’s schedule in June.

Dennis O’Brien, United Artists attorney, is travelling with Schenck.

HOLLYWOOD, Feb. 11.—Accompanying Joseph M. Schenck and Dennis O’Brien westward is Nathan Burkhart. Jointly, the three will discuss the impending deal with the Music Hall whereby that theatre will play United Artists product in New York and New City. The stumbling block has been disposal of the Rivoli which U. A. is planning to have the Music Hall annex.

Samuel Goldwyn, part owner in U. A., will get details first hand from Schenck.
**Fox Asks Details of Douglas Invention**

(Continued from page 1) mount and Walt Disney demanding damages for alleged infringement of Douglas’ patents for the making of colored pictures. Attorneys for both sides have stipulated extensions for the next session. Douglas will file an answer later than the middle of March. He will object to some questions, and ask for a new trial, according to his attorneys.

Following are the principal queries propounded by Sydney Lyon, Alfred Sutro and Alfred Wright, attorneys for Fox:

Upon what date did Leon F. Douglas have the alleged invention? On what date and by whom was the drawing, or drawings, made? Are there any who show it and by whom? If so, produce and file them, or a photostatic copy of same. When, where and why was the alleged invention first disclosed by Douglas? How, when, and where was invention first reduced to practice? Have witnesses ever constructed a camera embodying the alleged invention? Were any such cameras or devices ever sold? Where, when and by whom?

Please state if any films made by the plaintiff were ever publicly shown. If so, state (a) title of picture (b) name of person or persons making same, (c) date and place and when and where shown or exhibited.

State the complete process employed, also, when, where and by whom. For example, state the title or name of at least one motion picture film which the plaintiff asserts was made or sold by the defendant, employing the process ever constructed.

In the original answer Fox denied nearly all the allegations of Douglas and said that he had no intention to make colored pictures was common knowledge among movie technicians.

**Fox Chain's Changes With Met Brighten**

(Continued from page 2) stockholders have no equity in Fox Met which, it is claimed, is insolvent. The time last allotted by the court for the filing of objections to the reception expired yesterday. The extension to March 15 was granted on the plea that a meeting of the Fox Met bondholders' committee was still engaged in conferences with Milton Weisman, receiver of Fox Theatres, presumably on the latter’s demand for participation in the Fox Met reorganization. Indications are that changes may be made in the present management plan, or a new one drafted with Weisman participating, which would make some provisions for the Fox Theatres’ claim.

**Barrymore in Baltimore**

BALTIMORE, Feb. 11.—John Barrymore, who remained in town week-end to see his daughter, Diana, who is attending the Garrison Forest School in New Hampshire, will host the boy to his daughter and six of her school chums Saturday night, taking them to the Manley Club.

**Sprague as Lubitsch Aid**

HOLLYWOOD, Feb. 11.—Chandler Sprague is understood to have been named executive assistant to Ernst Lubitsch.

**Bay State in Dark On Many Measures**

(Continued from page 1) of State H House Bill 1133, advocated by John J. Quigley, is passed.

Bills to abolish pari-mutuel horse and dog racing, now being forced by popular referendum at the last elections, are included in the bills recorded as having been referred to committee. House Bill 411, through House Bill 41, would legalize Sunday bowling, while Joseph F. Cleary, through House Bill 457, would make the same for hockey. House Bills 1411 and 1413, sponsored by William A. Brown and by Frank B. Coughlin and Joseph H. Downey, are also concerned with Sunday sports and games. William E. Kirkpatrick, through House Bill 1412, would legalize basketball during certain hours on Sunday.

Although there are at least four applications for running horse tracks and 14 for dog tracks filed under provisions of the pari-mutuel laws passed by referendum at the last election, a district court in the state have to contend with competition from one horse and four or five dog rendezvous.

Gen. Charles H. Cole, chairman of the State Racing Commission, intimated as the hearing of the application by the New England Horsemen's Ass'n at the hotel Statler. The hearing last week on a local dog racing application stirred bitter opposition.

**Missouri Bill Aims To Permit Lotteries**

(Continued from page 1) to submit a constitutional amendment, providing for removal of the anti-lottery law passed in the 1936 general election. This would pave the way for his bill to establish a state lottery for obtaining funds for old-age pensions.

It is pointed out that if the constitutional prohibition of lotteries is removed, no action could be taken against such enterprises at theatres.

**Massachusetts Bill Seeks Town Coupons**

(Continued from page 1) under the age of 14 may attend any theatre after 7 o'clock in the evening unless accompanied by an adult. Conviction of any violation will mean forfeiture of license and punishment by a fine and/or imprisonment.

**Sam Jacobson Reports**

HOLLYWOOD, Feb. 11.—Sam Jacobson, former editor of the Universal newsmagazine, who has been signed as an associate editor by National Life of Mascot, reported on the lot today. Jacobson's first job will be to super- vising the "Headlines," which is scheduled to start March 2. Levine gave him the "Headlines" assignment because of his newsmagazine experience.

**Plans British Pictures**

LONDON, Feb. 11.—Simon Rowson is reported planning to enter production with a new company under the name of "Ben Productions." J. C. Barnstyn has a similar move in mind.

**Para. Group on Coast**

HOLLYWOOD, Feb. 11.—Adolph Zukor, George Schaefer and Russell Holman arrived today, declining to reveal their mission.

**J. F. Hunsicker Promoted**

Hollywood, Feb. 11.—J. F. Hunsicker, who has been employed as manager of the Universal office, has been appointed assistant manager of the local New Haven and Albany offices. He succeeds the late James F. Dermody, who died last week. Hunsicker will make his headquarters here.

William P. Kelly, for the past 12 years a salesman in the local office, will succeed Herman.

**Fox Men Return as Chicago Meet Ends**

CHICAGO, Feb. 11.—Fox’s two-day district managers’ meeting at the Congress Hotel here closed today, with current sales problems the primary topic of discussion. John Balaban of B. & K. briefly addressed the subject of district branch managers and executives present.

The New York contingent started early, as was the case of the Hugh C. Clark, Charles E. McCarthy, James A. Clark, E. Craiginger, W. C. Kupper, William Sussman and Joe Lee.

**Rogers Back on the Job**

Hollywood, Feb. 11.—Will Rogers is back at the Fox studio ready to start work in "Doubling Thomas."
take a marvelous box-office title like

take VICTOR SCHERTZINGER, who

take two stars like LILIAN HARVEY

take a new song hit to sweep the country

take a swell script by GENE MARKE

take a company like COLUMBIA

and IT'S ANOTHER
'LET'S LIVE TONIGHT'

Directed "ONE NIGHT OF LOVE"

and TULLIO CARMINATI

like "LOVE PASSES BY"

from BRADLEY KING'S story

but these grand elements together

COLUMBIA HIT!
UNIVERSAL'S GOT S

NOW CASHING IN
RKO PALACE
IN CHICAGO!

...... BOOKED
SIMULTANEOUSLY
N.Y. ROXY AND
RKO MEMORIAL,
BOSTON, FEB. 22nd!

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
OME HEAVY DATES!

RADIO CITY MUSIC HALL
MARCH 14th

The MYSTERY of EDWIN DROOD

CARL LAEMMLE PRESENTS A UNIVERSAL PICTURE WITH

CLAUDE RAINS
DOUGLASS MONTGOMERY

HEATHER ANGEL · DAVID MANNERS
FRANCIS L. SULLIVAN · VALERIE HOBSON
DIRECTED BY STUART WALKER
PRODUCED BY CARL LAEMMLE, JR.
**Purely Personal**

A DELE VOGEL, sister of Joe Vogel, who has been with the Loew circuit only 26 years, but who now feels reasonably certain his immediate future operating job there is safe, makes Thursday evening at her brother's apartment somewhere on Central Avenue West. Miss Vogel is one of the few, perhaps the only, woman broker in Wall Street and, not so incidentally, the apple of Joe's eye. Her groom is Max Klein, a lawyer, Friday night when the Lafayette pulls out on a southern cruise, the couple will be among the honeymooners.

Bud Gray, Columbia's radio editor, was visited by her sister at the home office yesterday. She brought her dog along and when Gray took the animal, which stood about three feet high, on a tour of the office where the dog wanted to and had to like it.

Josef Schemck made a last tour of the town's night spots before pulling out for the coast. He and Miekl checked a series of intimate dance steps while attending Gertrude Niessen's opening at the St. Regis.

**Quip of the Day**

Walter Reade has indefinitely postponed his trip to Miami, as, he says it, until business at the Maxwell and Astor plex up. This caused a local wag to remark:

"Next winter, maybe."\n
**Seven Decisions on Bank Nights Upheld**

Campi has affirmed decisions by local boards of directors, seven bank night appeals. The local grievance boards in each instance held the practice a violation of state law.

The cases are: Appleton, Appleton, Ws., against the Embassy, Neenah, Ws.; Bay, Green Bay, Ws., against the North Wisconsin Savings and Loan Assn., Appleton, Ws., against the Brin, Mason, Ws.; Capitol, West Allis, Ws., against the Concord, Waukesha, and Granada and Juneau, Milwaukee, against the Riveria, same city; Strand, Oshkosh, Ws., against Rex, same city; East, Green Bay, Ws., against the Strand, same city.

**Campi January Cost Reached to $23,475**

Total operating expense for Campi and its various branches for the month of January was $23,475,85, of which $9,342.01 was checked off against the home office, $3,653.93 for Hollywood and $11,072.33 for local boards.

Receipts from exhibitor sources last month amounted to $4,149.19 from distributors and producers, $1,130. Cash on hand is $4,093.02.

**No Hearings on Tarp**

No appeal hearings are on the Campi calendar this week. The recent Local Code Authority session will be held Thursday and Tyrce Dillard, Jr., will preside over Campi C. Flinn, who is now on the coast.

**Marion Tailey to Coast**

KANSAS CITY, Feb. 11—Marion Tailey, former Metropolitan Opera star, has left here for Hollywood to appear in a picture for Warners.

**Wall Street**

**Eastman Gains 1% on Big Board**

Columbia vte (e) - 54.75 + 0.50 Consolidated Film (a) - 54.50 0.25

pd 3/15 21 32 28 26 14 18

Fox Film (a) - 105.8 10 19 15

Low's Inc. - 99.5 14 14

Paramount - 73 12 7 9

Ray-O-Way - 49.9 49 49 +16

RKO - 68 68 68 70

Warner Bros. - 39 39 39 +16

Warners Inc. - 104.5 104 104 104

Trans-Lux Up 1/4 on Curt

**Low High Close Change**

Technicolor - 130.6 130.5 130 1.1

Param. B'way Bonds Rise 1/4

High Low Close Change

General Theatre Equip. 65 60 58 5 3

King B. F. 71 66 66 +5

Loew's Inc. 96 86 84 +2

New deb rights 104.6 104 104 +1

Param. B'way 59 56 56 3

Paramount Publix 69 68 68 0 +2

Warner Bros. 66 66 66 0

Yest. 531 531 531 0

(a) Plus cash extras. (b) Plus stock extras. (c) Paid this year. (d) Defaulted in principal and interest.

(Quotations as close of Feb. 11)

**Radio Warned About Using Film Records**

WASHINGTON, Feb. 11—All broadcasting stations have been warned by the Bell Telephone Company that the use of Paramount and Columbia transcription programs will be considered a violation of code provisions relating to rate cutting and free time. The Paramount program is called "Paramount Pictures" Electrical Transcriptions," while the Columbia program is called "Hollywood News Flashes." It was stated by Columbia, according to Code Authority officials, that the program was designed for sponsorship by theaters, but requests for further information proved fruitless.

**M-G-M Signs Ruben For Single Picture**

Hollywood, Feb. 11—J. Walter Ruben, director, has been signed by M-G-M for one picture. Roy Del Ruth has been loaned by the same company from 20th Century for one film. Richard Thorpe also has been added to the director's roster. Robert Loggia has been lent from Warners for a role in "Reckless." Ursula Parrott's story, "Love Goes From Ashes," has been purchased from the Impact Cinemas Corp. Charles Lederer and Melvin Levy, writers, have been signed. Betty Buck and Allan Jones, writers, have been signed for "Fletch," and Robert Katscher, composer, has also been put on the payroll.

**Cleveland Club Elects**

Cleveland, Feb. 11—The local Variety Club, over the week-end, elected Nat Holt president: I. S. Schwartz, vice-president; Harry E. Long, second vice-president; M. B. Horwitz, secretary and Nat Lefton treasurer. Frank D. Drew and Joe Fishman were also elected trustees for a three year period and Jack Shulman was appointed trustee for one year.
**MOTION PICTURE DAILY**

**NEW YORK, WEDNESDAY, FEBRUARY 13, 1935**

**TEN CENTS**

**Warners Give New Power to Zone Managers**

No Decentralization Is Involved—Bernhard

Warners will keep its entire circuit and theatre personnel intact, although district managers will be granted wider operating authority in the future, no decentralization is under way, Joseph M. Bernhard, general manager, told the company’s quarterly meeting of zone managers in session here yesterday.

The possibility that several additional theatre acquisitions might be made was also advanced as the meeting, according to a company statement which cited this prospect for the company as being directly “contrary to any thought of divesting itself of property.”

The statement apparently comes in reply to reports, current for some time past, that Warner attorneys and circuit executives were studying means by which a number of the company’s

**New Studio Heads Will Stay-Zukor**

Hollywood, Feb. 12.—Adolph Zukor, following his arrival here yesterday, said that Henry Herzbam and Ernst Lubitsch would remain permanently in their present Paramount posts, the one as vice-president in charge of production and studio manager and the other as supervisor of production. He asserted no outsider

**Aylesworth Sees Us Ready for Television**

Los Angeles, Feb. 12.—“We are ready to launch television in this country, M. H. Aylesworth said here today, adding, however, that it will be enormously expensive.” He voiced the prediction that television “will be a big asset to the movies.”

**Unions Organizing Legislative Moves**

Kansas City, Feb. 12.—Theatrical crafts in several states are being organized into state associations to deal with legislation and other matters, reported Felix D. Snow, international representative of the I. A. T. S. E. (Continued on page 7)

**Editors Note**

The Leading Daily Newspaper of the Motion Picture Industry

**VOL. 37. NO. 37**

**“receivership racket” stirs Schenck’s ire**

**Asserts solvent houses are at disadvantage**

Hollywood, Feb. 12.—Joseph M. Schenck, president of United Artists, arrived here today from the east vigorously denouncing what he termed “the receivership racket.”

In Schenck’s party were Dennis F. O’Brien, vice-president and general counsel for United Artists, and Nathan Burkan, attorney and a company director.

Schenck spoke about the hundreds of theatres throughout the nation that are in receivership. Because of their special legal advantages, he asserted, they “are able to compete with solvent theatres on an unfair basis.”

Theatres which are solvent have to battle like the dickens to keep from

(Continued on page 7)

**Expected Samuelson to hold his post**

Although Walter Littlefield, Boston; Ray Branch, Detroit; Aaron Saperstein, Chicago; and Col. Harry A. Cole, Dallas, are reported in line for the presidency of Allied, reliable reports have it that Sidney Samuelson will be continued as head of the national organization, the directors of which today start a two-day annual session at the Carlton in Washington. Block’s backing, Ascap, impending legislation and the code are the four

(Continued on page 20)

**Senate votes funds for A. T. & T. Probe**

Washington, Feb. 12.—The Wheeler resolution carrying $750,000 for the Federal Communications Commission’s investigation into A. T. & T., in which will be involved the film and other interests of the company, was passed today by the Senate.

The only objection was voiced by Senator King of Utah, who protested additional burdens on the Treasury.

**Conference are started on Skouras 10-Year Pact**

Conferences on the pending 10-year joint operating contract Sporos and Charles Skouras are negotiating with National Theatres Corp., were started yesterday in S. R. Kent’s office with Leo Spitz sitting in as attorney for Sporos brothers.

Talks are centering around terms and conditions, and, except for affixing signatures, are expected to wind up tomorrow when Kent leaves for a vacation in Florida.

Attending the sessions in addition to Kent, Spitz and the Skourases are Peter Sinclair, of Lybrand, Ross Bros. and Montgomery, accountants for Chase National, Julian Hagen of Mudge, and W. R. Tucker, attorneys for Chase, and Herman Place, vice-president of Chase.

An informal session was held Monday at the University Club with all principals present.

**Brandt in Deal for Audubon; Report Wm. Fox After Circuit**

Harry Brandt has closed deals for the Audubon and Tuxedo, the former having been operated by George Skouras until about two weeks ago, and the latter independently operated.

In closing with Milton C. Weisman, receiver for Fox Theatres for the Audubon, Brandt yesterday was reported acting for William Fox, who, it was said, was negotiating for the purchase of the Brandt circuit. William Brandt and Fox are close friends, the association dating back many years when Fox was head of the film and theatre companies bearing his name. The Audubon will be reopened in two weeks.

Fox has been reported interested in the Audubon. Harry Brandt could not be reached for a statement yesterday.

**Breen seals 46 features during month**

Hollywood, Feb. 12.—Forty-six additional features and 29 shorts were earmarked with approval by Production Code Administration of which Joseph L. Breen is the head during January.

Since the machinery was strengthened on July 15 of last year, the

(Continued on page 4)

**Pennsylvania proposes 10% ticket levies**

Harrisburg, Feb. 12.—A 10 per cent tax on admissions was proposed today by Governor George H. Earle in his budget message to the Legislature. The Governor estimated the tax would net the state $6,000,000 in the next two years.

Admissions to film theatres are present.

(Continued on page 7)

**No zoning rulings tomorrow by Campi**

No action will be taken tomorrow by Campi on the Kansas City, Milwaukee and New Haven clearance and zoning schedules. The regular session will be confined to appeals decisions and preliminary discussions on the three territorial zoning plans.

Following acceptance of the Los Angeles schedule, John C. Flinn flew to the coast to discuss it with various

(Continued on page 10)

**Conferences are started on skouras 10-year pact**

**Canada Houses pass 1930 peak; now 924**

Ottawa, Feb. 12.—According to an official report for 1934 by the Dominion Bureau of Statistics, 924 film theatres were operating in Canada as compared with 91 which reported to
**MOTION PICTURE DAILY**

**Insiders’ Outlook**

By RED KANN

*Registered U. S. Patent Office*

Vol. 37  February 13, 1935  No. 37

Published daily except Sunday and holi-
days at 401 Fourth Ave., New York, New
York, and at 1630 Broadway, New York.

Subscription prices per year: $6 in the
United States; $6 in Canada and foreign.
$2.00 Single copies: 10 cents.

**Mrs. Pearl S. Brown Dies: Was Long Ill**

Mrs. Pearl Sayler Brown, wife of Colv-
sin W. Brown, vice-president and gen-
eral manager of the Quigley Pub-
lishing Co., died yesterday morning af-
aftersuffering from many illnesses that
had been serious only for a few weeks.

Mrs. Brown was born in McHenry,
Ill., the daughter of D. E. and Mrs.
Sayler and moved to Elgin with her par-
tleswhen she was in her teens. She came
to New York in 1912 where she mar-
ried Brown in 1923, since which time
they have lived in this city and at their
country place, Mulberry Lane, Stamford,
Conn.

Mrs. Brown is survived by her
mother, who lives in Elgin, Ill., and four
sisters.

Private services will be held at the
Stephen Merritt Chapel this morning at
3 O’clock. Burial will be in Elgin on Thurs-
day.

**Dempsey, Ampa Guest**

Jack Dempsey will head the list of
talent at the M. P. Club Jerome also
is expected at the M. P. Club.

**“Ruggles” at M. P. Club**

“Ruggles of Red Gap” will be pre-
viewed at the M. P. Club on Sunday
night. “The Whole Town’s Talking”
will be screened on Feb. 24.

**THE two kind-of-tossed he-
men who flourish in Texas and the
Southwest is about to
descend on the town.
About the
impending invasion from the
open spaces there is a yarn to
told. It revolves around not
the theory but the practice of
circuit operation in that wind-
swept region and the general
dissatisfaction which is several
distributors’ over what they
—this is doing to them. It’s keep-
ing them and a proper break
apart and that means money.
They don’t like it, as who
would?

Fitting into the situation have
been the closed town and the
where circuits are so strong and
competition so weak that the
battle is over before it even
starts. Or so maintain the dis-
tributors who blame men like
Gordon and Joe Clemmons
of the East Texas circuit, and
Robb and Rowley and the Griffith
Bros. for attempting and very
dominating the territory in
which they maneuver. If you
want to be all-inclusive about it,
you might throw in Karl Hob-
lutze of Interstate as well.

The current eddies of excite-
ment and reassurance
from the impending arrival of the
cohorts for the purpose of seek-
ing franchises—long-time one’s
mind you—from this and that
and the purpose of jol-
ning up the product that keeps the
theatres going and, by such
obvious tactics, make it increas-
ingly tough for whatever com-
petitor may try to do.
This is as good a time to inform
these various gentlemen that
their job of signing franchises
will be no pushover, for dis-
tributors, or certainly all of
them, are aware of the opposition
which has sprung up in approxi-
mately 27 towns where com-
petition meant little before.

You may never have heard of
the Inca Amusement Company.
Let’s tell you about it. This
enterpris young but lusty, has as
its principal factors Claude Ezell,
onetime general sales manager
for Warners; Bill Underwood,
international exchanger in
Dallas and partner for some
-time with A. W. Hevalds;
and Ruben Frels. The latter are
theatremen, while Frels is the
chap whose gumption has made it
necessary for Gordon, Clemmons
and the interloper to work New
York more often than otherwise
necessary to defend themselves
on overbuying under the code.
Other moves are reported under
way, their results to be determined, of

course. What appears to be
reasonably certain at this time,
however, is that distributors
won’t be burnt even if some of
the circuits are.

Dear Senior Laemmle:
Your Universal has a great
amount of competition with
the exhibitor. Your Jimmy
Granger has gone places, plenty
of them, on sales this season.
No need for us to tell what
your books show.

Your exhibitor well-wishers
and your customers know about
wrangling at the studio because
the trade papers have told them
so. There is optimism in family
squabbles, as is their wont,
are apt to be swelled in point
of excitement but not so
forty in point of making pic-
tures.

No guesswork here. We’ve
been told so and that’s why we
are telling you. We know you
can take it. We hope you’ll
do something about it and if,
you don’t mind, remind you of
what a man you regard highly
has said on frequent occasions.

Harry Nick Schachenek, who
told practically all there was to
be about this business when
he remarked many months ago:
”There is nothing in this
business, which good pictures
cannot cure.”

Many have been the stories
bombarding Times Square about
Warner’s and their theatre op-
érations. Some of them have
been discouraging. Indicating
that their knowledge had reached
West 44th Street where the
Warner hatracks rest, came a
three-paragraph statement from
Joe Bernhard yesterday, his rea-
soner for talking tying in with a
zone managers’ session now
two days old. Italicized by this
column’s own brand of whimsy, the
underlined see the significant
text. Here goes:

“Joseph Bernhard, general
manager, emphasized that this
transfer of certain duties from
the home office to the field
does not imply a decentralizing policy
in any respect as all the theatres
and field personnel will remain
intact, and contrary to any
thought of devoting itself of
private offices, several new acquisitions
were mentioned.”

Catch? . . .

Headaches, parcelled out equally,
reach RKO and M. and S.
Studios; and whatever morning mail
will deposit on their desks state-
mants of arbitration charges
rolling up in the Hollywood-
Apollo theatre lease case. The statistics:
Arbitrators, three.

Rate for each: $30 per hour. Number
of hearing days: seven.
Average length of hearing: six
hours. Total: 42 hours at $90 per
hour, or $3,780.
Add: salaries of court stenographers;
rent for quarters in the New
York County Lawyers’ Ass’n
Building . . .

Sissors and paste, commentary,
courtesy of the theatre notes de-
partment of The New York Times:

“Although the asking price for
the screen rights of As Thou-
sands Will Die was $25,000, an er-
ror in wire transmission quoted
$25,000 to Rosalie Stewart, who
represented M-G-M in the deal.
The latter figure was immediately
accepted by the film concern.
Telegraph company officials
admitted the error, according to
Max Siegel, Mr. Harris’s repres-
sentative. Furthermore, Mr. Siegel
and Mr. Hevesi, company officials
pointed out a clause on each
blank protecting itself in such
contingencies. Mr. Siegel
stated that he closed it for $25,000,
with the stipulation that any material
not used in this picture was to revert to
Sam I. Harris.”

“Does the legend that it was
Columbia’s Director and
Rosenblatt, in telephone call
starting in Washington and
ending in Campi headquarters at
Radio City who precipitated pro-
duction of a new schedule for the Los
Angeles zone based on admissions. He
is supposed to have urged, or may
be it was warned, that something bad
better be done or “there
would be hell to pay.” A closer
scrutiny of that situation brings to
light this: That the plan
determined to keep all hands
happy it would be a
scrap heap. And why not?
What good any agreement un-
est is it acceptable?

Hollywood on Manny Cohen:
It is quite possible that a new
First National may be started
with Cohen at the head of pro-
duction.

New York on the same mat-
ter: Talk of collaboration
will enter independent production,
drop the worries of running a
major studio and concentrate on
from four to six pictures a year.
Your choice is of your own
making. In the meantime, Cohen
starts west shortly and will next
talk from the Hollywood
scene.”

**Clemente Meets “I” Deal**

Jannik E. Clemente, president of
Latin Artists, announced to
newspapers that his company is set
to close a deal with Universal to produce
a Spanish-language film in New
York. It is called “Three-Cornered Hat” and
will be started shortly at the Biograph
studios or the Photocolor studios at
Ivington-on-the-Hudson, N. Y.
EXTRA! AS WE GO TO PRESS!

COPPERFIELD
HELD OVER CAPITOL, N. Y. 5th WEEK!
New all time Record!

EXTRA!

AS WE GO TO PRESS!

COPPERFIELD Held over Capitol, N.Y. 5th Week!
New all time Record!

God bless our home and David Copperfield

WE DID IT FOR THE WIFE AND KIDDIES!
—Yours and ours!

EXTRA playing time for DAVID Copperfield!
WE urged it—
YOU did it!
THERE is no comparison IN all of picture history FOR the
BUILDING power and WORD-of-mouth stimulation OF this greatest of all
HOLD-over pictures!

IF YOU LIKE FIGURES take a look at this!
*OUT OF FIRST 13 COPPERFIELD ENGAGEMENTS:
Monday beat the opening day, Friday, in 3 cases. Tuesday beat the opening day, Friday, in 9 cases. Wednesday beat the opening day, Friday, in 10 cases. Thursday beat the opening day, Friday, in 11 cases. THE LAST DAY OF THE FIRST WEEK BEAT THE OPENING DAY IN 11 OUT OF 13 CASES!

*In Louisville "Copperfield" started out doing 92% of top business. By the end of 11th day it was doing 27% better than top. In 11 days it had built more than 35% over best previous grossers.

*In Hartford it started at 76% of top business in its first three days, and by the end of the 11th day it had done 112% of top business.

*At random, a few out of many spots where "Copperfield" is upsetting all previous conceptions of building power and still going strong: El Paso, Minneapolis, St. Paul, Richmond, Nashville, Reading, Atlanta, Norfolk, Boston, etc.

*Capitol, N. Y. in its 4th big week. Total for first three weeks biggest since "Smilin' Through," and almost equals it. The 20th day (Wednesday) beats opening day (Friday).

*EXTRA DAYS! EXTRA PAY DAYS! DON'T REGRET LATER! GET MORE PLAYING TIME NOW!
Breen Seals 46 Features During Month

(Continued from page 1) administration has approved 301 features and 268 shorts. Passed in January were these:

Argosy (Features)

"The Cowboy and the Bandit."

Berk Prod. (Features)

"Adventurous Knights."

Celebrity (Shorts)

"Little Black Sambo."

Columbia (Features)


First Division (Shorts)

"Mediaventures, Med. and October Day."

FOX (Features)

"Manock" (formerly "East River").

Gaumont British (Features)

"My Heart Tells All.

Incincible (Features)

"Symphony of Living."

Liberty (Features)

"Sweepstakes Adventure."

M-G-M (Features)


(Shorts)

"Tit for Tat," "The Cat's Away."


Monogram (Features)


Paramount (Features)


RKO (Features)

"Murder on a Honeyymoon" and "Captain Hurricane."

(Shorts)

"South Seas Adventure."

United Artists (Features)

"Scarlet Pimpernel." 

"Mickey's Man Friday."

Universal (Features)

"Mystery of Edwin Drood," "Riders of the Crimson Trail," "The Good Fairy" and "White Heat." (Shorts)


Hollywood Personalities


Joe E. Brown's next for Warners will be "Alibi Ike." 

Mickey Rooney out of the hospital. In two weeks with a broken leg... Richard Cromwell, juvenile, goes into Columbia's "Hot News." 

Alan Dwan has moved into the Fox Western Avenue Studio. Not on payroll—yet. 

Code Relief Given 76% of Cases-Nizer

Some measure of relief has been obtained in 76 per cent of grievance cases and 59 per cent of clearance and zoning complaints under the code, according to statistics gathered by Nizer and his staff which have been incorporated in his new Courts of Industry—Self-Regulation Under the Motion Picture Code. Soon to be brought out by the Longacre Press.

Other statistics show that only 20 per cent of grievance board decisions and 27 per cent of clearance rulings have been appealed despite the right granted exhibitors and distributors under the code to bring appeals to Code Authority. The grievance boards were sustained in 85 per cent of all appeals, while the clearance boards were upheld by Camps 82 per cent of the time.

Nizer found that the most complaints, representing 52 per cent of the total filed, involved the rebate section of the code which prohibits give-aways, gifts and other like practices. Overbilling was complained of in 12 per cent of cases, while 19 per cent of complaints have had to do with mixers and the billing of non-theatrical cases, two per cent with leases, one and one-half per cent with transfers and one per cent with cancellation.

Drop "Caprice Espagnol"

Hollywood, Feb. 12.—The Devil Is a Woman" has been selected by Paramount as the final title for the new Marllene Dietrich picture. It was known before as "Caprice Espagnol."

To Build in Buffalo

BUFFALO. Feb. 12.—Mike Morad and Joe Williams will start work next week on a $125,000 theatre to be called the Franklin, which will be a 1,400 seat and will be equipped for stage productions, although the policy at the start will be straight pictures.

Known Best, "Riding Wild" and "The Roosters Warners (Featurex)


"Country Boys," "Some Sweetheart," "Buddy's Theatre" and "I Haven't Got A Hat."

Birmingham's 1934 Take Gains by 25%

Birmingham, Feb. 12.—Theatres receipts are up 25 per cent over last year. During 1934 theatres increased their advertising 18 per cent above 1933, two large downtown houses re-opened and one house was remodeled into a specialty shop.

At present, 18 theatres are operating in Birmingham with a seating capacity of 12,600. In addition the City Auditorium, with a capacity of 6,500, has been booked almost solidly throughout the year. Birmingham has seven night clubs.

This is not unusual again to stand in line for tickets.

Will List More Credits

Hollywood, Feb. 12.—The Academy beginning next month, will supplement the monthly Screen Writers' Achievement Bulletin with production credits of all unit art directors, first and second cameramen, film editors and sound production and dubbing masters.

These credits will be listed under each production, as well as being classified alphabetically by each individual's name, to show his professional grouping and current production credits.

To Remodel Balto House

BALTIMORE. Feb. 12.—Thomas D. Goldberg, proprietor of the Wallbrook and Harbour here, will remodel his former theatre property just across from the Wallbrook into a modern playhouse with a cooling plant. The seating capacity will be about 450. The property has been used as a garage since the Wallbrook was built.

Midwest Handles "Time"

KANSAS CITY, Feb. 12.—Midwest Film Distributors is handling physical distribution of "The March of Time" in Kansas, western Missouri, Iowa and Nebraska. Sales are handled by First Division direct out of New York. First run for the reel in the territory will be at the Landmark here.

Wood Made Tax Agent

COLUMBUS, Feb. 12—P. J. Wood, secretary of the I.T.O. of Ohio, has been made an agent of the Tax Commission of Ohio to help in enforcing the admissions tax.

Californians Map Fight on Pending Laws

SAN FRANCISCO, Feb. 12.—With Morgan A. Walsh, president, presiding, the Independent Theatre Owners of Northern California mounted at the William Taylor Hotel to discuss the mass of menacing legislation before the legislature.

Mr. Walsh is a member of the Will Hays organization, and Hulda McGinn, secretary-manager of the California Asn.'s, who both attended the recent opening session of the legislature, were guest speakers and discussed in detail the 171 bills which will more or less affect the industry. About 100 exhibitors were present.

In summarizing the meeting Walsh, in a bulletin, said:

"Do you want an admission tax? Do you want a film-footage tax, which the contract with the distributors provides you must pay? Do you want two operators in the booth under control of the state fire marshal? If the law is passed, you will have to have the two men or you cannot get fire insurance? Do you want censorship? Do you want a state law to tell you that you cannot buy more than one picture at a time? Do you want a WPA week so that no one in your theatre could work long than 30 hours?"

Some of Bills Pending

Some of the bills now pending are:

Assembly: Corporation tax, income tax, regulating scaffolding and staging, workmen's compensation, tax on bank deposits, labor of females, two-men-in-a-booth, licensing outdoor advertising, unemployment insurance, kid-in-a-franchise houses, sales tax, censorship, employment of women and minors, lineal tax on film negatives, ad valorem tax on gross receipts, tax on film, tax on business enterprises, regulation of theatrical agents, entertainment tax, property tax, franchise taxes, five-day week and six-hour day.

Senate: Income tax, sales tax, providing codes of fair trade practice, franchise tax, hours and wages of labor, outdoor advertising, child labor, industrial injury, tax on admissions, amusement tax.

The Assembly has developed the most vigorous opposition to the industry, and in the Senate the inclined to act as a sort of buffer.

Past experience, however, indicates that the great majority of bills sold down the gauntlet of the usual legislative obstacles.

Triple Features on View in Pawtucket

Pawtucket, R. I., Feb. 12.—Triple features have been a reality in Rhode Island. For 60 cents, anyone may sit in the best seat at any time in the Imperial. Three different times a week and see nine top features and immemorable short subjects. This grind house, managed by Jerome Parker Jerome, opened it a few days ago, operates from 11 to 11 at admission prices culminating with a 20-cent high.
INTER-OFFICE COMMUNICATION

From ALBERT WARNER Date FEBRUARY 7, 1935
To A. W. SMITH, JR. Attention of GRADWELL SEARS
Subject "GOLD DIGGERS OF 1935"

When replying please refer to subject and number mentioned above

In view of the many urgent requests we have received for pre-release dates on "GOLD DIGGERS OF 1935," I agree with you that a general statement of our policy on this production will be helpful to all Warner accounts.

As you say, the original release date of this greatest Gold Diggers of all time must be withdrawn, for obviously a production of this magnitude cannot carry a general release date.

We should, however, entertain propositions for a few pre-release engagements.

Of course these houses will have to be chosen on the basis of proved ability to properly set up a show of this exceptional calibre.
“Receivership Racket” Stirs Schenck’s Ire

(Continued from page 1)

becoming insolvent, but all the receivers have to do when their obligations fall due is issue more receiver’s certificates,” he said.

“The theatre, the Rivoli, on New York’s Broadway,” he continued. “The rent is $4,500 weekly. With its capacity of 1,500 seats, if it does three capacities a day, which is top, at its admission price, it still can’t make as good a showing as the Roxy, with 6,000 seats and a lower admission scale. That’s because the Roxy is in receivership and the Rivoli is not. The Roxy’s rental probably would be five times the Rivoli’s figure, if it paid any rent; but it doesn’t have to pay rent because it is in receivership.

“In Tough Spot.” He Says

“The solvent theatre today is in a tough spot as compared with those which have admission prices reduced to indebtedness and overhead. Rent is the main expense, and you can’t get it reduced from receivership. Operators don’t want to take this step because it would wipe out their equity and only the bondholders would benefit. So they continue paying high rents, and ‘take it’, at a time when others, through receivership, have had their rents reduced.”

“This applies to large companies and circuits as well as individuals because they can’t be made insolvent without creditors leving on their assets elsewhere.

“It’s a greatly unsatisfactory situation, but let us hope it will adjust itself.” Schenck also said that while grosses at major theatres have dropped because of higher admission prices and overhead, they have risen, the NRA alone being responsible for “a 25 per cent higher payroll.”

Schenck will hold a meeting of the board of directors of United Artists this week, outlining future plans. He will also continue contracts on next season’s production which will begin soon after three productions now in work are completed.

Canada Houses Pass 1930 Peak; Now 924

(Continued from page 1)

The statement just released shows that aggregate receipts of the 924 houses were $24,954,000, as compared with the 1930 total of $38,480,000. The decline is said to be due to generally lower admission prices as well as decreased attendance.

The report also contains a reference to the revenue from home shows in the respective provinces, the latest total from this source being $2,738,000 for the related budget, as compared with the peak of $3,699,000 in 1930.

Academy Picks Hotel

Hollywood, Feb. 12.—The Academy has selected the Biltmore Hotel ballroom and the site for this year’s banquet on Feb. 27. Reservations have been limited to 800.

Even Maharajah’s Wife Knows Film Business, Schenck Finds

Hollywood, Feb. 12.—Joseph M. Schenck, president of United Artists, knows about those sayings that “the motion picture business is nobody’s business” and “everyone has two businesses of their own and the motion picture business.” But never, he says, was the truth of those statements brought to his attention so impressively as when he had dinner with a maharajah and his wife in Paris last summer.

“She told me that in her home town in India she saw 170 features a year. She was not related, “hands-on” knowledge of the industry I was amazed. I asked her where she got her information, and she told me by reading the fan magazines.”

The public’s tremendous curiosity about all things cinematic is a handicap, he states, for it would be a sad day for the industry if it weren’t so interested.

“But you can’t fool ‘em any more,” he commented. “They know too much.”

Film Officials in Security Listings

Included in the New York Stock Exchange’s January listings of stock ownership and transfers are Eastman Kodak Co. and Loew’s Inc.

In the former concern, L. H. Hanley, assistant controller, held 140 common and 100 preferred shares.

In Loew’s, Arthur M. Loew, vice-president and director, held 2,118 common on Jan. 31. He bought 70 shares on Jan. 2 and 70 on Jan. 3. A notation in the report says “the nature of the beneficial ownership is indirect, being a shareholder in a corporation owning stock of Loew’s, Inc.”

David L. Loew, vice-president and director, held, common on Jan. 31, following purchases of 70 shares on Jan. 2 and 70 shares on Jan. 3.

Radio Duo to Return

Hollywood, Feb. 12.—M. H. Aylesworth and Ned E. Deinot plan to leave here Thursday by train for New York. They have been at the Radio studios attending production conferences for the past 10 days.

It is reported here that John Hay Whitney, who was scheduled to fly west tomorrow for conferences with Aylesworth, has cancelled his trip and will remain in New York next week instead.

Jersey House Rebuilt

Plans for the rebuilding of the Bijou Dream, Jersey City, have been completed and work will be started immediately to convert the building into store space on the ground floor and offices above.

The theatre had been in operation for a number of years, but it was darkness with the opening of the Keith next door.

 Ajax Sets Detroit Deal

Ajax Pictures Corp. has closed a deal with a successful Pictures Corp. Detroit, to handle a series of six Richard Talmadge stunt features.

Norton, B. & D., on Talent Search Here

Richard Norton, British and Dominion executive, arrives here today on the Bremenfrig from London. He plans to remain in the east in search of talent to take back with him for work in London.

It is stated that he is bringing with him a print of “Brewster’s Millions,” which co-stars Jack Buchanan and Lily Damita. United Artists will release the picture in America.

Circuits Defer Move On Trailers of FHA

Circuits have deferred action on the petition of the Federal Housing Administration to require exhibitors violating FHA projects.

A meeting of circuit representatives at M. F. D. A. headquarters yesterday voted to make no commitment until the federal agency had completed its trailers and submitted them for inspection.

Phila. Party Sunday

PHILADELPHIA, Feb. 12.—The Variety Club will hold its big show of the season tomorrow night at the Pendleton A. C. There will be from 20 to 25 acts and from present indications the capacity crowd on Jan. 31, following purchase of 70 shares on Jan. 2 and 70 shares on Jan. 3.

Speak Follows Cooper

Hollywood, Feb. 12.—John Speak, assistant to Merian C. Cooper, will join Pioneer Pictures, Inc., when the later assumes the position of vice-president in charge of production in the John Hay Whitney company upon completion of “She” and “The Last Days of Pompeii” for Radio."

Announcement

Harry E. Nichols of the Quigley organization, at the request of the exhibitors, has set up a committee in New Orleans to arrange accommodations in private homes for exhibitors who will attend the M. P. T. O. A. convention Feb. 25-28. Because of the Mardi Gras, hotel and housing facilities in New Orleans will be severely taxed. If Mr. Nichols can help you, wire or write him at 1418 Cleveland Ave., New Orleans, La.

Pennsylvania Promises 10% Ticket Levies

(Continued from page 1)

sumably included in the suggestion. A battle is predicted in spite of the fact that the proposal has administration backing. The House is strongly Demo- cratic, but the Senate is still Repub- lican.

The Governor presented his total budget for the general expenses of the state, approximating $400,000,000 for a period of two years, beginning June 1 next. Of this amount, it will be necessary in most instances the new tax measures would not become effective until January 1, the amusement tax would go into effect immediately following the July 1 assessment. The Governor has specified that he desires revenue from this source as well as a proposed increase of two cents on gasoline, and a half cent on each nickel’s worth of tobacco to wipe out a deficit of $49,000,000 for the present bennent, which ends June 1.

Wehrenberg Leading Missouri Tax Fight

ST. LOUIS, Feb. 12.—Fred Wehrenberg is trying to marshal members of the M. P. T. O. and all other exhibitors for a public hearing at Jefferson City Thursday on the two cent tax pending. Wehrenberg and other exhibitor leaders contend that if the present one-half of one per cent sales tax were collected efficiently no increase would be necessary. They will have arrayed against them a large number of school teachers who favor the new bill as well as rural representatives who want their real estate tax burdens lightened.

New Studio Heads Will Stay-Zukor (Continued from page 1)

would be brought in and the present policy would be retained. The Paramount head declared that the head office in New York was 100 per cent behind the appointments, which, he said, were made after lengthy consideration of the duo’s qualifications and long service with the studio.

Unions Organizing Legislative Moves (Continued from page 1)

Bills sponsored by the crafts or organized labor generally are pending in a number of legislatures.

Snow attended the organization meeting of the National Retail Hardwaremen’s association at Omaha last week, and is scheduled to represent the I. A. T. S. E. in a similar session in Oklahoma.

Employment of union operators and stagehands has not been the subject of snowing, said Snow. He recently obtained a contract for maintenance stage hands in Omaha with the Orpheum, operated by A. H. Blake, replacing electrical workers.
Those box office sweethearts have come through...
Variety Daily: "Refreshing box office fare for flourishing business. It packs that surplus of optimism and inspiration beyond mere surface entertainment."

Motion Picture Daily: "Keynoted by optimism and human appeal and played by box office personalities, this should line and pack ticket windows. Music to showmen's ears, paralleling 'Daddy Long Legs'."
Century-RKO Case Will Resume Today

Scene two in the hearings on complaint of Century Circuit against RKO takes place at the local clearance and zoning board today when the adjourned session of last week resumes. Leo Abrams of Universal will continue as chairman.

Denying the suit, Harry Shaffman, independent exhibitor on the board, left on a Bermuda honeymoon last Friday, the adjourned session was set on the calendar for today. Completion of testimony and additional evidence by Louis Nizer for RKO and Mitchell Klarman for RKO shows all probability take two more days.

The issue revolves around seven days' protection RKO is buying for the Strand and Columbia, Far Rockaway, and Alden, Jamaica, over Century's Fantasy, Rockville Center, RKO. RKO has made the key to the clearance situation for Kings, Queens and Nassau counties for producing over, or it has had a three-year pooling deal with several Century houses which afforded the Fantasticks show twice during time of overlapping with the RKO situations in question.

The deal was ended by mutual consent a little over a year ago and last season writers for George Skouros entered into a pact whereby the latter's Lynbrook theatre would lift an agreement upon the Rockville Center house.

Century holds that the Far Rockaway and Jamaica theatres are not in competition to the Rockville Center Fantasy.

No Zoning Rulings Tomorrow by Campi

Interested parties. The plan differs from the one submitted by the coast board in that the original formula based runs on admission prices. Campi, by a vote of seven to three, modified it, stating that admissions determine the availability between downtown being cheaper for three second runs; also that prices should be taken into consideration when clearance between runs in a particular zone is set.

Addition. Campi provided a safeguard on prints. It said no territory must increase the number of prints because of additional availability under the plan and that where a number of second runs exceeded the regular allotment of prints, distributors could select the houses which should be given first call.

Sidney Justin of Paramount will be chairman.

Vaudeville Change In Code About Set

WASHINGTON, Feb. 12.—Decision on the vaudeville amendments to the code and the budget submitted a week ago by Campi may be reached this week by the Recovery Administration. A report on the former was being prepared today by Deputy Administrator William P. Farnsworth for submission to the board and discussions are being held with officials of the administration on the question of the budget.

The report of the deadlocked producer-writer committee was received today by Compliance Director Sol A. Rosenblatt and referred to his advisers.

“Roberta” (Radio)

HOLLYWOOD, Feb. 12.—In as fine and entertaining a musical show as has graced the screen in this or any other season, Fred Astaire, Ginger Rogers, Irene Dunne and Randolph Scott scintillate and gayly cavort, ringing the gong with glamour and grace in its graceful stride.

Translated from the stage, the screen play, in retaining all the personality and flavor of the original, retains the glamour and lustre of the camera's advantages to the latter. The story is of an American jazz band stranded in Paris. While the leader (Astaire) thinks, Scott remembers his Aunt Roberta (Helen Westley) is a famous dressmaker, calls and meets her assistant, Miss Dunne. When Roberta dies, Scott, the former football player, inherits the fashion shop with Miss Dunne. Astaire, at the shop, meets Miss Rogers, a former Pittsburgh flame incognito as a Polish princess. A misunderstanding inspired by Claire Dodd's gown separates Miss Dunne and Scott, but their reunion occurs in a combined fashion show entertainment and cocktail party.

Seldom have personalities attained their roles for such harmonious effect as here achieved. Miss Dunne acquires herself most favorably in singing and acting. Astaire, who can say more with his feet than most people with their eyes and mouth, stops the show with his dancing and comedy. Miss Rogers, lissome, matches Astaire's agility with easy competence. Together they are what Vernon and Irene Castle were at their tops.

Scott turns in his finest performance, being both poised and confident and earning a new niche away from westerns. Miss Westley is choice. Victoria Forconi and Miss Dodd support splendidly.

The William Steiner direction and31 music, likewise Pandro Berman's production. The photography and sound are excellent, featuring Max Steiner's musical direction.

This entertainment leaves the screen richer and should do likewise for showmen. It's Radio's way.

Production Code Seal No. 601. Running time, 85 minutes. "G."

“Translady Tense” (Universal)

HOLLYWOOD, Feb. 12.—Located in a small country town and depicting June Clayworth in a skating act traveling from town to town conflicting with the forceful connivings of a one-man political machine to convict an innocent man of murder, this one measures up as average entertainment and should do best in neighborhood houses.

Henry Hull is an aristocratic southern gentleman who runs the town and endeavors to bring someone to justice for the murder of his brother, Douglas Fowley. Edward Ellis, who committed the murder in self defense is hiding out, letting Clark Williams take the rap, while Williams' girl friend, Frances Drake, works to get the accused free.

Gene Raymond is called in as attorney for the defense, periling his father's (Frederick Burton's) change for a judgeship in the coming elections. Raymond and Miss Drake fall in love, but their romance is temporarily halted by Miss Clayworth, the childhood sweetheart of Williams and Raymond. The defense wins the case while a planned lynching is halted and Miss Drake and Raymond find happiness.

Edward Buzzell's direction is adequate. Harvey Thew, Arthur Caesar and Buzzell penned an interesting screen play from Octavus Roy Cohen's magazine story. The performances are all good.

Production Code Seal No. 572. Running time, 72 minutes. “G.”

Looking 'Em Over

“Ten Minute Alibi” (British Lion)

Feb. 1.—Crime melodrama, from a stage play which has had a big London success. Produced by Paul Selous and directed by Bernard Vorhaus, it offers an American value in Philipps Holmes, leading, and the story has suspense despite the absence of real mystery. Apart from Holmes and Morton Selten, character, the acting is weak.

Variety Club Chatter

Cincinnati

CINCINNATI, Feb. 12.—Open house for ladies on Wednesday afternoon is becoming more popular.

Harry T. W. Prost of the New York Giants, and John T. Skirball, of Pittsburgh, were among names latched onto the list this week.

John A. Schwall was in Columbus last week rubbing elbows with the higher uppers around the State Capitol.

Manny Shure and Jim Grady are receiving praise for having promoted the election of a 16-foot banner in front of the RKO Palace exploiting “Babooma,” when a city ordinance is supposed to prohibit such display in the business district. In aid of Abe Lipp, doughy guy and attorney, a flaw in the ordinance was discovered, and the sign is there.

Kansas City

KANSAS CITY, Feb. 12.—New officers will be elected Friday, at a special meeting in the ballroom of the Stein Club.

After the dishes are cleared away, Leo McCarthy and his Fox Midwest Week, H. T. present "Tid Bits of 1935." Those who remember last year's edition will not want to miss this one. All the Fox theatre lads are pitching it to make it a bang-up party.

The women are expected to show the barkers a few new angles, now they are boxed in as auxiliary to Tent No. 8. Mrs. Max Roth, wife of the Columbia district manager, is chairperson, and a bridge luncheon at the club, attracted 40.

Local officers may participate in the installation of new clubs at Omaha and Des Moines.

Barkers McCarthy and "Dutch" Schultz comprise the committee in question of new officers.

The canvassers will shortly decide the date of the annual banquet, which will be in March or April.

Ernie Mehl of The Star's sport desk put on a good show in promoting the appearance of "Dutch" Zwilling, coach of the Kansas Blues; Joey Kuehl and Kid Nichols at the last meeting. The guests were presented the past, present and future of baseball.

Rhoden Turns Down Clearance on Prices

KANSAS CITY, Feb. 12.—At a conference with the L. T. O. today Elmer C. Rhoden, district manager, rejected clearance based on admissions. At the same time he approved a proposal to penalize small theatres. The Midwest was entitled to protection over equally priced houses using premiums. The L. T. O. may continue its efforts to iron out its clearance problems, but chances of agreement are considered slim.

Another Booth Cost Conference Coming

(Continued from page 1) be reached between the exhibitors and union officials on a compromise of the Local 306 and Charles L. O'Reilly point system plans.
Purely Personal

John H. Harris, national buyer of Variety Club, went into a bit of a frenzy, as he was celebrated Pittsburgh tent members with February birthdays were:

J. H. U. Hart, Feb. 1; Paul Kremer, Feb. 5; Mike Sullivan, Feb. 12; Sidney B. F. Tyson, Feb. 13; Joe Blowitz, Feb. 14; Arlo Karr, Feb. 16; James B. Clark, Feb. 17; Fabian White, Feb. 18; Frank Roberts, Feb. 21; Bill Bender, Feb. 23.

Louis Rosenfield, Canadian exchange manager for Columbia in New York, has been busy all day and is now in a state of utter despair.

Quip of the Day

Contributor says, "With Lawyer Henry Herzbrun running the Paramount studio in the west, Lawyer Austin Keogna running the Pathé studio in the east and Lawyer Ben Kahane head of the RKO studios, we're probably heading for a series of courtroom films."

Melville Cooper, English actor now appearing in "Laburnum Grove," is making arrangements to leave for Hollywood immediately after the play's run. He was recently signed by M-G-M but is no stranger to picture work, having recently been in "The Private Life of Don Juan."

Maury Silverman, local representative of London Films, is bearing all over these days because "The Scarlet Pimpernel" was held over that same night at the Music Hall and he's collecting.

Kay Brown (Mrs. James Barrett) is the mother of a girl. When not concerned with maternity and attendant problems, she is head of the RKO story department in the east.

S. Barrett McCormick is the first of a number of clients to run away from the coast. He flew in late Monday night and put in a short appearance at his office yesterday.

Rudy Vallee will be host at a cocktail party at the Hollywood Reseda Country Club on the evening of Friday. It's in honor of his first Warner release, "Sweet Music."

Evelyn Gregg, English actress in "Point Valaine," will be in the cast of "Miracle in 49th St. " now being produced by Hirsch and Charles MacArthur.

F. J. McCartney of Universal is due back today from Boston after inducting A. J. Herman into his new office as New England district manager.

Arlene Lord is due back from Europe, where she is completing a plane for her next big film for Friday.

Arlene Montague and wife leave for Miami today for a three-weeks' vacation.

Walter Abel, who was recently signed by Radio and who has been busy preparing for his second starring in "Merrily We Roll Along" here, has put off his trip to the coast. He was supposed to leave tomorrow but has gone on the road with it.

Gloria DuBoise, young society girl who has been posing for commercial photographers, has been signed by Samuel Goldwyn to appear in his next East Coast picture. She leaves for the coast shortly.

Irene Bentley and Richard C. Hemingway have deserted Hollywood temporarily these days. The reason is simple, since they are the latest screen couple to elope and honeymoon at Lake Arrowhead.

Max Eastman is now in Hollywood to confer with Charlie Chaplin, Dorothy Parker, Mae West, and Donald Ogden Stewart on a book he is planning on American humor.

Helena Bonham is on her way to the coast on the S. S. Virginia. She will report to the Radio studios to work in "Top Hat" with Lester Craidford, her husband, is accompanying her.

Anne Barr has been signed by Vitaphone for a series of shorts to be made at the Brooklyn plant. She starts work on the first early next week.

George White is now in Chicago to supervise the opening of his "Scan-
dals." From Chicago he goes to Detroit and then to Florida.

Seth Peterson leaves Hollywood soon on a tour of the south. He'll make personal appearances and brush up on his act.


Louise Beavers, who appeared in "Imitation of Life," will make personal appearances at the Roxy starting Friday.

A. W. Kelly will not appoint a successor to Walter Gould as Latin American head for U. A. for some time.

William A. Brady leaves for the Fox studios on Feb. 25 to work as special advisor on "Way Down East."

Edie Golden has a new dialect and he now has the privilege of hearing himself talk for a change.

Helen Chandler, actress, and Bramwell Fletcher, actor, will marry on Valentine's Day.

J. Robert Rusty returns next week from Palm Beach where he is spending a three-week vacation.

Lou Golding is doing the "Dealers in Death" pressbook for First Edition.

Tim Whelan, director of "The Camels Are Coming" for Gaumont

Two Companies Off for the South Seas

Hollywood, Feb. 12—Climaxing a year of preparation, Directors Frank Lloyd and Richard Thorpe heading the largest picture entourage ever to venture forth, left here last night with an expedition that will film exterior scenes for "Pony Express on the Bounty" and "Typee" for M-G-M.

Headquarters will be at Papeete, where a modern laboratory will be set up along with hospital and administration offices. The expedition plans to remain three months.

British, left yesterday for the coast. He was accompanied by Mirel Segar, (Mrs. Whelan). They expect an offing there.

Ben Bernie will broadcast music from "Stolen Harmony" next Tuesday night and will have on the program George Raft, Grace Bradley, Iris Adrian, Googie Montgomery, Paul Coe, and Terje Olson, all members of the picture cast.

Talullah Bankhead bowed in as Sadie Thompson in "Rain" at the Music Box last night with plenty of the celluloid mighty scattered throughout the first night audience.

Wanda Perry, model under contract to Radio, has gone back to the coast after a month's vacation at her home in Brooklyn.

Sir Cedric Hardwicke will start east Thursday on his way to England. He has just finished work in "Becky Sharp" for Radio-Loew's.

Tito Guizar, who was recently signed by Fox, leaves for Hollywood Saturday to start work on "Argentina."

Percy Block and Earle Swigert were in from Philadelphia yesterday. They are Paramounters.

William Geddes of Ideal Seating Co., Grand Rapids, arrives tomorrow for a few days.

Morton Van Praagh is slated to return from his coast trek sometime next month.

Harry Sheffman returned last night from Bermuda on the Washington.

William Daniels, cameraman for Greta Garbo, is at the Warwick.

Frank Felton of the M-G-M studios left for Hollywood yesterday.

Lee Shubert is back from Florida and, of course, with a swell tan.

Louis K. Sidney returned from a Miami sojourn yesterday.

Edna Ferber sails today for Europe on the Conte di Scoglio.

E. L. Alperson returns from the coast in about 10 days.

Jack Steinman leaves for Miami vacation next Monday.

Dick Rowland feels much better now.

C. H. Roekner is in town from Chicago.
50,000,000 FRENCHMEN MUST BE RIGHT!

FOR 65 YEARS THEY'VE BEEN THRILLING TO THE SPARKLING GAYETY OF
Darryl F. Zanuck is bringing it to you as 20th Century's greatest special!
**Copperfield**

**Twin Cities’ Best Grommer**

MINNEAPOLIS, Feb. 12.—“David Copperfield” was in the big money on both sides of the Mississippi on the 10th, grossing in the Twin States a total of $5,000, or at the Century, over normal by $1,000, and it was up to $6,500, also $1,000 up, at the Paramount in St. Paul.

“Copperfield” and the Orpheum, with Weaver brothers heading a stage show, grabbed $6,000 at the Orpheum here, and “Sweet Adeline” was strong at the St. Paul Riviera, but elsewhere business was nothing to get excited about.

Total first run business in Minneapolis was $24,000. Average is $23,000. Total St. Paul business was $18,000. Average is $15,600.

Estimated takings:

**Minneapolis:**

**Week Ending Feb. 6:**

<table>
<thead>
<tr>
<th>Title</th>
<th>Gross</th>
<th>Days</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>“DAVID COPPERFIELD” (M-G-M)</td>
<td>$23,000</td>
<td>7</td>
<td>$3,285</td>
</tr>
<tr>
<td>“CATHOLIC MARY” (Fox)</td>
<td>$2,500</td>
<td>6</td>
<td>$416</td>
</tr>
<tr>
<td>“HELLO, DORADO” (Fox)</td>
<td>$250</td>
<td>6</td>
<td>$41.67</td>
</tr>
</tbody>
</table>

**Cleveland, Feb. 12.—“David Copperfield” in its second week downtown continued to be the outstanding attraction of the week, doing $11,000 at Loew’s Stillman at advanced prices, or $7,000 more than its average gross regular prices. This was an actual picture that held strong in a week of zero weather and heavy snows.

“As March of Time” drew business to Loew’s State where “Here Is My Heart” was only a fair box-office draw.

Total gross was $44,200. Average is $38,000.

Estimated takings for the week ending Feb. 8:

<table>
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<tr>
<th>Title</th>
<th>Gross</th>
<th>Days</th>
<th>Average</th>
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<tbody>
<tr>
<td>“THE RIGHT TO LIVE” (Warner’s)</td>
<td>$1,500</td>
<td>7</td>
<td>$214</td>
</tr>
<tr>
<td>“ALICE” (RKO)</td>
<td>$2,000</td>
<td>7</td>
<td>$285</td>
</tr>
<tr>
<td>“CHARLIE BROWN” (Warner’s)</td>
<td>$4,000</td>
<td>7</td>
<td>$571</td>
</tr>
</tbody>
</table>

**“Copperfield” Is Indianapolis High**

INDIANAPOLIS, Feb. 12.—Business hit the skids here last week every- where except at the Palace where “David Copperfield” in its second week topped par by $500 for a gross of $5,000. General payment of the stage union, which was given as the reason for the slump.

“Wings in the Dark” was hit hard- ly at the Indiana where its $4,000 gross was under normal by $3,000.

Total first run business was $20,500. Average is $25,000.

Estimated takings for the week ending Feb. 9:

<table>
<thead>
<tr>
<th>Title</th>
<th>Gross</th>
<th>Days</th>
<th>Average</th>
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<tbody>
<tr>
<td>“BROADWAY” (Fox)</td>
<td>$2,500</td>
<td>7</td>
<td>$357</td>
</tr>
<tr>
<td>“APOLLO” (Lyle)</td>
<td>$2,500</td>
<td>7</td>
<td>$357</td>
</tr>
<tr>
<td>“HEADED APRIL” (Radio)</td>
<td>$2,500</td>
<td>7</td>
<td>$357</td>
</tr>
<tr>
<td>“AMERICA’S ROAD” (RKO)</td>
<td>$2,500</td>
<td>7</td>
<td>$357</td>
</tr>
</tbody>
</table>

**“Copperfield” Big Buffalo Holdover**

BUFFALO, Feb. 12.—“David Copperfield” demonstrated remarkable staying powers here last week by going to $17,200 at the Hippodrome in its second week, where $19,000 over the first week average.

The accomplishment was noted—

(Continued on page 15)

**An Island Problem**

Hamilton, Feb. 12.—These Bermudians just can’t take their films or leave them, according to a member of the Assembly. He says they are spending more on them than they can afford and something ought to be done about it.

One remedy he suggests is forcing these two of the islanders will have more time to cultivate onions and Easter lilies.

**“Iron Duke”**

Detroit High

With $15,400

DETROIT, Feb. 12.—The “Iron Duke” and “Wings in the Dark” were the money-makers of the week here, having a little more than half of the contest with an average of $1,400 on a $15,400 gross at the Fox. The Paramount feature took $21,300 in Michigan, above the line by $1,300.

Business was in the doldrums else- where.

Total first run business was $9,500. Average is $6,500.

Estimated takings for the week ending Feb. 9:

<table>
<thead>
<tr>
<th>Title</th>
<th>Gross</th>
<th>Days</th>
<th>Average</th>
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<tbody>
<tr>
<td>“MAN WHO RECLAIMED HIS HEAD” (M-G-M)</td>
<td>$2,000</td>
<td>7</td>
<td>$285</td>
</tr>
<tr>
<td>“MYSTERY WOMAN” (Fox)</td>
<td>$2,000</td>
<td>7</td>
<td>$285</td>
</tr>
<tr>
<td>“WINGS IN THE DARK” (Fox)</td>
<td>$1,000</td>
<td>7</td>
<td>$143</td>
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**Price War Is Blow to Takes In Pittsburgh**

PITTSBURGH, Feb. 12.—The whole town last week was in a state of turmoil over the new houses reducing prices by a third and others trying to maintain their old scales. The Penn, first on the band-wagon, offered a recent scale for pictures and stage shows, reapèd the initial harvest, gathering around $24,000 with “Biography of a Bachelor Girl” and the “Casino De Paree” unit. At the same time, the Stanley, in an effort to hold up to 60 cents, hit a new stage-show low, getting only $11,000, or thereabouts, with “The Right to Live” and George Gott and Ira Ray Hatfield and their boys.

At the Alvin, the presence of Ed Lowry, who has always been popular here, has been from sinking below $8,000, which is fairly present- able in the face of present circumstances. The picture was “The Man Who Reclaimed His Head” but the Warner did all right by itself, everything concerned, with “West of Pecos” and “Hates the Moil” of which a $3,000, while the Fulton, in the first week of its reduced scale, showed no marked improvement, doing only $2,250.

Total grosses in five first runs were $31,050. Average is $6,210.

Estimated takings for the week ending Feb. 7:

<table>
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<th>Title</th>
<th>Gross</th>
<th>Days</th>
<th>Average</th>
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</thead>
<tbody>
<tr>
<td>“THE RIGHT TO LIVE” (Warner’s)</td>
<td>$5,000</td>
<td>7</td>
<td>$714</td>
</tr>
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**“Ricaest Girl” Up In Oklahoma City**

OKLAHOMA CITY, Feb. 12.—“The Richest Girl in the World” made the best comparative showing here last week by pulling $2,600, over normal by $600, at the Capitol.

High money honors went to “The Gilded Lady” and “Indians in the Midwest where the take of $4,500, topped average by $500.

Average shows continue to make the four first days of the week at the Liberty its best revenue-producer. “I Love You Crazy,” “Ghosts and Ghosts,” and “Hollywood Scandals” on the stage grabbed $2,500, a full week’s average.

Total first run business was $14,000. Average is $2,800.

Estimated takings for the week ending Feb. 9:

<table>
<thead>
<tr>
<th>Title</th>
<th>Gross</th>
<th>Days</th>
<th>Average</th>
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</thead>
<tbody>
<tr>
<td>“RUMBA” (Para)</td>
<td>$1,000</td>
<td>6</td>
<td>$166</td>
</tr>
<tr>
<td>“WARNE” (Saratoga)</td>
<td>$1,000</td>
<td>6</td>
<td>$166</td>
</tr>
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</table>

(Continued on page 15)
“Lancer” Has Big 2nd Week In Washington

WASHINGTON, Feb. 12.—“The Lives of a Bengal Lancer,” starring John Boles, has been a financial success in the capital, having brought in about $14,500 for a par $14,500 in the biggest second week at Loew’s Palace in more than a year.

A scene of the picture was presented in the playhouse Sunday night, as a preview of the forthcoming release.

“The Lancer,” having been a great success in London and New York, is expected to meet with a similar reception here.

“Gilded Lily” Plus Boles At $50,000, Chicago Wow

CHICAGO, Feb. 12.—A combination of “The Gilded Lily” on the screen and John Boles on the stage proved a knockout at the Chicago. The gross ran $15,600 after a week for a total of $50,000 and the whole program was held over.

“Babbitt” was good, too. With A. B. Marcus’ “La Vie Paree” revue on the stage to help out, the Oriental gross was taken over by the line by $5,000. “Bordertown” held up at the Apollo and “Girl of the Limberlost” reached average at the State-Lake, but elsewhere was doing well.

Total first run business was $133,000. Average $1,270.

Weekly Endings Feb. 7


“Gilded Lily” “Broadway,” Gets $23,000, “Lancer” in San Francisco

SAN FRANCISCO, Feb. 12.—It was just another week for first runs here, with “Greatest Days” and “Lives of a Bengal Lancer” having the biggest take in point of size at the Warfield where “The Gilded Lily” took in $9,700. “Wednesday’s Child” reached an average $13,000 at the Golden Gate.

Total first run business was $72,250. Average $8,025.

Estimated takings:

Week Ending Feb. 5

BROADWAY (RKO) 
RKO-KEITHS—(1,868) 25c-35c, 4 days. Gross: $3,000. Average, first week, $1,188.

Copperfield” Big Buffalo Holderover

Continued from page 14

worthily because of a heavy advertising campaign put on by the Lafayette for a twin bill, “The Marines Are Coming” and “The Lives of a Bengal Lancer.” This splurge brought in a gross of $14,700, over par by $2,800, and caused all the other first runs to take heavy space. Severe cold weather was followed by a thaw and lots of snow.

Total first run was taken $20,900. Normal $42,800.

Estimated takings for the week ending Feb. 8:

MIDWAY—(1,300) 35c-45c, 7 days. Stage: James Melton, Al Tremain and Lady Yoko Cameron, Keene Twins, Vee & La Marre, De Linares. Gross: $1,400. (Average, week $140).

LIGHTNING STRIKES TWICE (Radio) PARAMOUNT—(2,600) 35c-45c, 7 days. Stage: Sociology. Gross: $4,900. (Average, $692).

LIVES OF A BENGAL LANCER

GREAT LAKES (1,000) 25c-35c, 7 days. Stage: James Melton, Al Tremain and Lady Yoko Cameron, Keene Twins, Vee & La Marre, De Linares. Gross: $1,400. (Average, week $140).

“Copperfield” Tops Omaha with $9,000

COLUMBIA Holds Pursell

Hollywood, Feb. 12.—Gertrude your Columbia writer, has had option taken up on her contract and is set for another six months. Writing contracts were also given to Wil- son, Breen and Miss Pursell is currently working on “If You Could Only Write,” while Collier is doing the adaptation of “Lady Beware.”

“Pressure” Is Philadelphia Top, $16,500

PHILADELPHIA, Feb. 12.—“Under the Sky” was on the air in the city of box-office gains here last week. With the help of a vaudeville bill at the Fox, which reached $16,500, over the line by $4,500.

“David Copperfield” held up to $16,000, up by $4,000, in its second week at the Liberty, which was as strong as “Red Hot Tires” and a stage show in a first week at the Earl.

Reduction of the scale at the Roxy-Mastbaum helped some. The take for the seven days was $34,000, over average by $1,000.

Total first run business was $111,500. Average is $18,090.

Estimated takings for the week ending Feb. 7:

CLIVE OF INDIA (U.A.) ALHAMBRA—(2,000) 25c-40c, 6 days. Gross: $1,800. (Average, $300).

FORSKING ALL OTHERS (M-G-M) ARCADI—(2,000) 25c-40c, 6 days. Gross: $2,800. (Average, $466).

DOWN THE WIND (Warner) BOYL—(2,000) 25c-40c, 6 days. Gross: $1,900. (Average, $316).

RED HOT TIRES (Warner) EARL—(2,000) 25c-40c-50c, 6 days. Stage: Joe Laursen, Miss Bould, J Slate Brothers, Rhythm Redheads. Gross: $2,400. (Average, $400).

UNDER PRESSURE (Fox) FORT—(3,000) 25c-40c, 6 days. Stage: Pappy, Zeb, Renie, Stanley Carson. Gross: $1,500. (Average, $250).

STRIKES — MIGHTY NURSE (U.A.) KARLTON—(1,000) 25c-40c, 6 days. Gross: $1,000. (Average, $166).

ROXY—(1,000) 25c-40c, 6 days. Gross: $1,500. (Average, $250).

ROXY—(800) 25c-40c, 6 days. Gross: $1,500. (Average, $250).

“Richest Girl” Up In Oklahoma City

Continued from page 14

days Gross: $5,100. (Average, $850).

GILDED LILY (Para) MIDWAY—(1300) 25c-35c, 7 days. Gross: $4,500. (Average, $643).

“Richest Girl In THE WORLD”

CAPITOL—(1,200) 25c-35c-40c-45c, 7 days. Gross: $2,000. (Average, $286).

“THERE IS A THIEF” (Warner) LIBERTY—(1,000) 25c-40c, 7 days. Stage: “Hollywood Scandals.” Gross: $2,500. (Average, week $250).

“VAMPIRE BAT” (Majestic) LIBERTY—(1,500) 25c-40c-50c, 3 days. Gross: $900. (Average, week $300).

“Homestead” for Liberty

Hollywood, Feb. 12.—“Liberty Pictures” will produce a new version of “The Homestead” by H. Hoffman. The production will have a musical background, with special singing by J. Kein, Brenneman, Ted Snyder, Howard Jackson and others. The cast will include Mary Carlisle, Dorothy Lee, Eddie Nugent, Wilbert Officer and Lillian Miles.
CHAMPAGNE COCKTAL

ROMANCE

MARY E.

CARL BRISSON

"ALL THE"

COMEDY

"A Little White Gardenia"
"Dancing the Viennese"
"When My Prince Charming Comes Along"
"Be Careful Young Lady"
"A King Can Do No Wrong"

Words and Music by Sam Coslow

"Cocktails for Two"

MUSIC

If it's a PARAMOUNT PICTURE
"'All the King’s Horses' will make Carl Brisson a new American matinee idol. And it should make a screen star of Mary Ellis." — Hollywood Reporter

"The picture looks headed for heavy grosses in all classes of theatre."
— Hollywood Variety

Edward Everett Horton • Katherine DeMille
Eugene Pallette • Directed by Frank Tuttle
Dances by LeRoy Prinz

It's the best show in town!
ANKLES AWEIGH!
I'M SHE SICK!

WHAT ABOUT THE GIRLS IN TAHITI!

WHAT ABOUT THE GIRLS IN SHANGHAI!

AT THE ROXY
.....rocking every rafter with laughter

...ANTS, HUMOR, SPOOFING...
N Y TIMES

...MUSIC, SONGS, DANCES...
N Y EVENING POST

...FAMOUS FUNNY MAN...
N Y DAILY MIRROR

...MUSIC HALL HUMOR...
N Y SUN
WHAT ABOUT THE GIRLS IN PORT SAID!

WHAT ABOUT THE GIRLS IN SINGAPORE!

"...FARCE, BURLESQUE, HIGH JINKS..."

N.Y. WORLD-TELEGRAM

"...GAGS AND WISECRACKS..."

N.Y. EVENING JOURNAL

"...MUSIC IS LIVELY..."

N.Y. HERALD-TRIBUNE

"...CATCHY SONGS, NIMBLE FEET..."

N.Y. DAILY NEWS

THE GREATEST COMEDY FIND SINCE CHAPLIN!

THE FUNNIEST COMEDIAN

THE FUNNIEST DANCER

THE FUNNIEST SINGER

THE FUNNIEST LOVER

Discovered since Charlie Chaplin

JACK HULBERT's

WHIMSICAL • COMICAL • NAUTICAL • MUSICAL

JACK AH OY
“Ten Minute Alibi” (Continued from page 10)

...and the British facetiousness of two detectives seems out of place. There is only fair entertainment value.

The story is unusual in that it shows the perpetration of a murder and asks the sympathy of the audience for the efforts of the murderer to escape detection. The dead man is, of course, the villain of the piece; a blackmailer and woman trafficker who is better out of the way. The hero kills him to save a girl from his clutches and stages the crime cleverly, using gloves to hide his finger prints and taking the clock in order to throw the authorities off the scent. The texts reconstruct the crime and seem on the verge of discovering everything but miss the obvious clue that the clock, striking seven at six o’clock, reveals that it has been tampered with.

Holmes is good in the long scene of his cross-examination, but neither Aileen Mason as the girl nor Theo Shall as the villain are up to modern standards. The story angle, with obvious exploitation possibilities, is the selling value.

Running time, 85 minutes. “A.”

Expect Samuelsen To Hold His Post

(Continued from page 1)

principal topics to be taken up during the session. Samuelsen had not completed his annual report yesterday afternoon and worked into the night to finish the review of the past year’s activities. In the report will be included recommendations for thesegay stage.

Abram F. Myers will be chairman of the session and elections will probably be held at the stage of the session. T. Blank, Branch, Saperstein and Cole may be named vice-presidents. Herman Blinn is slated to be reelected treasurer.

**Watching Omaha Shows**

**Omaha, Feb. 12—**The combination stage show-picture policy inaugurated at the Paramount here may have opposition if it proves successful. Morti Singer was here last weekend to observe the opening at the A. H. Blank house. He may put in stage shows at the Blank’s if the Paramount’s policy clicks.

**Flinn in Coast Confab**

**Los Angeles, Feb. 12—**John C. Flinn met today with members of the clearance board. He went over the minor revisions which will be included in the final draft of the proposed clearance schedule to be presented at a Campi meeting next week. Flinn leaves Saturday for New York.

**Charter Mayfair Prod.**

**Albany, Feb. 12—**Mayfair Prod., Inc., has been chartered by Harry A. Tiftoff, Minnie Horowitz and Mac Graff.

**Ruby Keeler to Hospital**

Hollywood, Feb. 12—Ruby Keeler goes to the Good Samaritan Hospital tomorrow for a minor foot operation.

**Buffalo Men Shifted**

**Buffalo, Feb. 12—**Several changes in the Buffalo Pictures exchange staff have been made by Manager George H. Moeser. Taking over the Albany territory is Eugene C. Marini, former Buffalo Distributor and former Buffalo agent in that city. Charles Flarity gets the Rochester-Syracuse district and Edward Kempner will handle Buffalo sales.

**C. M. Turley Reel ected**

**St. Louis, Feb. 12—**Clarence M. Turley, former associate of Shores brothers in the operations of the Minisour, Ambassador and Grand Central theatres, has been reelected secretary of the St. Louis Real Estate Exchange. He served the exchange in that capacity in 1932, 1933 and 1934.

**“Gentlemen,” Ellington Top Draw for K.C.**

**KANSAS CITY, Feb. 12—**Honors went to the Mainstreet combination bill, “Gentlemen Are Born” with a stage show headed by Duke Ellington and his band. The take was $12,500. “Wings in the Dark,” at $7,200, was a strong attraction at the New China.

Both in a second week, “County Chairman” at the Uptown and “David Copperfield” at the Midland proved to be poor draws. The bill which the Will Rogers’ opus was held for a third stanza.

Total first run business was $39,200. Average $7,345.60.

Estimated takings:

**Week Ending Feb. 7:**

**GENTLEMEN ARE BORN** (F. N. J.) MAIN STREET—(5,300), 15c-40c, 10 days. Stage: Duke Ellington and his band with Iver Anderson. Sour Stew Review. Gross: $8,000. Average: $800.00.


**WINGS IN THE DARK** (Para) NEW BALTIMORE—(2,000), 15c-40c, 7 days. Stage: Duke Ellington and his band. Gross: $2,700. Average: $385.71.

**DARWIN** (Col.) TOWER—(2,000), 20c-40c, 8 days. Stage: Garden of Girls” with Stratford & Mayfair, Keppel & Libby Robin, Florence Hime Low, others. Gross: $7,600. Average: $950.00.

**Week Ending Feb. 8:**

**THE COUNTY CHAIRMAN** (Fox) NEW BALTIMORE—(1,600), 15c-40c, 7 days. Stage: Duke Ellington and his band. Gross: $4,700. Average: $614.29.

**Providence Gives “Lancer” 2nd Week**

**PROVIDENCE, Feb. 12—**“Bengal Lancer” continued to rank high in its second week at the independent Strand here, which is very near business in this town. Strand business went the city trying to dig itself out of the snow. The take was $7,000.

Both Fry’s and the RKO Albee, with vaudeville programs, were over $8,000, but 1-low’s again was off, catching only $9,000 with “The Night Is Young” and “Behind the Evidence,” $3,10 down.

First run business was $14,400. Average $480.

Estimated takings for the week ending Feb. 7:

**LIVES OF A BENGAL LANCER** (Para) STRAND—2,900, 15c, 4c, 2nd week. Gross: $7,100. Average: $631.

**GENTLEMEN ARE BORN** (Warners) RED HOT TIRES (Warners)

MAJESTY—(2,400), 15c-4c, 7 days. Gross: $7,500. Average: $900.00.

**THE NIGHT IS YOUNG** (M-G-M) BEHIND THE EVIDENCE (Col.) LOWE’S STATE—(3,600), 15c-4c, 7 days. Stage: Duke Ellington and his band. Gross: $1,600. Average: $211.

**STRAIGHT FROM THE HEART** (Univ.) RKO ALBEE—(1,400), 15c-4c, 7 days. Stage: Medley and Dupre. Gross: $8,700. Average: $1,242.86.

**SONS OF STEEL** (Chesterfield) FAY’S MAIN STREET—(2,000), 15c-4c, 7 days. Stage: Duke Ellington and his band. Gross: $7,000. Average: $928.57.

**THIS LITTLE MINISTER** (Radio) RKO VICTORY—(1,600), 15c-4c, 7 days. Gross: $1,600. Average: $114.

**“House on the Range,” this morning’s opening at the Criterion, was reviewed by wire from Hollywood on Nov. 10.**

**ALLAN.**
In eight of "1934's BEST TEN"

Of the ten pictures chosen as 1934's best in the Film Daily's nationwide poll, eight were photographed on Eastman Super-Sensitive Panchromatic Negative. Again this Eastman film has made its contribution to the artistry and entertainment value of the productions adjudged the finest of the year. Eastman Kodak Company, Rochester, N.Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative
IT'S A PLEASURE AND AN HONOR

Joe Cook

TO PRESENT YOUR FIRST COMEDY FEATURETTE...

"MR WIDGET"

Produced by Al Christie

You win the blue ribbon, Mr. Cook, for the most novel two-reel comedy in months. The exhibitors win a great new name.

Showmen who play Educational's Comedies are getting this season the finest line of big star attractions in short subject history. Here's a new one that sends the score higher than ever.

Second Joe Cook featurette now in production.

ALL RIBBON WINNERS

...with their early 1935 releases

BUSTER KEATON
ERNEST TRUEX
CHICK YORK and ROSE KING
SYLVIA FROOS
TOM HOWARD
JUNIOR COGHLAN
EASY ACES (Mr. & Mrs. Ace)
BILLY GILBERT

IN "Palooka in Paducah" and "One Run Elmer"
IN "Gentlemen of the Bar" and "Object Not Matrimony"
IN "How Am I Doing?" A Marriage Wow Comedy
IN "Moon Over Manhattan" A Young Romance Comedy and "Song Plugger" A Song on Story
WITH GEORGE SHELBON IN "Easy Money" and "An Ear for Music" Cabaret Comedies
IN "The Little Big Top" A Farce of Youth Comedy "POODLES" HANNEFORD
IN "Dumb Luck" A Marriage Wow Comedy Another in production
IN "Hail, Brother" Another musical comedy by the men who made "Nifty Nurse"

Presented by E. W. Hammons

Distributed in U. S. A. By FOX Film Corporation
Monopoly Now Made Issue in Huffman Case

Federal Attorney Gives Code Case New Twist

DENVER, Feb. 13—Charges that Harry Huffman's companies here seek a monopoly of exhibition and are violating the Sherman anti-trust law were contained in a brief filed by the Government in the film stoppage injunction suit carried to the U. S. Circuit Court of Appeals by Huffman. He has 10 days in which to answer. The case will then go to the U. S. District Court for hearing on its merits, including the injunction angle.

Huffman sought the injunction in the U. S. District Court after the grievance board had ordered his films supplied stopped because of his failure to pay license fees. (Continued on page 5)

JOSEPH SCHENCK IN DEAL FOR FOX MET

Samuelson Is Reelected As Allied Head

BY W. A. WHITNEY

WASHINGTON, Feb. 13.—Sidney E. Samuelson was reelected as president at the annual meeting of the Allied board of directors which began a three-day session today at the Carlton Hotel. Abram F. Myers was re-named board chairman and general counsel and Herman A. Blum held his post as secretary and treasurer.

The annual budget was adopted.

H. M. Richey's report on ways of increasing the association's income was debated during the afternoon session.

Subjects remaining on the program include: a decision on plans for the (Continued on page 5)

Production Holds Well Above Normal

HOLLYWOOD, Feb. 13.—Production continues above normal, but slightly below the previous week which reached the highest peak in several years. Pictures before the cameras last week totaled 43 features and (Continued on page 9)

Freedom of Press, Also Screen, Stirs Up Forum

BY J. M. JERALD

Critics are great believers in the freedom of the press. They admitted, as much yesterday at the M. P. Chub Forum—some lightly, others seriously—and they discovered their hosts think there should also be freedom of films and freedom of radio.

It was the outing of newsreel cam-
eras from Plemington that drew a serious retort from Louis Nizer in what up to that time had been mostly an exchange of banter.

Martin Weyrauch, managing editor of the Brooklyn Eagle, was the first speaker to become serious.

"Newspapers before the Revolution were simply the extension of one man's ability to talk to his neighbors," he said. "It was a limited form of extension, just a leaflet, but the right was considered so sacred by the framers of our constitution that they introduced a guarantee of freedom of the press.

"I believe that, if radio and motion pictures had been in existence at the time, this guarantee would have been extended to these mediums of expression as well. I think it is time for them to cast off their inferiority complex and fight for these rights."

Nizer, and Harry Hershfield, who was acting as master of ceremonies, (Continued on page 9)

Dent Coming Here For Product Deal

BY BRUCE ALLAN

LONDON, Feb. 5—Arthur Dent of Wardour Films & Associated Brit-

ish Pictures will visit New York in the near future to discuss distribution for B.P. Picture in America. Gaumont British distribution of the B.I.P. program in America is now unlikely. Admitting that there had been (Continued on page 9)

Warner Deficit on Quarter $143,751

Warner Bros. Pictures, Inc., re-
ports a net operating loss of $143,-751.31 for the 13 weeks ending Dec. 24, 1934, but at the same time reported a heavy cut in its deficit account through the redemption of funded indebtedness.

Net operating profit for the period (Continued on page 5)

Warners Drop Moves On Nashville Group

Notification that Warners will not take over eight Nashville houses from its S. Beall Blair, as provided in a standing agreement between the two,
Published daily except Sunday and holidays by Motion Picture Daily, Inc., subsidiary of Quigley Publishing Co., Inc., Martin Quigley, President; Colvin Brown, Vice-President and Treasurer. Publication Office: 1790 Broadway, New York, New York. Telephone Circle 7-3100. Cable address: "Quigpubco", New York. All communications should be addressed to Martin Quigley, President, or Colvin Brown, Vice-President and Treasurer. Other Quigley publications, Motion Picture Herald, Variety Theatres, The Motion Picture Magazine, Theatres Today, Quigleiana.


Services Held Here For Mrs. P. S. Brown

Private services were held at the Stephen Merritt Chapel yesterday morning for Mr. and Mrs. S. Brown, the husband and wife of Colvin W. Brown, vice-president and general manager of the Quigley Publishing Co., who died at her New York apartment Tuesday morning after a long illness. Harry C. Brown, a Christian Science reader, conducted the service.

Those present included Frank C. and Mrs. Walker, Eddie Dowlings and Ray Dooley, E. M. Fay, Paul C. Moomy, David C. and Mrs. Griswold, Martin Quigley, Jr., Mrs. Mabel Burkhart, Mrs. Robert Goldman and virtually the entire staff of the Quigley Publishing Co.

The funeral party left on the Commodore Vanderbilt yesterday afternoon for Elgin, via Chicago, where additional services will be held today and interment made at the Bluff City Cemetery in that city.

Delay Contest Opening

Paramount has switched the starting date of its cash prize contest for the most imaginative ideas for exploitation and publicity campaigns sent in by theatres on "Ruggles of Red Gap" from February 15 to February 22. The contest will close April 26. The change in the dates was made necessary by the change in the release date of the picture.

Purely Personal

IMI LEVENSON, secretary to L. J. Barrano of Columbia, was the guest of a dinner at a luncheon given yesterday at the Taft by the other Columbia executives' secretaries. The reason: announcement of Miss Levenson's engagement to ABE LEVENSON of Boston. No date for the nuptials has been set.

JOE LEE left for Europe on the Conte di Savoia yesterday for a month's vacation following his return from Harry Burkbaum from the Fox Chicago mid-winter meeting. JOHN D. CLARK, William Kupper, Felix de Arcy and Roger Ferri return in a day or so.

DAVE LOWE leaves for the coast tomorrow afternoon after he finishes his fifth day on the stand in the M. & S-RKO arbitration hearing. He's earned his holiday. Until he leaves he is being bodyguard by Judge ISADORE FREY and LEOPOLD FRIDMAN.

Jane Frisman has cancelled her trip to the HollywoodOpt for a vacation in Budapest, where she was to report to the M-S-RKO studio, but is making a tour of 21 cities first. She expects to hit the coast in the fall, however.

LYN FARNOL had Dick Watts in tow for luncheon at the Algonquin yesterday. Jack Connolly and George Weeks were others glimped on the same day. Not together, however.

JO SWEILING, accompanied by the missus, spend the last four days, yesterday for the coast. They are going by way of New Orleans, and may stop there until the Mardi Gras next month.

L. H. FRANCIS, special representative for Heywood-Wakefield Co., is back in town after a two-months' business trip on the coast. While on the trip he stopped at Portland to visit his family.

HOPEskins SORDA is burns the midnight oil these days. He is reading Schopenhauer, Hume, Kant, Nietzsche and Spinoza. And avoiding old-fashioned.

GERALD K. RUDULPH, former publicity man for Fox and RCA Photophone, now handles the booking end of that work for a Buffalo breeder and gets a kick out of it.

CHARLES STEIN is holding the fort for Mor Strommer while the latter is vacationing in Miami. Steinn will be away for another two weeks.

HARRY DAVENPORT, who is reputed to be the oldest living actor, has been signed by Ben Hecht and Charles Lederer to star for four picture's they are making in Astoria.

BOB GILLIAM, lucky fellow, left last night for Florida and 10 days of fishing. It's all by way of preparing for the M.P.T.O.A. convention in New Orleans.

ALINE MACMAHON is on her way here from the coast. She recently completed "Wanderlust" for Warners and won't report back to the studio until May.


HERBERT BAYNE SWOPES, sometimes described as the balance wheel between RKO and the Mohean interests in KAO, leaves for Hollywood in a couple of days.

WALDEMAR TODES, publicity head for the M-G-M Brazil office, sails Saturday for South America after five weeks here and in Hollywood visiting the company's house and studios.

BERNICE CLAIRE finishes work in a Viuaphone short at the Brooklyn plant today. She'll start work on another of the series she's doing in about three weeks.

Quip of the Day

Interviewed between planes in Kansas City, Steve Fitchett, the celebrated radio announcer, was asked by reporters what he thought of the race problem.

"The only race I care about," quipped, "is a horse race."

Al FRIEDLANDER was in Dallas yesterday on First Division deals. AMOS HIAST returned yesterday from Philadelphia, where he arranged for larger quarters for the exchange.

HAROLD ROSSNER takes the air route to the coast either Sunday or Monday on N.V.A. and Warner Club business. He'll be gone for several weeks.

Tom CONNORS is back from his tour of southern M-G-M exchanges, but leaves next week for the M.P.T.O.A. convention in New Orleans.

ARTHUR BRUEHL, Vanity Fair shutter elicker, is bound for the coast to do a series of portraits of prominent satellite.

Mickey BALCON, production head for Gaumont British, is due in next week from London. He's on the Olympic.

ARTHUR GREENBLATT has joined the local Gaumont British sales force, handling Brooklyn. He succeeds Harold CARLOCK, transferred to Buffalo.

Robert C. VIGNOLA sails today on the President Lincoln for the coast. Ben PIAZZA, his nephew, stays on for a few more days.

Claude EZZEL has returned to Dallas after five days here, during which time he had "Anything Goes" and "Personal Appearance."

Herman RIPKIN of Boston and Bernard Mills of Albany, Monogram franchise-holders, were in town yesterday.


William Cadaret of Publix and Jack KOLDEN of RKO were in town from Rochester yesterday discussing bookings with house office officials of both circuits. Publix and RKO have pooled interests in Rochester under a joint operating-booking deal.

Jack SHEA has recovered from injuries sustained when hit by a taxi last week. His uncle, Mont SHEA, is now mending in Mt. Sinai.

Charlie O'KELLY's crowded hours are not over yet, this week, what with code hearings, T.O.C.C. affairs and conferences with Jacob SChECHE

Bud HOBY is busy working at the Viaphone plant in Brooklyn these days. He is set for four shows there.

James ROTTEN of the Naion staff, is haying himself to Hollywood to do an article on the film colony.

Charles GLETT has joined the staff of Audio Productions, Inc., and will work on production.

Herman GLUCKMAN, president of Publix, returned yesterday from a short Bermuda cruise.

Sidney R. Kent is off to Florida today on this usual winter holiday in those parts.

D. A. Doran, Jr. is back from Hollywood where he sought a lead for a new play.

James HULTON's novel, "Lost Horizon" has been sold to Columbia.

Milton C. WEISMAN is in Florida. He's due back Fev. 22.

Robert FLOREY is in town at the Warwick.
DID YOU HEAR ABOUT MRS. LEO’s QUINTUPLETS!

—we’ll say it’s a RECORD!

(over)
5 WEEKS for

DAVID COPPERFIELD

A NEW ALL-TIME RECORD

at the Capitol Theatre, N.Y.

For the first time in the 16 years’ existence of the famed Capitol Theatre, a motion picture plays five weeks! The variation in gross business from week to week has been so slight as to make “Copperfield” an entertainment unique in all screen history. This building and sustaining power is evidenced likewise in extended runs from Coast to Coast in theatres and in cities of every classification. “Copperfield” is unquestionably the greatest hold-over picture the industry has ever known. We repeat to our exhibitor friends the urgent advice to arrange for ample additional playing time.

Congratulations to those who made it possible! To David O. Selznick, producer. To George Cukor, director. To the great cast of 65 stellar players. To Hugh Walpole, adaptor. To Howard Estabrook, author of screen play. And to the memory of beloved Charles Dickens!
Monopoly Now Made Issue in Huffman Case

(Continued from page 1)
to comply with an order to stop automobile giveaways. After he had lost an injunctive appeal the grievance board defense was assigned to the assistant United States district attorney here and the case was carried to the U. S. Circuit Court of Appeals. Briefs have been filed by order of the court.

In his brief Byron G. Rogers, the assistant district attorney, also contends that Huffman, because he controls 36 licenses through three companies, can to a certain extent control the movement of films here and can slow up their availability for subsequent runs.

Three of Huffman’s companies are involved in the Twin-Centennial Theatres, Inc., Aladdin Theatre and Centennial Theatres, Inc. It was against these companies that the grievance board directed its film stoppage order.

The present restraining order will continue until the case can be heard on its merits in the U. S. District Court. It is expected a hearing date will be set within a month.

Company president R. S. Huffman and Assistant Solicitor Soif A. Rosenblatt will join the defense of the grievance board when the case is heard at Denver and will also be a government witness.

Campi May Approve K. C. Zoning Soon

(Continued from page 1)
availabilities of first run neighborhood spots following downtown first runs and also the amount of clearance to be set by the board in the downtown area. The decision of the board will give the distributor the right to sell any run in any zone deemed advisable by the board in the downtown area.

Breaking this down means that where three theaters in a zone charge 25, 20 and 15 cents, distributors have a right to sell the lowest-priced theater first run with seven days’ clearance over either of the other two houses with higher admissions. In all instances contracts will have a clause for maintenance of admissions agreed upon at the time deals are closed.

In the Kansas City schedule before the board, the original draft has been modified. The first plan stated that runs would be determined by admissions, but this has been amended to read that the board shall determine the maximum clearance between runs.

Other schedules which will be put up for a vote next Thursday’s session will be New Haven and Milwaukee. The former is in good shape and various Campi members are known to agree upon most of the clauses. The Milwaukee plan is new to many of the codists.

Three distributing companies are against the price-admission angle in schedules on the ground that it is in violation of the anti-trust laws to fix or peg prices. Protection against print shortages

“Great Hotel Murder”

(Continued from page 1)
theatrical advertisement that was suspended and entertainment though not always plausible.

The story differs from others in which the team has appeared in that there is no woman whom the boys stalk from each other. They fight their way to the separate detective abilities, with the arguments and comebacks coming in amusing stage.

Low is cast as a writer of detective novels and McGlennen as a hotel detective. A dead man is found in a hotel room and the pair set about solving the mystery. With surprises and comedy well-paced, the chase leads in and out of hotel rooms to an apartment across the street and ends in a mountain cabin with the boys as in the murderer runs his car over a cliff.

A minor love interest is carried by Mary Carthell and William Janney, who hold sympathy though their parts have but little to do with the plot. Rosemary Ames, C. Henry Gordon, Henry O’Neill and John Wray have the main supporting parts and carry their roles.

The story is by Vincent Starrett and the screen play by Arthur Kober. Sam Kaylin’s music adds to the show’s value. Director Eugene Forde has timed action and comedy well for good melodramatic entertainment.

Production Code Seal No. 612. Running time, 74 minutes. “G.”

Warner Deficit on Quarter $143,751

(Continued from page 1)
profit was $124,252.86.

The net profit from operations for the quarter before amortization and depreciation, properties, and Federal income taxes, was $1,583,898.88.

The consolidated balance sheet as of Nov. 24, 1944, shows Warner current assets of $17,030,622.88, including cash of $3,200,703.01.

Current liabilities total $11,909,605.48.

Cassil Persistent, But Loses to Campi

KANSAS CITY, Feb. 13.—When it comes to persistence, Frank H. Cassil, exhibitor of St. Joseph, Mo., wins the grand prize.

Haled before the local grievance board on a bank night complaint, a decision was rendered against him.

Cassil appealed, and Campi upheld the board. Then, after some wrangling, he was given a second hearing on his plea that his theatre was not in direct competition with the complainant, W. Leonard, but some three miles away.

He wanted to file another appeal, but here John C. Field, Campi secretary, called a halt, ruling the board’s decision final.

Cassil now says he’ll comply and cut out bank nights.

Joplin Bank Night Complaint Is Filed

KANSAS CITY, Feb. 13.—Harley Fryer, Fox manager at Joplin, Mo., has filed a bank night complaint against C. W. Sibley, Roe city, Kan.

Ray McLain, Fox manager at Emporia, Kan., has withdrawn a similar complaint recently filed against E. O. Biles, Lyric, Emporia.

Frank H. Cassil, Rialto, St. Joseph, Mo., has lodged a premature advertising complaint against W. A. Leneh, Valley, same city.
“THANK YOU FOR A THRILLING EVENING” . . . . . .

“With a roll of drums and a crash of cymbals from the United States Marines, Warner Brothers’ first Cosmopolitan Production arrived last night at the Strand Theatre. It’s exciting as a big parade—entertainment through and through. Fun factions alternate with heart-stirring, breathtaking sequences in machine-gun rapidity. Most sensational sequences to reach the season’s screens. The aerial stunting will make you gasp. No one should miss it. It tops all in thrills.” — Regina Crewe in N. Y. American

THANK YOU, NEW YORK, FOR A THRILLING PREMIERE

A triumphant turnout of celebs and citizens that overflowed four premiere night shows . . . formed a 9:30 line next morning . . . and put the Strand hot on the trail of San Diego’s astounding record of 76% over ‘Here Comes the Navy’ figures! . . . And the coast-to-coast parade of smashing premieres continues with biggest gross and attendance in past year at the Roosevelt, Chicago; 2-block lines at the Memphis Warner; new house record for opening matinee at the Hillstreet, Los Angeles!

“DEVIL DOGS

Starring JAMES CAGNEY • PAT C

A Cosmopolitan
"THANK YOU, MISS CREWE, FOR A THRILLING REVIEW"

"We agree with every word you say. And we’re glad to see that you agree with Mr. Sennwald of the Times (‘loaded with pictorial dynamite . . . most remarkable aerial photography in years’)—Mr. Boehnel of the World-Telegram (‘moves with glorious excitement’)—Miss Creelman of the Sun (‘expert combination of thrills and fun’)—Miss Johaneson of the Mirror (‘a stunning thriller’)—and Miss Pelswick of the Journal (‘an outstanding achievement . . . tremendously impressive’)."

"THANK YOU, WARNER BROS., FOR ANOTHER THRILLING HIT"

"I’m always glad to hear that the boss has booked a Warner picture. They give me something to do these long winter evenings. I meet so many interesting people when we play shows like ‘Flirtation Walk’, and ‘Bordertown’ and those swell Clue Club mysteries. That’s why I’m looking forward so eagerly to Rudy Vallee in ‘Sweet Music’, Kay Francis in ‘Living on Velvet’, ‘Gold Diggers of 1935’, Al Jolson and Ruby Keeler in ‘Go Into Your Dance’ and Paul Muni in ‘Black Fury’, as well as to..."
Norton Says British Need American Help

"I don't think we can really make pictures in England without American technical help," said Richard Norton, British and Dominions producer, who arrived here yesterday on the "Berminghams." He brought with him a print of his company's latest, "Brewster's Millions," which stars Jack Buchanan and Lili Damita, and as proof of the above statement pointed out that the film was directed by Thornton Freeland, who did "Flying Down to Rio," and was photographed by Bernard MacGill.

One of the purposes of his trip, Norton continued, is to take back an American film editor with him when he returns to London.

"Brewster's Millions," which was made as a musical, is the third of B. & D.'s four to be released by United Artists this year. The last will be the Elizabeth Bergner vehicle, "Escape Me Never," which is now in its final editing stages.

Norton's company normally has been producing between 10 and 12 pictures a year, but, in the future, will turn out eight. Of these, Herbert Wilcox will produce two. Negative costs will be raised on each individual picture, however, Norton said.

Only one picture is currently planned by British and Dominions, Norton continued. This will be based on the life of the English actor, David Garrick. It is tentatively titled "Peg Woffington" and Cedric Hardwicke, who is now in Hollywood, will have the lead. Herbert Wilcox will direct.

Norton's stay here is indefinite, but he hopes to clear up his business and return to England before the first of the month.

Monogram Busy Mon.

Hollywood, Feb. 13.—Monogram resumes production Monday after several weeks of inactivity. The first picture will be "The Hoosier Schoolmaster." Final details on the script are now being worked out. Douglass Montgomery is slated for the leading role, but may have to drop out because of two other assignments from a major studio.

Needs "Punks"

Richard Norton, British and Dominions producer here from London, met the press yesterday in his hotel suite. One of the questions asked had to do with his taking back American talent to London.

"We have no need for American stars for our musicals," Norton explained. "But when I do a musical next year I most certainly will insist that I come over here for some of what you Americans politely refer to as 'punks.'"

Norton hastily explained he was referring to "beautiful chorus girls."

who is now in Hollywood, will have the lead. Herbert Wilcox will direct. Norton's stay here is indefinite, but he hopes to clear up his business and return to England before the first of the month.

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Mild Pennsylvania Tax Protest Seen

PHILADELPHIA, Feb. 13.—That protest against the 10 per cent tax on admissions proposed yesterday by Governor George H. Earle in his budget message to the Legislature is liable to be no more than mild was the belief expressed in film and political circles today.

One reason the industry is not expected to make a vigorous attack on the Earle proposal is that it "may be felt grateful for the friendliness of the new administration, the first Democratic one to rule the state in some 40 years. Another reason advanced is that the film men hope the liberal views of the administration may lead to Sunday shows.

The industry is viewed as likely to take no strong action against the proposal even in face of the fact that such a heavy impact would probably prove drastic to small houses, regardless of whether exhibitors absorbed it or passed it on.

Eastman Dividend Up

The Eastman Kodak Company yesterday voted an increase in the annual dividend from $4 to $5 with a quarterly declaration of $1.25 a share.

"Nitwits" Is New Title


Ohio Senate Passes Contract Dating Ban

COLUMBUS, Feb. 13.—After receiving the sanction of the Committee of Commerce and Industry and of parent and teacher associations, the Senate has passed the bill introduced by Senator Edward N. Waldivogel making it unlawful for distributors to require exhibitors under contract to turn over any picture on a specific day.

The announced purpose of the bill is to prevent forced dating of objectionable sex pictures on Sundays.

The committee made several amendments to prevent any handicap being placed on exhibitors that play only on Saturdays and Sundays, however. This was done by revising the wording of the bill to make the penalty applicable only to distributors.

F. J. Wood, secretary of the I.T.O. of Ohio, explained the bill to the committee and Senator Overton Jackson, during the hearing, said: "This is a fight for cleaner pictures on Sundays when a large percentage of audiences is composed of children."

Judge Faris Advanced

St. Louis, Feb. 13.—Federal Judge C. B. Faris has been sworn in as a member of the U. S. Circuit Court of Appeals. He is the judge before whom the anti-trust indictments were returned against major distributors and executives recently. Some other judge probably will be assigned for the trials.

The MIRROR reflects its glory

"Great film! Swashbuckling story!" — Bland Johnson

Merle Oberon. The film opens with smashing scenes, setting a pace which is maintained to the stirring conclusion. There are thrills, suspense, romance, beauty and wit in "The Scarlet Pimpernel." It's grand entertainment. — Bland Johnson

Leslie Howard and Merle Oberon in The Scarlet Pimpernel

An ALEXANDER KORDA Production

Released thru UNITED ARTISTS
Production Holds Well Above Normal

(Continued from page 1)

seven shorts as compared to 48 and 11 for the preceding week. In addition, there are 20 features and 13 shorts in the final stages of preparation, while 45 features and 17 shorts are in the cutting rooms.

Warners continue to lead the field with eight features before the cameras, two preparing and nine editing. Parliament has eight, one and four; Radio, six, two and four; Fox, five, six and five; Universal, four, one and two; Columbia, two, one and two; Century, two, zero and one; M-G-M, three, one and 12; Goldwyn, zero, zero and one; while the independents have five, six and five.

In the short subject division M-G-M has one in work, three preparing and five editing. Columbia has one, one and two; Roach, zero, one and four; Universal, zero, one and zero; Radio, zero, one and one, while the independents register five, six and five.

"Pimpernel" at $95,000

First week of "The Scarlet Pimpernel" grossed $95,000 at the Music Hall. "Jack Ahoy" at the Roxy will wind up its week tonight with about $24,000 in the till. Both are English made films, the former produced by London Films and the latter by G. B.

Skouras in Haverstraw

Skouras Theatres Corp. has taken over the Capitol, Haverstraw, N. Y.

Freedom of Press, Also Screen, Stirs Up Forum

(Continued from page 1)

went into a huddle while the applause was still under way and Hershfield called upon Nizer for a second talk, a "colloquy," he called it. Nizer endorsed everything Weyrauch had said.

"We've just had an example of freedom of expression for films," he pointed out. "Down in Flemington, where the newspapers had fiction writers, sport writers—any kind of celebrity—writing impressions of the Hauptmann trial and forming the public's opinions in advance of a verdict a newsreel camera was barred when it gave the first and only authentic, perfect record of this great human drama."

"I think the newspapers of the country missed a great opportunity to prove their passion for freedom by not coming to the defense of the newsreels, instead of finding fault with them. I think newspapers, films and radio should stand shoulder to shoulder in this great cause."

Hershfield paused before introducing the next speaker.

"Instead of treating radio and films as competitors," he said, "newspapers could regard them as allies. Newspapers can perform a public service by printing more about radio, outside of the mere broadcasting of programs."

Bernard Sobel, John Anderson, Arthur Pollock of the Brooklyn Eagle; Julius Cohen and Robert Coleman spoke lightly, and then Jules E. Brachman.

He protested at first, but moved over toward the microphones. "I'm not going to attempt to dazzle you with any witt," he began. "I'm no performer. If I had been, I wouldn't have had to drag out a miserable existence as a plain working man in this industry. Whatever progress I may have made toward a luxurious existence has been gained simply by plodding along."

"Plodding along on a half million a year," drawled Hershfield before presenting the next speaker.

Phil Reisman gave some inside stuff on the vigorous language sales managers, advertisers and publicity heads and their "25 assistants" use when they read "lousy" reviews the morning after an opening.

Herbert J. Yates confessed rather grimly that he had attended the lunch just to see "what some of these critics who bore down the finest pictures turned out look like." His manner conveyed the impression that he didn't like their looks any more than he liked their reviews.

Rowland Fields also spoke, as did Jack Cohn of Columbia.

"We in Columbia have found," Cohn said, "that some of our best

Dent Coming Here For Product Deal

(Continued from page 1)
talks, Dent says he had had nothing to do with press stories suggesting they had taken definite shape.

Asked if the G.B. deal was definitely off, he replied: "It was never definitely on."

American distribution for B.P. product was recently discussed in London with First Division, but indications are that, carrying an accumulation of product, Dent will make a deal on the spot with an American releasing company.

To Discuss Ordinances

Local exhibitor leaders will hold a meeting tomorrow at the RKO home offices to discuss city ordinances pertaining to theatres. Henry J. Walters called the session which will be held in the executive board room in the RKO Building. About 25 will attend.

writers are former critics. If some of these fellows would spend less time criticizing and more time writing stories, Columbia would buy some of them."

"There's one critic missing, your brother Harry," Hershfield interjected.

Bide Dudley arrived just before the breakup of the session and pulled a couple of stories that haven't been heard over WOR.

An American event!

New York American

ACTING EXCELLENT! CINEMATIC ACHIEVEMENT!

"A thoroughly handsome and distinguished production. The settings are simply gorgeous and the acting excellent. Thrills and laughter. A thing of beauty and a cinematic achievement." — Regina Crewe

LESLIE HOWARD AND MERLE OBERON
in The SCARLET PIMPERNEL
An ALEXANDER KORDA Production

Released thru UNITED ARTISTS
Copyright Treaty
Study Decided On

WASHINGTON, Feb. 13.—Department of State officials next week will begin a series of conferences with representatives of the film, radio, publishing and other industries affected by copyright legislation in an effort to gain support for a bill designed to amend the copyright law to conform to the international treaty as a prelude to seeking approval of the Senate to our entry into the International Copyright Union.

The decision to have the Department of State do this was reached today by the Senate Foreign Affairs Committee when department officials laid before it a draft of the proposed legislation, which, it was admitted, had never been submitted to any of the interested industries for criticism.

The bill would bring the copyright law into conformity with treaty requirements by eliminating some of the formalities incident to copyright registration in this country.

When the committee completed its consideration of the matter last session it was understood that the Department of State would confer with the industries in an effort to secure an agreement, but it developed today that the department made no attempt to do this but went ahead and wrote its own bill, which, under the circumstances, the committee refused to accept.

It is generally understood that the conferences at the department will start next Tuesday but that the committee will probably hold hearings of its own before it takes any action on the department's legislative proposals.

“Lancer” $15,500
Smash in Montreal

Montreal, Feb. 13.—“Lives of a Bengal Lancer” was sensational at the Capitol. It piled up $15,500, over average by $6,500, and was held over for a second week.

Total business was $38,000. Average was $29,500.

Estimated takings for the week ending Feb. 9:

- **LIVES OF A BENGAL LANCER** (Para.)
  - CAPITOL—$2,057, 25c-30c-40c-50c-60c, 7 days. Gross: $15,500. (Average, $2,214.)
  - Average, $2,214.00.

“Bill” Is $9,600
High in Portland

PORTLAND, Feb. 13.—“Broadway Bill,” as was expected, was the big draw of the week. It grossed $9,600, over par by $4,600, at the Paramount, plus a stage show.

“Sequoya” of the United Artists rang up $6,000, or $1,000 over average.

Total first run business was $31,100. Average is $25,000.

Estimated takings for the week ending Feb. 9:

- **DAVID COPPERFIELD** (M-G-M)
  - BROADWAY-1920, 25c-30c-40c, 7 days. Gross: $6,000. (Average, $857.)

- **MUSIC IN THE AIR** (Para.)
  - HELLDORADO (Fox)
  - MAYFAIR—$1,400, 25c-35c-40c, 7 days. Gross: $9,600. (Average, $1,371.)
  - Average, $1,371.00.

“Chairman” Heavy
Grosser, Lincoln

Lincoln, Feb. 13.—“The County Chairman" topped off last week's stretch and went an extra day to $4,300, over average by $1,200. Further happiness followed came by way of the unexpected steadiness of "The Mighty Barnum" which ran up to $2,900. They were at the Stuart and Lincoln, respectively.

The Company, starting off with "Footlight Follies" stage show and "Redhead" (3 days), and following in with "Caravan" (4 days), was good for $3,000 even.

Total first run gross was $13,050. Average is $9,100.

Estimated takings:

**Week Ending Feb. 7:**
- **REDHEAD** (Monogram)
  - “CARAVAN” (Fox)
  - Average, $2,800.

**Week Ending Feb. 8:**
- **UNION CHAIRMAN” (Fox)
  - Average, $2,300.

Plan Teachers' Showing

“Grand Old Girl,” Radio release, will be shown to a group of principals, teachers and their friends at the Astor Saturday morning. It's a school teacher story and will open at the Astor Feb. 22.

Park Theatre to Open

The Park, formerly the Cosmopolitan, will reopen Feb. 21 with popular price revivals of Broadway shows. The first one, it is “No More Ladies,” Chamberlain Brown is in charge.
J. M. Schenck Negotiating For Fox Met

(Continued from page 1)

puted circuit in conjunction with Warners, only to withdraw his offer later. He also told Motion Picture Daily that the Fox Met bondholders' committee had practically approved the plan already, adding that as an individual he would also operate the theatres in the circuit.

Schenck refused to comment when questioned as to whether United Artists or some company connected with it would later assume the obligations which would be incurred by him as an individual in his move to acquire the circuit.

Indicating renewed interest in the ultimate disposal of Fox Met, reports were also current yesterday that, following acquisition of the Auditorium, former Skouras operated house, Harry Brandt was after the circuit. The reports also had it that Brandt would put in a bid for the bonds with William Fox backing the offer.

When finally reached yesterday after a series of telephone calls, Brandt stated: "I have nothing to say."

Reports linking Brandt with a deal for Fox Met started some months ago when Milton C. Weisman, attorney for the I.T.O.A., of which Brandt is president, was appointed receiver for Fox Theatres, succeeding William E. Atkinson. Additional strength was given the rumors yesterday after a deal had been set with Weisman for the Auditorium, which will be reopened in about two weeks. Minor alterations are being made at the house.

The office of Beekman, Bogue & Clark, counsel for the Fox Met bondholders' committee, denied the reports, stating that they were awaiting a proposal from Milton C. Weisman, receiver of Fox Theatres, for taking care of that company's $5,000,000 claim against Fox Met, in the latter's reorganization plan. When this proposal is received, it was said, it will be given consideration by the committee and may be the basis for minor revisions in the present reorganization plan. It was stated, however, that the provisions in the plan specifying that the circuit may not be sold prior to May 1, 1936, will probably stand and that Skouras and Randforce will continue as operators in the meantime.

Weisman is in Florida and not expected back for another 10 days.

Col. Will Distribute Ken Maynard Series

Hollywood, Feb. 13.—Columbia will distribute the series of eight Ken Maynard pictures which Larry Damon says he will produce, with the first slated to go into production April 1. The group will be included in Columbia's next season's product.

RKO Takes Shubert Theatre, Cincinnati

(Continued from page 1)

stage units will be used with films at 35 to 42 cents, including the sales tax.

Legitimate shows booked into the Shubert after March 1 will be switched to the Cox. This gives RKO eight Cincinnati units. The others are the Albee, Palace, Capitol, Lyric, Grand, Family and Paramount.

 Warners Set "Napoleon"

Hollywood, Feb. 13.—Warners have completed long-deferred plans for the filming of "Napoleon," by Emil Ludwig. Edward G. Robinson has been cast as the Little Corporal and Bette Davis will play opposite Josephine. Production will start immediately after Robinson and Miss Davis finish their present assignments.

J. F. Wharton on Coast

Hollywood, Feb. 13.—John F. Wharton, vice-president and general counsel of Pioneer, arrived here today to look over studio activities, returning to New York on Friday.

Fox Seeks New Title

Hollywood, Feb. 13.—Fox is searching for a new title for their newspaper story, "Safe In Jail," which is set to start this month. No cast or directorial assignments have been made.

Expect Court Will Approve Para. Setup

(Continued from page 1)

final objections, including any involving members of the proposed board, would be held.

Although Charles E. Richardson has not yet formally indicated that he would serve on the board, his acceptance is being taken for granted in reorganization circles. Leading factions regard the proposed board of 16 as the one which will be elected, without change, following the reorganization. This view is, of course, subject to any action to the contrary which may be taken by the court in the meantime.

The important combination of creditor groups headed by the H. A. Fortington interests, have voiced dissatisfaction with the termination of Emanuel Cohen's services as production head, stating that they regarded Cohen's record with the company as a "good" one and felt they should have been consulted prior to the final action. They state that they were not advised of even the intent to dismiss Cohen.

One representative of this group said yesterday that more might be said on the subject when the new board assumes control after reorganization, and pointed out that no contracts had been given Henry Herzbrin or Ernst Lubitsch as Cohen's successors.

The Picture of The TIMES!


"Stirring! Beautiful! Howard's Best!" Captivating entertainment. Leslie Howard's performance his best. Mr. Korda succeeds as miraculously as he did in 'The Private Life of Henry VIII.' A rare and satisfying experience in the cinema.

—André Senndorl

Leslie Howard and Merle Oberon in The SCARLET PIMPERNEL

An ALEXANDER KORDA Production

Released thru
UNIFIED ARTISTS

LATE EDITION
THANKS...

FORMIDABLE and weird are the stories of the motion picture business that reach the outside. These tales of incredible tycoons, mysterious geniuses and fabulous sums caused the Editors of THE MARCH OF TIME to view their venture into this new field with trepidation.

The Editors knew that TIME and FORTUNE and THE MARCH OF TIME on the air had valuable and loyal followings. But before these people could see THE MARCH OF TIME on theatre screens nation-wide, they knew that "the trade" must approve and cooperate. THE MARCH OF TIME's Editors worked industriously at their picture, wondering if the men wise in the selling and exploiting of screen entertainment would catch THE MARCH OF TIME's enthusiasm for real life drama from the world's news.

A week has passed since the premiere of THE MARCH OF TIME. The first release has been well received by the public, critics and trade press. But even more encouraging than the praise has been the friendly, interested criticism.

To famed showmen—Dave Loew, Charles Moskowitz, Nick Schenck, Joe Vogel, Eugene Picker of Loew's; to Barney Balaban, Walter Immerman, Abe Kaufman of B. and K.; Jules Rubin of Publix Great States; Jack Sullivan and Charles Skouras of Fox West Coast—go THE MARCH OF TIME's sincere thanks for continued support and encouragement. Also to Ralph Branton, A. H. Blank of Tri-State Theatres; Al Boyd in Philadelphia; Chris Buckley of Albany; Dave Idzal in Detroit; Wm. Smalley, Smalley's Up-State Circuit; Bob O'Donnell of Inter-State in Texas; Al Steffes in Minnesota and N. L. Nathanson in Canada.

In the fields of exploitation and publicity, the Editors thank Oscar Doob, New York; Bill Hollander, Chicago; Carter Barron of Washington; William Saxton and Herb Morgan of Baltimore; Milk Harris, Cleveland; Reves Espey on the West Coast; Frederic Schrader, Detroit; Harry Freeman, Philadelphia; Everett Cumings, Omaha; Stanley Brown, Des Moines; for starting THE MARCH OF TIME onto the screen with one of the most successful campaigns ever given any picture.

THE MARCH OF TIME's Editors realize that they must be worthy of the industry's support, that their film is yet far from perfect. It is their determination to make each release a more complete, a more skillful issue.

Released by FIRST DIVISION—Harry H. Thomas, Pres., Radio City, N. Y.
Court Gives Sanction to Para. Setup

Deposits to Be Altered To Allow Withdrawal

A formal order giving preliminary court approval to the Paramount plan of reorganization was signed yesterday by Federal Judge Alfred C. Coox following hearing. Judge Coox stated from the bench that he would approve the form of deposit certificates used by the Paramount bondholders and stockholders' committees, providing they were altered to permit depositors to withdraw without payment of an assessment.

The court ruled that the committees could not assess depositors, as proposed, declaring that proper fees for

(Continued on page 12)

Allied Is Silent on Board Discussions

WASHINGTON, Feb. 14.—Allied policies—legislative, code attitude and plans for the May convention—were discussed behind closed doors today by the board of directors and no statement was issued at the close of the all-day session.

Abercrombie & Myers refused all comment, but indicated that a statement might be forthcoming tomorrow.

Garner Will Present Two Quigley Awards

WASHINGTON, Feb. 14.—Vice-President Garner will present the 1934 Quigley grand awards tomorrow

(Continued on page 13)

Mastbaum Closing

Philadelphia, Feb. 14.—The Mastbaum, which threw open its doors Christmas Eve under the direction of Roxy, is slated to close on or about Feb. 28. This will mark the end of the arrangement between Roxy and The Warners which control the theater.

Reports were again current in New York last night that Roxy would return to the local theatre field as impresario of the Center under a policy calling for stage spectacles.

U. A., Music Hall, Rivoli Deal Reported on Verge

Agreement on terms of the much-discussed deal between the Music Hall and United Artists under which the former would become first run outlet for U. A. in New York and assume ownership and operation of the Rivoli was reported to have been reached yesterday, although the point apparently has not been reached where pews are poised for the signatures necessary to conclusion of the transaction.

Reports in circulation chalk up a victory for Joseph M. Schenck and his insistence that the Rockefeller interests had to acquire possession of the Rivoli, current first run show-window for U. A. on Broadway, at a purchase price of $1,000,000. Credit yesterday was the story the deal on his basis had been struck with payments in cash to be made over a period of years.

The setup would call for operation of the theatre by the Music Hall.

The latter house would have first call

(Continued on page 13)

Reels Release Senators Ask General Probe Of Hauptmann

The words of Bruno Richard Hauptmann to death for the murder of the Lindbergh baby have rarely been spoken in the courtroom at Flemington, N. J., Wednesday night when the news of the verdict came tumbling from the screens of many of the nation's theatres.

Pathé News and Hearst Metrotone had prepared double reels in advance, one announcing a verdict of guilty and the other a verdict of not guilty, while Paramount had gone its competitors one better by also issuing a printing.

Seek to Break Reels Out of Court

BALTIMORE, Feb. 14.—Legislation will be introduced in the General Assembly by Miss Mary E. W. Ristau, Democratic Senator from Harford County, to outlaw the making of talking pictures at a court session during a trial.

Miss Ristau decided on this move after having seen the pictures of the Hauptmann trial.

RCA Loses British Sound Patent Suit

By BRUCE ALLAN

LONDON, Feb. 14.—Justice Bennett in Chancery Court today dismissed a patent infringement suit brought by RCA against Gaumont British.

The court ruled that a varying light beam used by Gaumont and British Acoustic was not the same as that used by RCA.

View Schenck Bid Friendly To Loew Firm

Close Association of the Brothers Mentioned

Joseph M. Schenck's bid, tendered not as president of United Artists but also as an individual operator, for acquisition of Fox Met through the purchase of the outstanding claims of the bankrupt estate was viewed by observers yesterday as a move conceived in friendship toward the Loew circuit, its president, Nicholas M. Schenck, and its far-flung operations in the metropolitan area.

The close association between the brothers was cited as eliminating at the outset any plan on Joseph M.'s part to create formidable circuit opposition to the metropolitan-encompassed Loew chain with its 70 theatres in the Greater New York area.

It will be recalled that Nicholas M., in conjunction with Harry M. Warner, had entered a joint bid for Fox Met several months ago at

(Continued on page 10)

WARNERS' CIRCUIT

Key Men in Shifts

In a wide shift of manpower resulting in abandonment of the posts of eastern and western district managers, the Warner circuit yesterday moved L. J. Hoffman to New Haven as circuit head of its New England theatres and Moe Silver to Albany as head of the New York state houses, exclusive of the metropolitan area, which continues under

(Continued on page 12)

Lubitsch Denies He Has a Toepitz Deal

Hollywood, Feb. 14.—Ernst Lubitsch told Motion Picture Daily here today that he had no contract with

(Continued on page 13)

Crowd Out Early

Washington, Feb. 14.—It is estimated 3,000 persons were on hand between 6 and 7 o'clock this morning for the first "coffee, doughnuts and Gabble" milk man's showing.
JOE SCHENCK, whose masterful victory over the intricacies of the number constantly surprises those who have seen him step, surprised the headlines out of their complacency Wednesday night when his interest in, and bid for, Fox Met finally pieced themselves together into a yarn of very sizable import. Out of the welter of court hearings, charges and counter charges, proposals and victories which have characterized the attempts to reorganize that valuable New York circuit, nothing more dramatic or unexpected has happened to light up. Loew and Warner joined hands several months ago on an identical mission.

And yet, a peek into the background and a sifting of the circumstances stamps the move with logic and plenty of it. Go back over the trail with us. Factor number one was a plan by Harry M. Warner to acquire Columbia Pictures in 1928. In one move, this would set up his company as a force in the theatre scales weighing off the richest territory in the United States, if he could make an easily number one, and always has been an understandable strategy on Nick Schenck's part to protect the Loew theatres, representing as many millions as they do. There came the day, a surprising day then, when Fox Met bids were aired in Federal court. Two, in fact. One was Winthrop W. Aldrich, who hasn't always hit it off on the best of terms, entering a joint offer for the coveted circuit.

Much went on in high council chambers. A condition of the Warner participation was popularly supposed to have been a split of properties giving Loew the Warner theatres of Brooklyn way and the Strand in Brooklyn and Warners the Loew theatres in Northern Jersey. That was the condition of Warner enterprise. A condition of Joe Schenck participation tied loose in the Fox product in Fox Met houses and there browns knit and midnight oil burned. A deal was well nigh struck when Sid Kent realized, or was caused to realize that behind Fox was Chase National with its Rockefeller influence as representative. Sid thought Winthrop W. Aldrich; that behind RKO, or in RKO as the largest common stockholder, was the selfsame oil family. Kent, there is sufficient reason to believe, also viewed Schenck if he wouldn't bow out of the deal set up for Fox film. And Schenck consented. With that major line of product continuing to go to the RKO circuit, Loew's interest in Fox Met becomes less simple to keep. It has to arrive finally at the point where the company's offer for Fox Met ultimately was withdrawn.

Constantly recurring, however, was the necessity for trench-digging to ward off the creation of that third major circuit in the metropolitan area. It existed then. It exists now and that brings this bit of history to its Wednesday chapter: the discovery that Joe Schenck individually and per se, was actively in the ring for Fox Met by purchase of claims outstanding against the bankruptcy estate. He doesn't have to go far afield. Over ninety per cent of the secured claims, represented as they are by $12,400,700 in bonds, are owned by the United Artists Corporation. The Loew-Warner, when made, bid ran 42 cents on the dollar. Lighting calculation makes it apparent in a hurry that the circuit can go to Schenck for approximately $5,000,000 if the original valuation prevails and if his offer wins out.

Joe and Nick are brothers. They are very close brothers. Nick, at least, is a sharp, ponderous one. Joe has the understanding that they are partners in much, if not all, either undertakes. That's another factor which makes the conclusion to be of the simple sort: Joe became owner of Fox Met, his operation of its 86 theatres not only will be geared in friendly fashion into the Loew-Warner enterprise, but will remove whatever fear of a third major New York City chain may be coursing through Nick's mind. As axiomatic as that all.

Other angles. The Skouras-Randolph operating agreement will keep those circuit men in the picture until May 1, 1936. It is the product of the bondholders' committee from selling to Joe Schenck now, today or tomorrow? You're being told. Mandatory until him, however, would be his observance of the existing operating deal until arrival of its expiration date. While this dabble in his mind, perhaps, he'll and, aided plentifully by the starring performance as well as by the script by Joe Swerling and Bob Riskin and the direction by Jack Ford, comes through one of the season's best pictures. If anything else has been overlooked, throw that in as well.

Insiders' Outlook

JOE SCHENCK, whose masterful victory over the intricacies of the number constantly surprises those who have seen him step, surprised the headlines out of their complacency Wednesday night when his interest in, and bid for, Fox Met finally pieced themselves together into a yarn of very sizable import. Out of the welter of court hearings, charges and counter charges, proposals and victories which have characterized the attempts to reorganize that valuable New York circuit, nothing more dramatic or unexpected has happened to light up. Loew and Warner joined hands several months ago on an identical mission.

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Only 12 Extras Won Living Wage in '34

Hollywood, Feb. 14.—The Central Casting Office's annual report shows that the extras were a "living wage" during 1934. The report also showed that only six extras earned $5,000 or more. A further check of the report showed that all the top-billed extras were listed in the Class A, or well-dressed group. The casting office revealed that 219,858 jobs were reported out last year, about 4,000 extras and that the average pay check was $9.03.

Ritchey Gets Peerless

Ritchey International Corp., Monogram's export affiliate, has acquired foreign rights to all Peerless pictures, including eight on the 1934-35 program.

Studio Union Pacts Practically Agreed

Agreements on studio union contracts for the current year were in final form yesterday morning at the Actors Union. The picture opens at the Music Hall shortly.

Among those who attended were: Irving Remer, Samuel Baker, Harry Shiffman, Rudy Sanders, Harry Brown, George Novack, Ed Goldstein, Jack Hatten, Eugene Levy, Sidney Jacobson, Samuel Winderman, Arthur Siegel, Leo Justin, Sam Rinzer, Sam Lyons, Lee Charles is the man, Lee Ochs, David Snapper and Jack Cohn.

Mrs. Brown Buried

Elgin, Ill., Feb. 14.—Final services were held here today for Mrs. Pearl Sayer Brown, wife of Colvin W. Brown of the Quigley Publishing Co., who died in New York on Tuesday. Burial was at the Bluff City Cemetary.
Dear Jack Warner:

The other night I sat in a preview on SWEET MUSIC, and if the audience reaction to this picture means anything, SWEET MUSIC is going to be one of the best audience pictures of the season, and I hasten to extend to you my praise for the manner in which you handled Rudy Vallee.

You made a regular trouper out of him immediately on entering his first scene, and you kept him a regular trouper all the way through. Before we were in the picture five minutes, everyone in the audience was convulsed with laughter. This picture deserves success because it is filled to overflowing with entertainment value.

With worlds of good wishes,

Sincerely,

[Signature]
APPLAUSE OF EXPERTS

You’re going to be surprised, Bros.’ first Rudy Vallee show will be too surprised, we’re receiving warnings from three other critics.

“Introducing a brand new and grand new personality: ladies and gentlemen, I give you Rudy Vallee! . . . Just go to see ‘Sweet Music’, is all I ask; and I’ll practically guarantee you’ll all become Vallee-conscious in the cinema as so many of you are over the airwaves. For here’s a different Rudy, a genuinely likable chap . . . There’s a refreshing spontaneity to ‘Sweet Music’ absent from the screen since ‘Forty-second Street’ . . . and through it all the Vallee Charm, which I’d always believed to be a myth but now admit is an American institution.”

—EDITOR DELIGHT EVANS in Screenland

HAVE YOU SCREENED

RUDY VALLEE

With ANN Dvorak • 9 STARS
DE PREVIEWERS!
In you see Warner just so you won't ing these friendly gnized authorities.

"After screening SWEET MUSIC, today, I believe this picture has great box office possibilities. It is the best thing Vallee has done and Ann Dvorak is excellent. It is a down-to-earth picture that I am sure will bring in money."
—M. J. MULLIN,
M & P Theatres, Boston

‘Last night we screened SWEET MUSIC for about twenty people, including some of the local critics, and if ever we received a surprise, it was after looking at this one. It was the unanimous opinion of everybody that Vallee will be made after this picture is released, and that the picture contains everything to make it sure-fire box office. If it doesn't break box office records, it will not be the picture's fault."
—HAROLD J. MIRISCH,
Milwaukee Zone Manager,
Warner Bros. Theatres

YET?......WARNER BROS.'

SWEET MUSIC
2 BANDS • 6 SONGS • 100 GIRLS

Alfred E. Green
“Ten-shun-

Shirley Temple • Lionel Barrymore in 'The Little Colonel'

A B. G. DeSylva Production with

Evelyn Venable • John Lodge • Bill Robinson

Screen play and adaptation by William Conselman. Directed by David Butler Based on the story by Annie Fellows Johnson.
Little Colonel...

Look what they're saying about your next picture.

"Charming, lovable, without the slightest trace of precociousness, Shirley will capture audiences' affections with her amazing versatility, being equally at home in comedy, drama, pathos or charm. In Technicolor her personality radiates as one in a million.

"Shirley's drawing power, plus Barrymore, plus Robinson, should gratify box offices as much or more than previous Temple films."

—Motion Picture Daily
FROM ALL OVER THE WORLD, FOR 65 YEARS . . . . . 
MILLIONS and MILLIONS and MILLIONS HAVE FLOCKED TO PARIS TO SEE
DARRYL F. ZANUCK IS BRINGING THIS GAYEST OF ALL SHOWS TO YOU AS 20TH CENTURY'S GREATEST SPECIAL!
Cobb Will Be M.C.

At Academy Dinner

Hollywood, Feb. 14.—Irvin S. Cobb will act as master of ceremonies at the Academy banquet at the Biltmore Hotel late this month, and Mayor Nathan Levinson will preside at the dinner in the absence of President Franklin Roosevelt, who will represent the former award winners.

Plans are being completed whereby the dinner music will be played by a combined studio orchestra with Louis Silvers, Nat Finston, Max Steiner, and Louis de Franciso directing.

View Schenck Bid Friendly To Loew Firm

(Continued from page 1)

which time several questions of product for the considered circuit proved sufficiently important to subsequently induce withdrawal of the bid.

The action indicated was that Schenck of Loew’s and M-G-M had persuaded himself to step into the picture to avoid the entry of a by-circuit into this territory where Loew’s and RKO had been dominant for years.

The 86 theatres currently comprising Fox Met in hands disposed to be unfriendly toward Loew’s are regarded by those familiar with the territory as at once creating competition which, with additions, might prove to be formidable particularly in view of the fact that nearly half of the Fox Met houses are opposition to units in the Loew circuit.

The offer, therefore, of Fox Met to interests associated or, at least, inclined to cooperate with Loew’s is further viewed as a step each nearer the fulfillment of Nicholas M. Schenck’s point of view.

$4,500,000 Reported as Bid

Schenck’s bid for the Fox Met bonds is understood to approximate $4,500,000. In addition, it is understood that some agreement will be worked out with Milton C. Weissman, as receiver of Fox Theatres, on the settlement of the latter’s claim, in the amount of $2,500,000, based on its ownership of all of the Fox Met stock. The bondholders’ committee contends that Fox Met is insolvent and that the stock, therefore, is valueless.

However, in its original plan of reorganization, Schenck’s committee proposed to settle this claim for $100,000 cash and leases on several Fox Theatres’ houses as consideration. In the second plan of reorganization the stockholders’ claim is ignored completely. One report has it that Schenck’s offer contemplates a payment of $200,000, plus other considerations, to the stockholders of Fox Theatres.

While it is conceded in quarters close to Fox Met reorganization circles that Schenck is acting on his own, it is pointed out that he will head the new company if his offer is consummated and there would be nothing to prevent him from selling to Loew’s after May 1, 1936, the date on which the operating agreement between Skouras, Randlorze, and the bondholders’ committee expires.

Quip of the Day

"If the actors’ strike really gets going in Hollywood" says Whitby Bolton, "can you imagine Shirley Temple marching up and down with a sandwich board reading: ‘Junior Launcle Is Unfair’?"

LILA Lee has deserted this wet and dreary town for the west coast. She plans to remain in Hollywood Wednesday after having been here for some time, during which she made "Blind Road" for Select and acquired a new husband.

Gloria Graffton has arrived on the coast to begin work at Radio. She last appeared here on the stage in "Kill That Story," in which she sang "Two Cigarettes in the Dark." Present plans call for her doing the same part in the picture.

MRS. JAMES GLEASON and Russell Gleason were present at a screening of "Murder on a Honeymoon" at Radio the other day. Jimmy Gleason, husband and father, respectively, is featured in the picture and was the attraction.

Barney Balaban, Gerald Brooks and Dr. Julius Klein were among the interested spectators at yesterday’s Federal court hearing on the Paramount reorganization plan.

Milton Weiss, of M-G-M, was very proud of that black and white top coat at the Amra luncheon yesterday. That is, until someone asked if he got a baseball bat with the coat.

Lillian Brown, Ebony-haired beauty of the U. A. publicity department, was an easy winner in the Valentine Sweepstakes conducted in that office yesterday.

Arthur Loew is slated to return from the coast tomorrow and after a stay here will go back to Hollywood to confer with M-G-M executives on foreign angles in new product.

Rosalind Russell of M-G-M is due from the coast today by plane. She will immediately entrain for Waterbury, Conn., to visit her family.

Barbara Stanwyck and her husband, Paul Muni, will be in New York any day now. They are going to make a personal appearance tour of the eastern cities.

HeLEN Westley, Theatrel Guild player who recently finished work in "The Great Dictator" will be going on her way to New York for a vacation.

Alice Fleming of M-G-M is now Mrs. Paul Eshelman. She returned yesterday from a honeymoon at Pinehurst, N. C.

Louis Dent, operating the former Louis Marcus houses in Salt Lake for Publics, is in town for a week.

Bob Hope starts work today at the Brooklyn Vitaphone plant in a short.

Sam Rinzler is vacationing in Miami.

Perry Charley is down with a cold.

J. Robert Rubin returns from that Florida vacation on Monday.

Gradwell Sears is in Chicago.

Reels Release Advance Films Of Hauptmann

(Continued from page 1)

a third reel to be used in the event the jury found Hauptmann guilty with a recommendation for a conservatorship.

These films consisted solely of old material, showing the highlights of the trial. The spot clips taken when Hauptmann was handed down will not be generally released to theatres until today. The advance prints had been shipped.

News of the verdict was flashed to the theatres and exchanges which had earlier been provided with such releases as soon as it was announced. The Metrotone reel was screened in 107 theatres of the Loew circuit through the current week. Five days out, or yesterday, the country was informed that the verdict would be announced today. The advance prints had been shipped to theatres in the western states and to some having Loew houses. The Pathe release was at the same time being shown at select engagements, as well as other RKO houses.

In many instances theatre audiences learned of Hauptmann’s doom long before today’s announcement.

Fox Movietone did not go to such lengths as rival newsreels. It was content to piece together some 150 feet of film highlights of the trial and of scenes about the courthouse where the verdict was given out. In all, they were presented by Newsreel Stalings, editor of the reel, that but one-eighth of the current release was devoted to the Hauptmann trial.

When questioned yesterday, newsreel officials said they did not know where the impression came from that the thousands of feet of film of the Hauptmann trial was a short feature to be made from it. They weren’t sure what would be done with it.

In the latest issue of the Metrotone reel the Mac4 disaster was dramatized for the Columbia. Scenes from “Above the Clouds” which show a dirigible sinking in mid-air, were taken by Edward C. Hall narrating the event. Columbia was given credit for the shots.

Heavy Cut Predicted In General Theatres

London, Feb. 14.—It is understood here tonight that in the reconstruction scheme to be recommended for General Theatres Corp., Ltd., a two-thirds reduction will be included in the value of preference shares from £1 to six shillings, eight pence. Abolition of cumulative rights also will be asked, it is said, with a smaller cut in the value of ordinary shares.

Interest on debentures will not be altered, according to reports, but the sinking fund will be modified.

Affairs of the circuit have been under investigation for some time by the Joint Committee on Investment Trusts and Insurance Companies, and during the course of the probe it has been rumored that John Maxwell of Associated British Picture Corp., has made an offer for the circuit. Mark Oster is chairman and C. M. Woolf is deputy chairman. Any recapitalization will have to be approved by shareholders.
“David Copperfield” is receiving more tributes than any picture of recent years.

Editorials are being written about it. Critics are pouring out their hearts in praise of it.

We reprint on this page the high honor which has been bestowed upon it by Miss Delight Evans, editor of Screenland Magazine. It is one of many similar honors and Leo happily extends his thanks to all.

He takes this opportunity to express his deepest appreciation to his exhibitor friends for their brilliant presentation of his beloved picture to the public. Not in years has there been so thorough and so successful an exploitation of a motion picture. The record of extended runs is greater than on any previous M.G.M picture.

Happily indeed a great motion picture wins its true reward in patronage at the box-office!

Produced by David O. Selznick; Directed by George Cukor; Adaptation by Hugh Walpole; Screen play by Howard Estabrook.
Court Gives Sanction to Para. Setup

(Continued from page 1)

the services rendered would be fixed by the court. Approval of the deposit agreements, expected on the submission of a tentative schedule within the next few days, will permit the committee to vote their assents to the plan after depositing within 30 days the sum which will cover the expenses of retaining counsel. Those who do not withdraw automatically assent to the plan.

The plan given preliminary approval by the court yesterday contained the changes from the original plan which were recommended by Judge Coxe at the previous hearing. These included a reduction of the bank interest from six to five and one-half percent on the so-called new money debt and changes in the management provisions stipulating that the first three years profit will have an accumulation of three years and cumulative voting for board members will be permitted thereafter. The plan named the 16 directors when approved was announced. Judge Coxe issued an order, returnable April 4, to show cause why the plan should not be confirmed and placed in effect.

Wants Assurance on Setup

George Z. Medalie, counsel for a combined creditors’ group with aggregate claims of $14,000,000, asked some assurance from the court that the 16 directors named on the initial case would continue to act, that the membership would not be raised to 18, as Mr. Medalie fears, and that a definite guarantee of “good management” be given by specifying the term of individual members during the first three-year period. The court replied that these matters should be worked out among the reorganization of the company at some future date.

Paras, Caribbean Sales Are Shifted

Distribution of Paramount product in the Republics of Guatemala, Honduras, El Salvador, Nicaragua and also in British Honduras will be carried on by Paramount Films of Guatemala, Inc. Saul E. Jacobs, with headquarters in Guatemala City has been appointed manager of the operation.

Distribution in these territories was formerly carried on by Paramount Films, S.A., with headquarters in the Canal Zone.

Robb & Rowley Add Twelve to Circuit

(Continued from page 1)

a week here on film deals and a vacation. They were accompanied by J. Y. Carr, sales manager of Harold, and Harvey Leutheuser, southern division manager for American Seating. The Robb brothers and Rowley will leave for the M. P. T. O. A. convention in New Orleans in a week and Leutheuser will depart within a few days for Chi- cago, Racine, Wis., and Grand Rapids, Mich.

M-G-M Borrows Kransa

Hollywood, Feb. 14.—Norman Kransa has been borrowed by M-G-M from Paramount to do the adaptation of “Reckless.” It’s a one picture deal.
Garner Will Present Two Quigley Awards

(Continued from page 1)

morning at his offices in the Capitol to William Hendricks, manager of the Warner at Memphis, and Morris Rosenthal, manager of the Majestic at Bridgeport. They were first and second winners, respectively, in the recent judging in New York.

Among those who accepted invitations to attend the ceremonies were Senators Kenneth McKellar and Nathan Lynn Bachman of Tennessee; August Loveman and Francis Maloney of Connecticut; Speaker Joseph W. Byrnes of the House; Representative William Citron of Massachusetts; A. Julian Beryl, president of the local M. P. T. O.; John J. Payette, Warner theatre Washington zone manager; Carter T. Barron, division director for Loew's; Harry Shaw, Loew's New England division manager; Mr. S. Leopold, Warner theatre advertising manager.

Both award winners flew here for the ceremonies, Rosenthal and Shaw as guests of the Sikorsky airplane company at Bridgeport. The local men and exchange executives feted them at a special breakfast this morning, and A. Mike Vogel, chairman of the Managers' Round Table Club of Motion Picture Herald was their host in the afternoon.

Ontario Board Saw 2,161 Films in '34

TORONTO, Feb. 14.—During the past year Ontario censors cast an official eye upon 2,161 motion pictures which were approved as submitted, 816 were revised before acceptance and only 36 were rejected in their entirety. Of the 2,161 subjects examined, 150 were British and for the first time on record one British feature was turned down by the board, while 39 were approved after deletions.

With regard to British pictures, departmental statistics show that 108 were passed in 1933 as compared with 149 in 1934, or an increase of 41 for the year. The figures were released by the new censor chairman, J. H. Hardwick.

Expect Speedy Deal For Skouras' Pacts

(Continued from page 1)

in Fox while Leo Spitz has been retained by the Skourases to represent them. Charles Buckley, P.W.C. attorney, will arrive from Los Angeles on Sunday to represent the circuit at a code appeal hearing the following day.

The code complaint was filed by L. L. Bard of the Colorado, Pasadena, not only against Fox and "The World" but also against United West Coast and U. A. circuits. Charles Skouras plans to appear before the Code committee to present his side of the issue.

Injury Delays Fox Film

HOLLYWOOD, Feb. 14.—Production on Fox's "The World," which will be held up a week as result of a laceration over Spencer Tracy's eye, received while at work today.

One Sick, Another Weds

HOLLYWOOD, Feb. 14.—W. H. Moore, Jr., Fox West Coast trusty, today was reported recovering from a heart attack at Hollywood Hospital. Married yesterday in San Francisco to Another trusty, Charles Irwin, was Helen Mack.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Vanessa: Her Love Story"

(M-G-M)

HOLLYWOOD, Feb. 14.—Running the rainbow of romance, fringing on heartbreaking and covering the emotional fields with a mantle of beauty, this production, as grown-up entertainment, jerks the heart strings while dramatizing psychologies in a mature manner.

Planting Miss Helen Hayes and Robert Montgomery deeply in love, but with Miss Hayes married to mentally deranged Otto Kruger and with the English law prohibiting divorce where either person in marriage goes insane, this central situation branches into absorbing values.

Opening on the reunion of the Herries family, one of England's finest, founded by an 18th Century buccaneer, the last daughter (May Robson) in a keynote speech reminds the assorted relatives that, while today they are snug and respectable, dull but useful, the rogue Herries who founded the family was daring, wilful and interesting, that in their blood flowed also the wild gypsy strain of the girl the rogue married. At the party Montgomery, a poet- adventurer, falls madly in love with Robert Fry's Miss Herries in traditional, and goes to bed in marriage. Drunk, he marries a harridan. She marries dulle Kruger, who goes berserk. The death of Kruger consummates the romance of Montgomery and Miss Hayes.

Miss Hayes, Montgomery, Miss Robson and Kruger give outstanding performances. The cast, including Lewis Stone, Violet Kemble Cooper, Henry Stephenson, Donald Crisp and others, is splendid. William K. Howard, in a rare mood, directed deftly, forcibly and for a maximum of drama.

David O. Selznick's production is rich with values and is stamped with quality. Hugh Walpole and Lenore Coffee did the screen play from Walpole's book. Ray June photographed well.

While the appeal to stolid British virtues is undeniable, the names and romance may assure box-office vogue domestically with adults and particularly women.

Production Code Seal No. 614. Running time, 72 minutes. "A."

"The Woman in Red"

(Warners)

HOLLYWOOD, Feb. 14.—As a drama of social circles and their warring hypnotic factions this one is good entertainment with limited audience appeal. The picture is particularly interesting to the feminine contingent and sophisticated clientele.

Barbara Stanwyck is a most enjoyable fancy horseback rider in the hire of a society woman (Genevieve Tobin). Gene Raymond, polo-playing member of an ultra-social family, marries her and gets the family from him. Hypnotic whispers in society circles almost wreck the romance, but the couple, undaunted, start a business of their own keeping stables for horses.

The tri-cornered romantic threat is John Eldredge, who loans to Miss Stanwyck in good faith unknown to Raymond. The woman returns the favor by hoarding Eldredge's yacht to aid him in closing a big deal by use of the Raymond family name.

The climax features the accidental death of a drunken woman and the subsequent trial of Eldredge for murder. The hitch in the court case is: Who was the woman in red? Miss Stanwyck nearly wrecks the family name by testifying on the stand. Nevertheless, all ends well despite the family ire stirred by Miss Tobin's scandalous whispering. Barbara Stanwyck's direction is intelligent, with good technical supervision by Marguerite Hellman. The performances are all good, including the portrayals of Phillip Reed, Dorothy Tree, Claude Gillingwater, Doris Lloyd and Forrest Harper.

This picture should average well in large cities.

Production Code Seal No. 523. Running time, 62 minutes. "A."

"The Right to Live," this morning's opener at the Rivoli, was reviewed by wire from Hollywood Feb. 9.

"Beulah My Wife," last night's preview at the Roxy, was reviewed by wire from Hollywood Nov. 23.

"Little Men," opening at the Astor tonight, was reviewed by wire from Hollywood Dec. 8.

"A Notorious Gentleman," which opened at the Mayfair last night, was reviewed by wire from Hollywood Jan. 10.

"Carnival," previewed at the Radio last night, was reviewed from Hollywood by wire Jan. 16.

National Ridicules Warner Trailer Suit

Warner's suit to stop the making of National Screen's trailers on its productions is described as "ridiculous" in a statement issued yesterday by National, which has 20 patents in which to reply in the N. Y. Supreme Court to the Warner charges. As the complaint was filed Feb 7, the time limit expires.

Warners claim National's trailers are "damaging their reputation and business."

Without waiting for the formality of a court response, National Screen issued a statement yesterday in which it said: "we welcomed the opportunity of having the proper authorities determine whether or not it has the right to serve the requirements of its thousands of exhibitor customers throughout the country, as long as it refrains from any copyright protections."

The statement says further that the contention that no one has the right to mention the name of their productions, or the players in any of these productions without their authorized permission is too ambiguous to require lengthy comment."

Coast Relief Cost $150,000 for 1934

HOLLYWOOD, Feb. 14.—A report covering operations of the M. P. Re- lief Fund for the year 1934 reveals $150,000 was collected and disbursed. In round figures, 4,000 cases, representing over 10,000 individuals received medical aid, weekly grocery orders, providing food for about 5,000 individuals were issued; 1,000 individuals received treatment from physicians, dentists, opticians and laboratories; 200 individuals received medical treatment in hospitals and sanitariums. Private nursing was provided in 50 cases. Medical appliances were supplied to 50 people, and 1,000 received a total of 9,467 deals during the year, and through the courtesy of Pierce Bros., morticians, 29 funerals were handled without charge, The board of directors believe it will be necessary to raise approximately a quarter million dollars to continue this work in 1935 and to this end, plans are being formulated to obtain it through contributions from studio workers.

Lubitsch Denies He Has a Toeplitz Deal

(Continued from page 1)

Toepitz will close his office this week. He said he had had indefinite preliminary conversations with Toepitz but had never agreed to any proposal.

"I would never have undertaken the Paramount portfolio," he said, "if any prior contract existed."

About Toepitz's production plans, he said: "I would rather be judged by what I do rather than what I say." Quartey's production plans were announced, he said: "As Mr. Zukor said before, our organization remains intact, with the possible exceptions of Harold Lloyd." Toepitz said Gary Cooper's contract has some time to run and the company has no intention of parting with him.

Jack Moss, Cooper's manager, says Cooper's contract has 19 months more to go and calls for six pictures. In addition, the company has options for extensions.
DEAR MAJOR,

AT THE INVITATION OF MESSRS. AYLESWORTH KAHANE, DEPlNET AND MCDONOUGH CHARLIE AND MYSELF IN COMPANY WITH OUR DIVISION MANAGERS SAW ROBERTA AT THE RKO STUDIO TODAY. STOP EVERYONE WITHOUT A SINGLE EXCEPTION WAS GREATLY ENTHUSED AND UNANIMOUSLY AGREED THAT THE ATTRACTION IS SUPERB FROM A STANDPOINT OF DIRECTION AND PRODUCTION STOP ROGERS ASTAIRE AND IRENE DUNNE GIVE OUTSTANDING PERFORMANCES AND YOU CAN TAKE OUR WORD FOR IT THAT THE PICTURE WILL DO A SENSATIONAL BUSINESS AT THE BOX OFFICE. REGARDS=

SPYROS P. SKOURAS

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE.
THREE OF THE NATION'S FAVORITES

IRENE DUNNE
The Golden Girl with the Silver Song

FRED ASTAIRE
GINGER ROGERS
America's Dancing Stars

ROBERTA

HEROKE KERN'S DAZZLING MUSICAL ROMANCE . . . SURPASSING ON THE SCREEN ITS MIGHTY STAGE SUCCESS . . . with RANDOLPH SCOTT * HELEN WESTLEY * VICTOR VARCONI * CLAIRE DODD

From the play "Roberta." Book and lyrics by Otto Harbach. Directed by WILLIAM A. SEITER. A PANDRO S. BERMAN PRODUCTION.
SWEET MUSIC TO EVERY BOX-OFFICE IN THE COUNTRY!

AND THESE ARE ONLY TWO OF THE RAVES FROM SMART SHOWMEN AS EXHIBITORS VERYWHERE SHOUT THEIR PRAISES OF

EDWARD G. ROBINSON
in THE WHOLE TOWN'S TALKING

with Jean Arthur • Wallace Ford • Arthur Byron
A JOHN FORD PRODUCTION

Another COLUMBIA HIT!
Ohio Leaders Deny Rift in Their Ranks

Charges Hays Office Is Circulating Rumors

Martin G. Smith, president; M. B. Horowitz, treasurer, and P. J. Wood, secretary and business manager of the Independent Theatre Owners of Ohio, yesterday issued individual and collective denials of reports, presumably emanating from Columbus, that any split in the ranks of exhibitor organization in their state, had developed. In the same breath and assigning no known motivation, they laid the blame for circulation of such rumors at the door of the Hays organization.

Smith and Horowitz were hot under the collar. So was Wood, who did most of the talking.

"Talk that Ohio exhibitors were behind unsuccessful efforts to introduce a two-cent-for-tax bill is false," (Continued on page 3)

K.C. Church Shows Start Controversy

Kansas City, Feb. 15.—Attempt of some suburban exhibitors to put a stop to non-theatrical showings at the Linwood Community Church, recently created a controversy in local industry ranks. A grievance complaint has been filed in the nature of a test with A. H. Shaffer, Strand, as the complainant and Fox Film as respondent.

Certain exhibitors have long regarded the church's film shows on (Continued on page 3)

Chicago Anti-Trust Suits Set for Feb. 22

Chicago, Feb. 15.—Suits under the anti-trust statutes brought here by Jack Rubin of Public Theatres and James Roden, owner of the Astor, against major distributors and circuits were both continued to Feb. 22 by Federal Judge Woodward today when answers were filed by the defendants. The exhibitors, who charge they have been prevented from playing 10-cent duals, specifically name (Continued on page 4)

Report Hankin Gets Four Warner Houses

Philadelphia, Feb. 15.—It is reported here that Warners have leased the Imperial, Lindy, Astor and Poplar, all neighborhood houses, to Sol (Continued on page 4)

State Dept. Seeks Advice On Copyright

Wants Aid on Proposed International Pact

By CLARENCE LIZZ

Washington, Feb. 15.—All persons and associations which testified before the Senate Foreign Relations Committee last spring on the copyright treaty were invited today by the Department of State to confer with the inter-departmental committee which drafted a bill rejected by the Senate group on Wednesday. The conference will start on Tuesday and run through Saturday, with the exception of Friday.

It was explained by Under-Secretary of State Phillips that the bill is considered necessary to put a stop to certain outstanding abuses which (Continued on page 4)

Nine More Set for Gaumont Release

Gaumont British has lined up its second group to be released in this country this season. The films are:

- "My Heart Is Calling," musical starring Jan Kiepura and featuring Sonnie Hale.
- "No Song for You," musical with the same duo.
- "Her Heart'll Go On," Taglitz production with Olive Brook and Madeleine Carroll.

Hubert Marsh Dead; London Is Shocked

By BRUCE ALLAN

London, Feb. 15.—Wardour Street was shocked this morning by the death of Hubert T. Marsh, chairman of the board and managing director of British and Dominion Pictures Ltd. Marsh, who was 56, dropped (Continued on page 4)

Stay on Cleveland

Duel Is Dismissed

Cleveland, Feb. 15.—The temporary injunction suit against the Grand Central to restrain that theatre from playing double features was dismissed this week when the new leases, Mrs. Max Kaplan, signed the single feature (Continued on page 4)

Washington’s Leaders Join In Quigley Award Ceremony

Washington, Feb. 15.—Unusual ceremonies marked the presentation of the Quigley grand awards in the Capitol today by Vice-President Garner. The winners, William Hendricks, manager of the Warner, Memphis, and Morris Rosenthal, manager of Loew’s Majestic, Brooklidge, received the awards in the presence of legislators from a number of states. Among those present were Senators Kenneth McKellar and Nathan Lynn Bachman of Tennessee and August Lomen and Francis Maloney of Connecticut, Speaker Joseph (Continued on page 3)

Cooking It On

Hollywood, Feb. 15.—Jack Daw joined up with M-G-M, has developed a new makeup process, which will make white men look like South Sea natives. Process consists of putting oil on the skin, then baking under violet ray lamp. Effect lasts for three months, they say. It will be used by several of the cast, "Types" which will be shot in Tahiti.

Nizer Statistics Annoy Campi Group

Objections to publication of data in connection with the activities of Code Authority without its sanction were raised at the Campi hearing Thursday, the contention being that before any facts and figures concerning Code (Continued on page 3)

Code Condemned as Allied Meet Closes

By W. A. WHITNEY

Washington, Feb. 15.—Condemnation of code operations and expressions of support for Representative Culkin’s bill aimed at block booking featured the closing day’s session of the Allied board of directors here today.

It was stated that some of the state units intend to withdraw from code compliance immediately and have (Continued on page 3)

U. A. Boosts List To 35 Next Season

Hollywood, Feb. 15.—United Artists, agreeing with plans for the release of 35 features during the 1935-36 season, increases its schedule to the largest number in the company’s history. For the current season the company (Continued on page 4)

Women Seek Federal Control for Films

Washington, Feb. 15.—Control by the Government of story material used in the production of picture and creation of a National Film Institute for visual education are (Continued on page 4)
Saturday, February 16, 1935

Two Men Bill Would Darken 400-Walsh

San Francisco, Feb. 15.—Approximately 400 of the 1,100 independent motion picture houses in this state will be compelled to close between Jan. 1 and Feb. 15 if a bill is passed, it is stated by Morgan Walsh, president of the Northern California Theatre Ass'n.

Walsh made the declaration at a session called to discuss pending legislation, including the probable effects of about 200 bills. Also present at the meeting were John J. Brysot, Hays office representative; James McGinn, manager of the California Theatre Ass'n. Walsh stressed conservation when he points out that the proposed foot-age tax would be passed to exhibitors under the terms of their contracts.

Brysot said: "We are confronting the most serious situation in Sacramento in the history of our industry."

Expect to Clear Up Tax Upon Equipment

Clearing up of the question as to what equipment used in theatres is subject to the five per cent tax levied against radios, radio and phonograph combinations and musical instruments is been done shortly by the Entertainment Apparatus Manufacturers' Ass'n.

In a bulletin just issued the association points out that Deputy Commissioner D. B. Bliss of the Internal Revenue Department has advised local agents and has requested manufacturers to submit detailed copies of their specifications.

Warner Crowd Will Make Merry Tonight

The Warner Club will make merry tonight at its sixth annual banquet and ball at the Waldorf-Astoria. A crowd of more than 1,500 is expected, Paul Whitman and his orchestra will deliver the dance music. Many stage, screen and radio personalities will have a hand in the entertainment.

Morros Arranging Show

Boris Morros is in charge of the talent line-up of the Trapolee show for tomorrow night. He is lining up a program to surround the preview of "Ruggles of Red Gap." Among the talent to appear will be three Metropolitan Opera stars, Frederick Schorr, Kathryn Newman and Henrietta Shuman, and Emory Deutsch, violinist; Emile Boreo of "Follies Bergeres," and Monroe Silvers, stage and radio artist, are also on the program.

Formed for Financing

Washington, Feb. 15.—A new film financing corporation, known as the Standard Capital Co. of Wilmington, Del., has been formed, it is stated by authorities. The company was accorded permission of the Standard Securities Commission to float an issue of $15,000 shares of preferred, par value $100, and $33,333 shares of $1 par common.

Plan Monogram Drive

Monogram franchise holders will hold a play-date-paidey drive from May 1 to May 31 in honor of W. Ray Johnston. Edward Golden may leave next week on a tour of exchanges.
Studio Hour, Wage Scales Are Revised

three-hour minimum call, because of the new six-hour day.

The motion picture industry became effective on March 4 and expire, together with the basic agreement, in March, 1936. Studio Hour Plan during the current production cycle are not to be increased in the basic agreement, but their applications will probably be considered when the new one is negotiated next year. A 20 per cent wage increase for the five unions now in the agreement was denied.

Sitting in at the sessions with Casey and individual representatives of producing companies were members of the executive committee, president of the United Brotherhood of Carpenters and Joiners; Daniel Tracy, president of the International Union of Electrical Workers; Joseph N. Weber, president of the American Federation of Musicians, and Jack Rob, head of the truck driver's union.

Nizer Statistics

Authority are made public must be first approved by the body. In particular, the attack was directed against Nizer's forthcoming book, "New Courts of Industry: Self Regulation Under the Motion Picture Code." Some of the people wanted to know where the information came from and why such data as is contained in the book had not been presented to Camp meetings prior to its publication. The contention of one of the optimists was that such information could be made passed by the body. An article appearing in the "New York Times" and based on the forthcoming book was also criticized.

No official objections went on the record, it is said, because the session was declared to be a special meeting for the purpose of handing down decisions on appeals. When the full Camp body convenes next Thursday, it is understood that the matter will come up again for official action.

Tyree Dillard, Jr., who sat for John C. Ellis, president of the executive secretary's absence, would not discuss the situation, but was anxious to know how Camp's reaction to the Nizer book will be. It is expected back Tuesday or Wednesday.

Pennsylvanians to Fight 10% Tax Plan

PHILADELPHIA, Feb. 15—Under the direction of Lowen P. Bizer, president of the M.P.T.O. of this territory has decided to wage a determined campaign against the bill in the Pennsylvania Legislature. The M.P.T.O. of the state has decided to wage a determined campaign against increasing the state tax on admissions. The legislative committee headed by Pizer and including M. E. Comerford, Michael Egan, Herbert Goone, George P. Aarons and Herbert Effinger met today and proposed that every exhibitor in the state be asked to contact his representative.

Washington's Leaders Join In Quigley Award Ceremony


Industry representatives included A-Mike Vogel, chairman of the Managers' Round Table; Charles H. Van Horn of the Picture Herald; John J. Payette, Washington zone manager for Warner Theatres; Julian Bryant, president of the Washington M.F.O. unit; Carter T. Barron, Loew eastern division chief; Frank LaFalce, Loew Brown and William Ewing.

In making the presentation, Garnier said: "I am pleased to present to you the Mary A. Maygrand grand award, which distinction is accorded you for the excellence of your advertising campaign on "Six-Day Bike Rider" and for the best submission to the Quigley Award Committee for 1934. My congratulations." He referred to "The Mighty Barnum" campaign in making the presentation to Rosenthal.

In his remarks Senators McKefer and Longoria endorsed the purpose of the Quigley awards and congratulated the winners on the cooperation which has enabled them to succeed among local merchants. They described this as a stimulant to business.

Senator Byrrell on behalf of Rosenthal as a fellow Tennessean and said he took great pride in the honors bestowed upon his fellow citizen.

Following the ceremony early this morning and was greeted by a delegation of local film and theatre men. With Rosenthal there was guest of honor at a breakfast.

After the presentation there was an informal gathering. In the evening there was a reception with entertainment provided by LaFalce, Brown and Ewing, who headed the reception committee.

Hendricks and Rosenthal left for New York tonight to be entertained further before returning to their posts.

Wisconsin Circuit's Bank Nights Stopped

MILWAUKEE, Feb. 15.—In four cases, involving Wisconsin Amusement Enterprises, Inc., the grievance board has ordered the circuit to discontinue bank nights at its Oriental, Shorewood, Avalon and Tower theatres.

Complaints against the first two houses were issued by the Oakland Theatre, Inc., and against the latter by the Colonial Amusement Co. All the houses are neighborhoods.

Complaints on behalf of an exhibitor, gift nights, double and triple features are getting a play in most of the outlying theatres with admissions in many cases dropped to 15 and 10 cents.

Act Against Krellberg

LOS ANGELES, Feb. 15.—Action against S. S. Krellberg for alleged violation of licensing codes by underpaying studio help was filed in Federal court here today jointly by the studio labor and regional compliance boards.

Louis Dent in Town

Describing his visit here as one for "general business," Louis Dent, who has been in the production of the "Dent code" by underpaying studio help was filed in Federal court here today jointly by the studio labor and regional compliance boards.

Ohio Leaders Deny Rift in Their Ranks

as is the story that Ohio exhibitors were sponsors of a measure seeking to increase the censorship fee per reel from $1 to $3.

"However, we are sponsoring a measure which would tax the distributors to designate days of the week when exhibitors must play their pictures. Widespread objection to this practice, current day and all major distributors, has developed throughout the state. It encourages the exhibition of pictures not suitable for Sunday showings and the new measure is being supported by the Ohio Council of Churches and latterly by the Ohio Congress of Parents and Teachers.

"Furthermore, we are at a loss to know and we are anxious to ascertain whether or not we are spreading the propaganda that the exhibitor unit is now divided among itself. This is a falsehood, complete and unequivocal."

Smith and Horowitz reached New York yesterday from Washington where they attended the meeting of Allied's board of directors. Wood came on from Ohio.

The trio was better over it asserted to be the complete lack of cooperation, more especially, from affiliated circuits in waging the fight against adverse legislation. Late in the evening conference with Nate Blumberg of RKo, Joseph Bernhard of Warners and Joe Vogel of Loew's, in an effort to persuade those circuits executives to bear part of the expenses incurred to date.

Last night, Wood indicated the conversations had been satisfactory from the viewpoint of the Ohio. The group remains over for further deliberations on this point and checks out for Ohio tonight.

Senate NRA Probe

To Finance Group

(Continued from page 1)

the Administration as Senator Harrison of Mississippi, chairman of the Finance Committee, but the latter insisted that it go to his group because it will be in charge of the expected legislation extending the life of the Recovery Act.

During the discussion in the Senate, Senator King of Utah, a member of the Judiciary Committee, reported a resolution proposing to look into whether the Recovery Act had contributed to monopolies. The inquiry would be made by a sub-committee consisting of Senators King, Borah of Idaho, and McGill of Kansas.

Nine More Set for Gammon Release

(Continued from page 1)

Nino Pellegrino, Edna Best, Leslie Banks are a few of the players to watch. "The Canals Are Coming," with Jack Hubert.

"Man of Aran," the Robert Flaherty production, already shown in some spots here.

State Dep’t Seeks Advice on Copyright

(Continued from page 1)

have accrued under copyright legislation passed a generation ago and only slightly amended since, as well as to bring our laws into conformity with the International Copyright Convention.

The treaty is considered of large importance in the department because, by greatly strengthening the ability of the department to protect the interests of Americans in other countries.

The draft legislation submitted to the Senate committee this week appears to be a thorough revision of the present laws. It provides for flat protection for 56 years instead of two terms of 28 years each, as at present. The penalty for infringement is reduced from a minimum of $250 to $100.

The bill establishes the right of the author to control his work even after transfer of the copyright, so that he may prevent modification or misuse, but allows of the simple right to modify, so that stories may be adapted for screen or stage use. It also Virile Gary, in appeal and performance, is impressive. Miss Sten, combining the earthy and spirited quality, has reserves untouched. Miss Vinson is a dramatic surprise. She arrives at maturity by outstanding trouping. Bellamy is good. Siegfried Ruman, Walter Brennan, Hilda Vaughn stand out in a well directed cast. King Vidor’s direction edith Fitzgerald’s screen play has simplicity and force. Gregg Toland’s photography is excellent.

Assaying Cooper, Miss Sten and the title, shownmen should cash in to their satisfaction.

Prevented without Production Code seal. Running time, 82 minutes. “C.”

Report Hankin Gets Four Warner Houses

(Continued from page 1)

Hankin, former middle west exhibitor and lately Warner zone manager here, is listed upon here as what might be the first round of a second decentralization of Warner houses here, since each of the houses in the deal is located in the territories where there is any incidence of opposition which employs double featuring and premiums.

Hankin’s policy will be known.

Joseph Bernhard, general manager of Warner Theatres, last night denied that the four Philadelphia houses had been turned over to Hankin. He did admit, however, that such a deal was pending.

Completes Extra Task

Los Angeles, Feb. 15.—The extra standing committee has completed its recommendations on the registration of extra talent. On Monday they will be forwarded by Major O. O. Donovan to Compliance Director Sol A. Rosenblatt.

Dubinsky Prefers Miami

Kansas City, Feb. 15.—Ed Dubin-
sky leaves this weekend to join the overgrowing film colony in Florida. It’s its annual custom.

Flash Preview

Hong Kong Nights—Looks suitable for dual bill program.

This film will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Franchise Tax Jump in Lehman Program

Albany, Feb. 15.—Included in Governor Lehman’s fiscal program adopted by the Senate and Assembly is an increase in the corporation franchise tax of one and one-half per cent, which it is estimated will raise $6,000,000.

Unincorporated businesses will be taxed four per cent on net income above $5,000. This is estimated to yield $6,500,000. Taxes also imposed upon insurance companies and personal income taxes are increased.

Standing Room Bill

Revised in Missouri

Jefferson City, Mo., Feb. 15.—The old familiar standing room only bill and the customary measure to place a tax on every foot of film distributed in the state have made their appearance in legislative halls.

FWC Aids Defense Week

Los Angeles, Feb. 15.—Fox West Coast Theatres has joined the National Defense Week campaign by presenting patriotic trailers with special music and talks by reserve officers. The programs were arranged and executed by Lieut. W. H. Lollen, company executive.

NBC to Build on Coast

Hollywood, Feb. 15.—Erection of a studio here within a year is planned by NBC, with television in mind, it was said today by M. H. Aylesworth, head of the company.

U. A. Boosts List

To 35 Next Season

(Continued from page 1)

is committed to a minimum schedule of 22 releases, which represents an increase for this season.

The new season plans were made known by Joseph M. Schenck, president, following a directors’ meeting last night. His program calls for 25 features from domestic producers and 10 from British producers. Of the 35 features, 25th Century will deliver 12. Samuel Goldwyn, six; Reliance, four: Charles Chaplin, two: and Alexander Korda of London Films, will produce four and Herbert Wilcox of British & Dominion, two. The remaining four to come from abroad are still undetermined.

New five-year production and re-leasing contracts, replacing the present short term ones, were given Mary Pickford, Chaplin, Goldwyn, Darryl F. Zanuck, Edward Small and Harry Goetz, Korda and Wilcox.

Hubert Marsh Dead;
London Is Shocked

(Continued from page 1)

dead from a heart attack while at work.

Marsh, who was a chartered accoun-
tant in the City, first joined Brit-
ish and Dominion six years ago in an executive capacity to straighten out the financial condition of the company. He was so respected in three years’ time he had the contention resting on a paying basis.

He is credited with being one of the first English executives to se-
C H I C A G O   A N T I - T R U S T

Suit Set for Feb. 22

(Continued from page 1)

Warners, B. & K., Essaness and ex-

Judge Woodward said he would hear both cases together because of their similarity.

Validity of the current understand-
ing among exhibitors and exchanges in the market is challenged by Rubin and Roden. Distribution executives brought here by the litigation have returned to New York, only Neil Agnew and Charles Reagan of Paramount remaining behind.
Hold Midwest Move Speeds K. C. Zoning

Independents Heartened By L. A. Schedule

KANSAS CITY, Feb. 17.—Rejection by Fox Midwest of I.T.O. proposals for a new clearance schedule for Kansas City is regarded here as an indication to Campi to proceed with consideration of the schedule it has before it and which it has been pondering for some time.

Moves of the local independents' organization to obtain adoption of a substitute plan were initiated independently of the local clearance and zoning board. The I.T.O. is opposing the schedule Campi is prepared to act upon as well as the arrangement in effect here this season. The organization has submitted its new proposals to Campi as an alternative to legal action, which is threatened.

The independents are heartened by Campi's approval of clearance based on admissions, as provided in the Los Angeles schedule, but oppose the

(Continued on page 3)

Fox to Sue on Old Sherman Film Pact

As an aftermath to the M. & S.-RKO arbitration proceedings now going on, Fox plans to file a suit against Benjamin Sherman, president of the defunct Manhattan Playhouses, for

(Continued on page 9)

Martin Suit Against Koplar Is Set Here

ST. LOUIS, Feb. 17.—A $25,000 damage suit charging Harry Koplar, former Warner associate here, with causing a false arrest in 1932 of Thomas J. Martin, Warner auditor,

(Continued on page 9)

New Griffith Spots Raise Total to 103

With the acquisition recently of the Duskin and American in Cushing, Okla., the Griffith circuit, operating in New Mexico, Texas and Oklahoma

(Continued on page 9)

"Copperfield Take Rises to $204,620

With $32,500 in the till for the fourth stanza, "David Copperfield" tallied a gross of $204,620 during its

(Continued on page 9)

Justice Dept' Busy in Ohio; State May Conduct Own Probe

Cleveland, Feb. 17.—Department of Justice operatives have been working under cover in and around Cleveland for the past 10 days, Motion Picture Daily learned yesterday.

They are checking into exhibition conditions and presumably are after findings to present to the Attorney General of the United States.

Columbus, Feb. 17.—A statewide investigation of the industry is considered as anything but remote.

If decision finally is made to proceed along such lines, the development will crystallize under the state's Valentine anti-trust statute.

Three IATSE Locals Being Reorganized

Taking over of control of the Chicago operators' local by George Browne, president of the I.A.T.S.E., raises to three the number of locals now in the hands of the national organization. The other two are the Pittsburgh local and Local 306 here. Only recently the Kansas City local was restored to local control after a long period of probation during which it was reorganized.

Browne has announced that the books of the Chicago union, long dominated by the late Tom Maloy, will be examined and the results

(Continued on page 8)

"U" Men Planning New Orleans Meet

NEW ORLEANS, Feb. 17.—Universal will hold a meeting of several of its district managers here during the M. P. T. O. A. convention, those planning to be present including W. J. Heineman, western district; Henry Herzel, headquarters in Chicago; John Estell, headquarters in Atlanta, and Harry Graham, headquarters in Kansas City.

James R. Grainger leaves for New Orleans Wednesday but will stop off at Atlanta while on route.

NRA Drawing Basic Operator Wage Pact

Although several clauses have not been finally passed upon by the NRA fact-finding committee, the I. A. T. S. E. is drawing up a new operators'

(Continued on page 8)

Justice Study of NRA Given To the Senate

WASHINGTON, Feb. 17.—Results of studies made by the Department of Justice into monopolistic practices under the NRA codes were today laid before members of the Senate Judicial Subcommittee, which is planning to investigate the NRA, by Russell Hardy, special assistant to the Attorney General.

The sub-committee, composed of Senators King of Utah, chairman; Borah of Idaho and McGill of Kansas, will make its investigation with a view to determining whether the

(Continued on page 8)

G. B. Help Is Given To General Theatres

LONDON, Feb. 17.—In the reorganization of General Theatres Corp., Ltd. the new management has reached an agreement with Gaumont British whereby the latter will receive £35,000 yearly for 10 years subject in the first five years to nine per cent to be paid on the ordinary shares. Gaumont agrees to invest £450,000 in five and one-half per cent second debenture stock.

General Theatres capitalization is

(Continued on page 9)

Skouras Denies FWC Shifts in Prospect

Reports emanating from the coast that radical changes will follow withdrawal of Reeves Easy from Fox West Coast next month were described

(Continued on page 9)

Film Probes Here Sought By the ITOA

Protection Fight Stirs Move for State Action

Following many open discussions of local conditions by the membership, the I.T.O.A. board of directors at a secret meeting last week took the first step in a move to a state anti-trust investigation of major circuit activities in this territory, it was learned over the telephone.

The action has been brewing for some time, but came to a head last week when the body passed a resolution seeking a probe of asserted practices by major circuits. It is understood such a probe would be conducted by the attorney general's office here.

A committee to present the facts to the Senate and Governor Lehman will be named Wednesday when the regular meetings will be held at the Astor.

While no mention has been made of the particular circuits involved, it is understood that the action is directed against Loew's. Several efforts have

(Continued on page 3)

Promise Circuits' Aid in Ohio Fight

Declaring that circuits and the M.P.P.D.A. would cooperate financially and in other ways with the Independent Film Circuit of Ohio in combating unfavorable theatre legislation in the state, a Hays office spokesman, replying to charges made by officers of the exhibitor organization holding the Hays office responsible for reports of dissent in the

(Continued on page 9)

Jersey Sales Tax May Include Films

TRENTON, Feb. 17.—A movement has started in the New Jersey Legislature to amend the sales tax legislation to include admissions and particularly film theatres. Amusements were elimi

(Continued on page 9)

Asserts Television Needs $100,000,000

Hollywood, Feb. 17.—"It will require $100,000,000 to launch television as a new form of entertainment, but when it does come it will sweep the

(Continued on page 10)
**The time to turn the page is now, if you’re had enough on Paramount and what goes on there, for this is another chapter in that exciting serial.**

Manny Cohen may yet have his day in court if the $14,000,000 Fortune, which the court has already said and its way. This is the crowd which quietly acquired a young cardboard of Paramount bonds and then insisted upon board representation before organization factors could spell Fortington. It later did some maneuvering, threw out some lines and hauled them in with enough company credit lasting for itself a minimum of four directors on the new board. Now it insists its members shortly before the reopened over the why and the wherefore of Cohen’s abrupt departure and maintains explanations supplied to date are not at all satisfactory.

Listen to a spokesman:

"We are not convinced that Cohen’s dismissal was for the company’s good. Out of a large, long, plan, it can be said that 16 were money makers. To us, that is a good record. The only explanation of his dismissal that has been given us is that production costs increased alarmingly under Cohen in recent months. We have received assurances to support the statement.

"When the new board of directors takes office we intend to ask for a complete explanation. It is not consistent with [the] warrants that Cohen be given a hearing. Even a criminal is afforded the opportunity. Moreover, we are dispossessed with the manner of Cohen’s dismissal. We were not informed of what was contemplated nor were we consulted in any way. It seems to us that the Paramount trustees, in taking an action of such great importance to the future of the company so shortly before or reorganization, might have first conferred with the people who own the company."

Meanwhile, other matters treading in with this state of affairs are proceeding apace and reorganization. Members of the Root, Clark, Buckner & Ballantine law firm in the service of the trustees, have been delegated to work with Alfred Cook, counsel for Paramount and for the stockholders’ committee, in attempts to pacify the Fortington champions of Cohen. No success, to date.

While such hustle and bustle continues, plans are being shaped for a special meeting of stockholders to elect the new board immediately upon confirmation of reorganization by the court so that the board may take over direction of the company immediately. Little serious objection to any of the 16 directors agreed upon is anticipated. The weightiest of it undoubtedly will come from the Munger de-benture committee, which would defer further action. In this, Corticelli Slan man, in John D. Hertz’s place on the board, or, if Charles E. Richardson, former trustee, goes on, then Charles D. Brown, present one, also might. There, too. The Munger commitment is enthused over the Hills record as trustee. Regardless, informal functioning of the board is anticipated even in advance of any court confirmation of the plan.

No discussions have been held yet on the underwriting of the new stock issue. No one in the center of reorganizing activities appears anxious to be the first to mention the subject, although all have it on their minds. The difficulty seems to be that every one except Samuel Zirn has a banking connection on one sort or another. With this and that to consider in the daily battle for place, the name of Eugene Leake, trustee, gains daily strength as a candidate for treasurer after reorganization, of course. He has been in position to have himself heard is Percy H. Johnston, member of the board as a representative of those creditor banks and chairman of the board of the Chemical bank.

From downtown, if you listen, reports will inform you that Kuhn, Loeb and Lehman Brothers as well as one or two other financial houses identified with the reorganization through ownership of large blocks of securities, are ready and willing to divorce themselves from the pictures completely in one sentence at once as it may require to dispose of their present holdings or to liquidate the securities which will be issued by the new company in exchange for the old. Counter that with the impression atrocity in Times Square where the knowledge of the almost feverish activity of Paramount securities by both houses in recent months is well known. Uptown doubts downtown promises to step out so willingly.

Merely to clear up one confusion, it may be enlightening to inform reorganization factors bothered about the heavyweight $20,000,000 bond issue by New-borg Co. and Belden Co. just who has been buying for whom. Newborg’s initial trading was as follows: L. M. Loeb & Co. $200,000 of the bond. The remainder, in the neighborhood of another $150,000, has been speculative and on Newborg’s own initiative. Belden, who traded to the extent of more than $500,000 in Paramount securities, has been acting for P. C. Mohrman, a firm of investment brokers headed by four statisticians formerly associated with the late Colonel Pope of Eastman, Dillon. He leaped into prominence in financial circles when he amassd a fortune—much of it through trading in Fox Film stock—in the bear market of 1928. The Mohrman buying in Paramount securities, likewise, is solely speculative.

K. L. may find some solace in this: The men who count there have been fearful the buying might be on behalf of Kuhn, Loeb & Brothers. Those rallied around the Lehman standard were in reverse: They thought K. L. was manipulating the moves, one more angle and then to something else: What of these reports that Cook may figure prominently in the Paramount executive roster after reorganization is finally effected? Well, what about them?

A host of names with but one objective: Ben Schulberg, Billy Cole, Pancho Villa, Edgar Reitz, Kidder, Peabody and Company, Harry M. Warner, Joe Schnitzer, Lou Berman. What a melee, but what a yarn when it is a yarn! Patience.

Hollywood bulletin: Joe Schenck says he’ll be back in New York in about ten days when he expects to close for the Fox Met circuit.
**Film Probes Here Sought By the ITOA**

(Continued from page 1)

been made to get the circuit to relieve exhibitors from the cumulative protection which was set to relieve them from the imposition, and the exception, of Reading, Stoneham and Wakefield.

Some relief has been obtained from the Egleston Amusement Co. for the Fairmount at the Mattapan zone; Middletown Theatre Co. for Capital, Arlington, in the Cambridge zone; Somerville Capitol Theatre Co. for the Capitol, Somerville, in the Cambridge zone; Beverly, for the Community Playhouse, Wellesley Hills, in the Newton zone. These New York decisions, however, have not been reached in the Wakefield Charters decision on the Reading Theatre Corp. vs. the Wakefield.

Set Clearance for Utah Church Shows

SALT LAKE CITY, Feb. 17.—Establishing what is regarded as a precedent for the entire intermountain territory, a clearance has been reached here in connection with the L. D. S. ward amusement halls, which are church-connected and designated as non-theatrical accounts, presenting films one day a week.

The agreement reduces clearance to six months after release date in this territory, according to F. C. Loof, local board code secretary. The theater board houses here and the one in Magna are involved.

**Changes N. O. Clearances**

NEW ORLEANS, Feb. 17.—The Peacock and Gentilly have been accepted as the right by the clearance and zoning board, with each house getting films 60 days after first run in the downtown area, depending upon contracts.

This decision, arrived at after several weeks, was brought about on the plea of Tony Davidson, president of the Peacock, who asserted that despite the fact that he had contract giving him right to a first run in downtown, St. he had to wait 60 more days until the Dreamland, three miles away, had run the film. The executive vice-president of United Theaters, owners of the Dreamland, asked for another postponement, but was overruled. Two postponements had already been granted.

**Smalley Wins 2 Cases**

ALBANY, Feb. 17.—Smalley Chineatrical Co. has won two cases against the Schine Theatrical Co. One charged the operation of a lottery in Nor- thampton, Mass., without a license, and the other was a case where the company bought tickets from the Cooperstown, Cooperstown, N. Y., accused the Palace and Ommont, Oneonta, N. Y., of issuing student tickets. A third complaint, involving Schine's Col- onial and Smalley's Nightclub, Nor- thampton, Mass., and alleging that the latter's advertising has been dismissed. Order has been made to rehear the last two.

**"Valley Forge" to Capra**

HOLLYWOOD, Feb. 17.—Frank Capra has bought the picture rights to "Valley Forge," the Maxwell Anderson play now in New York. As the title suggests, the story deals with portions of the life of Washington.

**Hold Midwest Move Speeds K. C. Zoning**

(Continued from page 1)

standard set by that plan whereby clearance may be granted over equally priced houses. They want identical clearance for identical admissions, as has prevailed here hereto-fore.

Objection is raised to distributors granting Fox, Mitchell, and Columbia protection over equally priced subse- quent runs, even though the latter give premiums and adopt other prac- tices to protect.

The I.T.O.A. also wants unrestricted double billing privileges, and points to the 21-day court decision in Philadelphia as granting them that right. Most of the distributors here do not permit twinning billing of products which receive a first run, and Columbia and Universal have a limited list of pictures which may be tsed.

Additionally, these clearances are included in the plan the organization proposes to join several of C. E. Rhodes, Fox, Midwest division manager, has rejected: 30-cent run for the first run, 25-cent run for second second run, 25-cent run, 14 days; subsequent run, 20-cent run, 14 days following; 20-cent run, 14 days later; 15-cent run, to run 20 days; 10 cents, 42 days after 15 cents.

This should shorten the existing protection. This practice, 2 cents, or less, but would also cut first runs' clearance from seven to 14 days. The latter proposal, it is said, is one of the reasons why other companies are unwilling to accept the I.T.O.A. suggestions. First runs will resist any curtailment of protection. In fact, they demand longer clearance over subsequent runs.

**Ask Legal Fight on Flint Factory Shows**

ORRINGTON, Feb. 17.—Four exhibitors have been granted a general ex- change here in a legal move to pre- vent film showings by the Industrial Mutual Film Co. The plan of the case is also noted on the ground that the films were obtained in violation of exclusive distribution rights held by the exchanges.

The I.M.A. is made up of workers in the Film automobile plants. Sun- day showings are said to be nom- inal admissions. Allied of Michigan has long waged a fight against the showings.

**EIM to Meet Feb. 19**

BOSTON, Feb. 17.—The next meet- ing of the Independent Exhibitors of Massachusetts will be Feb. 19. National and local problems will be considered. Pending local legislation will be given particular attention.
Everywhere—America’s Biggest Attraction

"DEVIL DOGS"
Starring JAMES CAGNEY • PAT O

"Gold Diggers of 1935"—Jolson and Keeler in "Go Into Your Dance"
Paul Muni in "Black Fury"—Dolores Del Rio in "In Caliente"
The World's Fair!

Watch It
this week at
Metropolitan, Boston
Michigan, Detroit
Paramount, Atlanta
Omaha, Omaha
Hippodrome, Buffalo
Orpheum, New Orleans
Newman, Kansas City

Hold It!
Everybody's doing it!
Roosevelt, Chicago
Stanley, Pittsburgh
Strand, New York
Metropolitan, Washington
Hippodrome, Cleveland
Keith's, Cincinnati
Victory, Dayton
St. Francis, San Francisco
Blue Mouse, Seattle
Hillstreet, Los Angeles
Warner, Milwaukee
Shubert-Rialto, St. Louis

Since The World's Fair! . . . Warner Bros.'

OF THE AIR
BRIEN Directed by Lloyd Bacon

From the same Company that's bringing you Rudy Vallee in "Sweet Music"—
Kay Francis in "Living on Velvet" with Warren William and George Brent—
UNIVERSAL CAN SING

WITH SWEET MUSIC THAT BRINGS BACK THE CLINK OF THE GOOD OLD MONEY DAYS!...
TAKE OUT THE LUNCH BOX AND PUT BACK THE CASH BOX!

NIGHT LIFE OF THE GODS

OPENS SIMULTANEOUSLY AT THE N. Y. ROXY AND RKO BOSTON MEMORIAL FEB. 22!
THOSE SONGS of CHEER!

WITH A GRAND CHORUS THAT SWELLS OLD BOX OFFICE RECORDS INTO NEW MONEY MELODIES! YOU’LL SHOUT FOR UNIVERSAL ENCORES AFTER

The MYSTERY of EDWIN DROOD

BOOKED INTO RADIO CITY MUSIC HALL FOR MARCH 14th!
Three IATSE Locals Being Reorganized

(Continued from page 1)

made known to members. How long this will take and what the results will be are matters of conjecture, but the impression prevails that the union will be allowed to work out its reorganization in its own way so far as possible.

Pittsburgh was placed on probation because of internal dissension. In the event the elected officers are not willing to serve, and the probation order was instituted pending a new election. Meanwhile, Clyde Westou of Illinois, international representative, is in charge for the I. A. T. S. E.

New York Local 306 has been taken over entirely by the international. The Cincinnati local, which has been on probation, has been reorganized by the local government. An entirely new slate of officers has taken charge in Kansas City.

Harmony in Kansas City

The fact that Kansas City has been freed from intimidation of exhibitors and violence under the regime of Frank Dowd, business agent for 18 months, prompted the I. A. T. S. E. executive board to vote it self-government. The I. A. T. S. E. drafted Dowd to create harmony between exhibitors and the union and to compose internal dissension in union ranks largely caused by unemployment and other depression factors. Dowd, a former police officer, is considered to have held the members in check and to have cleaned up the mess.

The local was deprived of self-government one year ago following a long-standing and bitter dispute with the theatres and a series of bombings and other outrages. During the period, the international office maintained close supervision of the local and appointed its officers.

Dowd entered the field in favor of Clyde A. Trantham, operator at Dubinsky's Liberty and a member of the local for 24 years, and returned to his former position in the booth at Loew's Midland. William McKinnon, projectionist at the RKO Mainstreet, is the new president, succeeding H. H. Dunavan, the appointed officer. Frank H. Burket, secretary for the last 24 years, has retired and has been replaced by E. F. Dougherty.

L. A. Zoning Details Will Be Cleared Up

Final approval of clauses pertaining to prints, geographical areas and starting date of the Los Angeles clearance and zoning schedule will be made at the Camp held on Thursday when John C. Flinn reports to the body on the action of the local board. Flinn met with the coast body last week and a further situation, geographical areas and other clauses in the schedule were discussed.

A preamble to the first schedule to get the official sanction of Camp are now being drawn and will also be included. Kansas City's plan is slated to be approved at the session and it is also likely the New Haven and Milwaukee schedules will be discussed.

“Folies Bergeres”

(20th Century U. A.)

Hollywood, Feb. 17.—The production opens with an intimate view of back stage life, affording Maurice Chevalier wide latitude for his characteristic whimsicalities befitting a typical song and dance man of Paris.

This setting is interpolated with brief music hall sketches climaxing by the ensemble rendering "Rhythm of the Rain" number, which is lavishly mounted with a large bevy of beautiful dancing girls and catchy music splendidly by Emil Williams. Brook gradually gains influence over the King and becomes the real dictator of Denmark, but he falls in love.

“Let's Live Tonight”

(Columbia)

Hollywood, Feb. 17.—This one gets off to an excellent start but the story loses strength in development and leaves the picture slightly above average fare.

Tulio Carminati meets Lilian Harvey at the Monte Carlo Casino, wins money for her and then sails away on his private yacht as their romance begins. He decides after several months to return, arriving at the time when her mother is announcing Miss Harvey's engagement to his brother. Only then do they learn each other's identity. It has been established that Carminati is very fond of his brother, so from then on the story concerns his struggle between love for his brother and for Miss Harvey. The brother finally leaves for India and the lovers are reunited.

Director Victor Schertzinger attempts to develop the plot lightly against the background of the French Riviera and yachts and often succeeds, but the picture has its dragging moments because no strong motive for Carminati's leaving is established.

The production values throughout are excellent with splendid atmosphere of a Riviera carnival introduced in the scenes when Carminati returns. The supporting cast is dominated by Arthur Treacher and Janet Beecher with the others well balanced. Schertzinger contributes one number which is used as a theme song and played with consistent effect throughout.

Production Code Seal, No. 567. Running time, 73 minutes. "G."

Justice Study of NRA Given To Senate

(Continued from page 1)

National Industrial Recovery Act or express activities of the Recovery Administra- tion have encouraged or promoted monopolies and tended to increase their power.

The Department of Justice for some time has been studying the operations of a number of industries, in- cluding the motion picture industry, a feature of the hearings on the film code before the Darrow board, and has since made other investigations of the indus- try. He was also one of the chief actors in the recent grand jury proceed- ings in St. Louis which resulted in the indictment of several distribu- tors.

With the Nye-McCarren resolution for the Senate Finance Com- mittee, indications are that efforts will be made to stave off the comprehensive investigations of the administration sought by the North Dakota and Ne- vada senators. However, if unsuc- cessful in these attempts to get the investigation by resolution, they will make efforts to force the matter when the recovery legislation comes up for consideration.

Attacks Based on Questionnaires

Questionnaires compiled by Nye that his attack is based on is expected to severely pressure business men to determine the extent of the "dark side" of the operation of the Recovery Act.

President Roosevelt is expected to send his message asking for extension of the Recovery Act next week. He is understood now to be putting the finishing touches to his legislative pro- posals, which will call for an indefinite extension of the law by provid- ing that it shall be continued for two years unless Congress acts to the contrary.

One of the major problems, it is understood, is the question of the power of the administration of the act handled by an individual or a board, with the latter believed now to be favored. It is understood the new legislation will provide some safeguards for the anti- trust laws.

NRA Drawing Basic Operator Wage Pact

(Continued from page 1)

contract which will be put into force as soon as the basic wage scale agreement is accepted. The new pact will replace the one that has been in existence for the last two years.

Another gathering of the fact-find- ing body will be called shortly after Congress is reorganized. The order of the inter- national union, arrives from Chi- cago where he is now reorganizing the local union. At this meeting it is expected the body will again be reached on the new basic scale.

Wants Wis. Plan Used

Milwaukee, Feb. 17.—The Wisconsin I. T. P. A. voted yesterday to petition Camp to permit operation of the clearance schedule adopted here last July. The organization claims it is the best plan to correct local evils.

Looking 'Em Over

"The Dictator"

(Gannett British)

Paris, Feb. 8.—This is obviously a strong effort on the part of the British industry. Settings are elaborate, crowds are large, it has a good musical score, excellent principals and pretty girls. History has been reproduced accurately, but as entertainment it falls short. It moves slowly and the treatment is cold.

It is the tale of a modest German doctor played by Clive Brook, who is taken in 1768 to the court of Christian VII of Denmark, portrayed splendidly by Emlyn Williams. Brook gradually gains influence over the King and becomes the real dictator of Denmark, but he falls in love.

"Continued on page 9"
Promise Circuits’ Aid in Ohio Fight

(Continued from page 1)
state exhibitor ranks, said that the circuits, however, should not be expected to pay dues into the treasury of an organization of which they were not members.

“When the I.T.O. of Ohio was organized about a year ago,” the Hays office spokesman said, “it declared that its policy would be to have nothing to do with affiliated circuits outside of combing them. Since then, repeated requests were received from the organization for financial aid in combating unfavorable legislation in Ohio, and which were complied with despite the fact that circuits, independently of the I.T.O. of Ohio, fought other legislation without asking the state organization to share the cost. Circuits are glad to see the I.T.O. on record now as asking their aid. While they ‘know how to operate on general and special legislative matters with the state organization, they do not consider that the film position of paying money into the treasury of an organization which dedicated itself as their enemy.

General description of problems that the Hays office was spreading rumors of any alleged split in the ranks of the Ohio circuit is furnished by the M.P.P.D.A. spokesman. The charges were made Friday by Martin G. Smith, president; M. B. Horwitz, treasurer, and P. J. Wood, secretary and business manager of the I.T.O. of Ohio.

COLUMBUS, Feb. 17.—The Waldvogel bill which would rule out any attempt of distributors to designate days of the week on which exhibitors must play their pictures, has been reported out by the Senate committee assigned to discuss it. The measure has not passed the Senate, as earlier reported.

“Copperfield” Take Rises to $204,620

(Continued from page 1)
four weeks at the Capitol. The Dickens film is in its fifth week.

First week of “Devil Dogs of the Air” at the Strand garners $19,301.50.

The “Bordertown” at the Palace took in around $9,000 and the Rivoli for the eight days of its run grossed $15,200. The Paramount on the first week of “The Gilded Lily” had a good week at $32,000 and the New York, which was held, gave 11,000.

Martin’s arrest for contempt of court is alleged to have followed Koplar’s complaint that the former had ignored a court order directing him to turn over to the receivers of Skouras Enterprises securities with a face value of $1,000,000. The Missouri Supreme Court involved the receivers, ruling that he could not be permitted for refusing to obey a court order of which he had no knowledge.

In the New York trial were taken here from various witnesses, including Walter H. Wohl, former receiver of the company; Frances A. Rogers, a courtroom deputy; N. Ruth Wood, a court reporter, and Harry Barker, a former referee in the Skouras Enterprises receivership.

Joseph Bernhard, Warner theatres general manager, said Saturday that he knew nothing about the suit. Martin could not be reached for comment.

New Griffith Spots Raise Total to 103

(Continued from page 1)
now has 103 houses. The two theatres, taken over from Hiram Dunkin, give Griffith control of the town, the circuit already having the paramount. R. E. Griffith, secretary and treasurer of the Griffith circuit and president of the R. E. Griffith Theatres, which have been in New Mexico, is in town with H. R. Falls, buyer and booker for Griffith, on an inspection trip this week for Washington and then home.

“Night Life” to Roxy

The “Night Life of the Gods” scheduled to go into the Music Hall opens at the Roxy on Feb. 22, instead.

Acquire French Film

Du World Pictures has acquired the American distribution rights to the French picture, “The Lady of the Camellias.” Yvonne Printemps and Pierre Fresnay are starred.

Looking ‘Em Over

“The Dictator” (Continued from page 6)
with the British born Queen (Madeleine Carroll), who loves him and helps him fight his way.

Brook’s enemies hatch a plot against him and the Queen and prove her infidelity to the King. Brook is arrested and condemned to die. The Queen wants to stay with him, but Brook asks her to leave for England. She agrees, but delays her departure until his hour has stricken. It has been splendidly directed by Victor Saville. Sets, lighting and photography by Franz Planer are exceptional. The dialogue is clever in spots and also amusing. Nothing has been neglected in an effort to make it an important production. Scenes of a cabaret in Hamburg are excellent, but afterwards the tempeh alone then serves no more action. Instead, long philosophical talk by Brook, or sophisticated dialogue between him and Miss Carroll, predominates. She seems too cold for the part.

In spite of its attractive elements, it is doubtful whether the film will be a commercial hit. It is too intellectual, even though it is an artistic masterpiece.

It should be sold on its artistic merits and with the names of Brook and Williams. Running time, 95 minutes. “A.”

PIERRE AUETRE

Martin Suit Against Koplar Is Set Here

(Continued from page 1)
and former treasurer of Skouras Enterprises, is scheduled for trial Monday in New York.

Martin’s arrest for contempt of court is alleged to have followed Koplar’s complaint that the former had ignored a court order directing him to turn over to the receivers of Skouras Enterprises securities with a face value of $1,000,000. The Missouri Supreme Court involved the receivers, ruling that he could not be permitted for refusing to obey a court order of which he had no knowledge.

The New York trial were taken here from various witnesses, including Walter H. Wohl, former receiver of the company; Frances A. Rogers, a courtroom deputy; N. Ruth Wood, a court reporter, and Harry Barker, a former referee in the Skouras Enterprises receivership.

Joseph Bernhard, Warner theatres general manager, said Saturday that he knew nothing about the suit. Martin could not be reached for comment.

Skouras Denies FWC Shifts in Prospect

(Continued from page 1)
Saturday as “a lot of bunk” by Charles Skouras, president of Fox West Coast Theatres Corp, Espy joins Samuel Goldwyn when he leaves the circuit.

Skouras Saturday wound up conferences with his brother, Chase the former treasurer, and W. C. Michel on the joint-10-year operating contract with National Theatres Corp, Michel and Skouras for S. R. Kent, who left for Florida on Thursday. About three issues in the contract were straightened out yesterday and the provisions will be put into the written agreement. Skouras plans to remain for about two to three weeks. It is probable Spyras will leave for the coast when his brother goes west.

Charles Buckley, F.W.C. attorney, arrived yesterday for home office conferences and also to attend the appeal hearing today on the L. B. Board over-billing grievance in Pennsylvania against the circuit.

G. B. Help Is Given to General Theatres

(Continued from page 1)
reduced under the new arrangement from £2,000,000 to £594,167. Written off assets include £1,353,215 in investments in subsidiaries and advances to them, as well as £203,119 in preliminary expenses and a discount of £12,500 on the first mortgage stock.

Pound ordinaries are reduced to one shilling and sixpence, and in the future will take 50 per cent of the profits after payment of the preference dividend. The preference shares are reduced to six shillings, eight pence and made 15 per cent non-cumulative instead of seven and one-half cent per annum. The remaining interest of 50 per cent of the profits with the ordinary.

Arrears of £187,500 are cancelled and the sinking fund of £1,951,071 on the debenture stock is suspended until 1939.

Fox to Sue On Old Sherman Film Fact

(Continued from page 1)
about $7,000, allegedly due on film rentals.

According to contracts, Fox contempts are non-liable in the event the circuit defaulted on payments. Several months ago Manhattan Playhouses went into bankruptcy, and have been restored to Meyer & Schneider, owners.

Harry H. Buchan, local sales manager, is visiting branch heads summoned at the earliest stages of the arbitration hearings. Analysts of the company have been checking the figures of the Manhattan 1933-34 contracts and it is understood that as soon as the work is completed the suit will be filed.

Testimony to the effect that Manhattan Playhouses had repaid its contempts on going into bankruptcy will be given during the course of the current arbitration hearings against RKO by Charles Steiner, formerly connected with the Apollo management. The arbitration hearings were resumed Saturday with Bernard Fleischmann, stockholder and former attorney for the circuit, being crossexamined by Bruce Bromley, RKO counsel. The hearings involve the question of whether the circuit brought against RKO as a result of film playing policies at the Hollywood and Apollo, which are leased from M. & S.

Jersey Sales Tax May Include Films

(Continued from page 1)
ated in the final draft of the bill approved by Gov. Harold G. Hoffman. His strong is the opposition in the Legislature, however, that neither the sales nor corporate income tax measures could be passed. The Democratic minority is solidly against the taxes measures and 15 Republicans are voting along with them.

Assemblymen Joseph Pyle of Atlantic City, one of the most influential House members, declared yesterday he could ‘not vote for anything that taxes food, but eliminates movies and amusements.’ He based his stand on the fact that food would hit the poor heavily for the necessities of life, while he considers any form of entertainment in the class of luxuries.

Other legislators are following Altman and a fight on the floor to amend the sales tax bill seems certain. This will be at least another week’s fight, as no attempt will be made to bring the tax measure to a vote until various bills have been passed.

While the new move to include amusements in the tax bill may not be successful, the tax on admission will have the effect of strengthening the opposition to the entire tax program and possibly resulting in its defeat.

Bernerd Bubbles Over

LONDON, Feb. 17.—Jeffrey Bernerd, who has provided the word description of Gaumont’s activities in America, That word is “marvelous.” There is nothing calling for stay in New York, he added, and so he will not return for three months.
Los Angeles, Feb. 17.—Favorable weather and strong attractions boosted business here last week, but with three exceptions they still were below normal. Best comparative showing was made by "Devil Dogs of the Air," at the Hillstreet with a take of $12,300, which was over par by $4,300. Playing day and date at Warners' Hollywood, however, the same film was under the line by $4,200 on a $9,900 gross.

"The Guild Lily" took a strong $19,000 at the Paramount. A dual, "Under Pressure" and "The Night Is Young," was over par by $1,000 at $4,500. Total first run business was $86,000. Average is $91.20.

Estimates takings for the week ending Feb. 13:

**DAVID COPPERFIELD** (M-G-M) CHINESE—2,000, 30c-65c, 6 days. Gross: $12,000. (Average, $2,000.)

**THE LAST RIGHT TO LIVE** (Warners) WARNER BROK (DOWNTOWN)—1,900, 30c-65c, 6 days. Stage: Frank Orby's 2nd "Crazy Show." Gross: $4,800. (Average, $800.)

**THE NIGHT IS YOUNG** (M-G-M) UNITED ARTISTS—2,000, 30c-65c, 6 days. Stage: Franklin Kuykendall's, "The Holiday Theatre." Gross: $8,800. (Average, $1,466.)

**THE RED LILY** (Par) PARAMOUNT—0,390, 30c-65c, 7 days. Stage: East. Gross: $3,390. (Average, $484.)

**DEVIL DOGS OF THE AIR** (Warners) HILL STREET—890, 30c-60c, 5 days. Gross: $3,000. (Average, $600.)

**THE ONLY PRESSURE** (Fox) "THE NIGHT IS YOUNG" (M-G-M) UNITED ARTISTS—2,000, 30c-65c, 6 days. Stage: Franklin Kuykendall's, "The Holiday Theatre." Gross: $8,300. (Average, $1,400.)

**REMEMBER HER** (M-G-M) WARNER BROS. (HOLLYWOOD)—3,000, 30c-65c, 5 days. Gross: $7,900. (Average, $1,580.)

**MAYBE IT'S RIGHT TO LIVE** (Warners) "BEHIND THE EVIDENCE" (Col) WARNER BROS. (HOLLYWOOD)—5,400, 30c-65c, 6 days. Gross: $4,000. (Average, $666.)

**MAYBE IT'S RIGHT TO LIVE** (Warners) WARNER BROS. (HOLLYWOOD)—3,000, 30c-65c, 5 days. Gross: $7,900. (Average, $1,580.)

**DEVILS OF THE AIR** (Warners) HILL STREET—890, 30c-60c, 5 days. Gross: $3,000. (Average, $600.)

**MISTERY OF EDWIN DROOD** (Uni) PANTAGES—0,800, 30c-50c. 5 days. Gross: $2,000. (Average, $400.)

**THEY WERE LIKE THIS** (M-G-M) CHINESE—2,000, 30c-65c, 5 days. Gross: $4,200. (Average, $840.)

**THE ONLY PRESSURE** (Fox) "THE NIGHT IS YOUNG" (M-G-M) UNITED ARTISTS—2,000, 30c-65c, 6 days. Stage: Franklin Kuykendall's, "The Holiday Theatre." Gross: $8,300. (Average, $1,400.)

Assessed Television Needs: $100,000,000 (Continued from page 1)

The unprecedented charge is that the practices have been so uninform in content that they raised a question as to whether they were based on genuine opinion or propaganda.

George Baker Made K. C. Variety Head

Kansas City, Feb. 17.—George Baker, manager of the News, has been elected president of the local Variety Club. Finton Jones was chosen first vice-president, Harry Taylor, second vice-president; Charles Jones, secretary, and John Muchmore, treasurer.

The elections were held here over the week-end and Frank C. Hensler, R. R. Biechele, J. C. Carrington, William Wagner, Robert Withers and R. C. Libau were named directors for the coming year.

Club to Get Charter

Minneapolis, Feb. 17.—The local Variety Club will receive its charter from John Harris, founder of the Variety Clubs, at the Radisson Hotel Tuesday, when the entire membership will be officially inducted.

Write-in Vote on Awards Sanctioned

Hollywood, Feb. 17.—Desiring to curb advance criticism of this year's nominees for awards, the Academy has thrown the final ballot wide open for members to pencil in their selections. This unprecedented charge is that the practices have been so uninform in content that they raised a question as to whether they were based on genuine opinion or propaganda.
HERE'S your golden opportunity! — a real, honest, down-to-earth BUSINESS REASON for your blowing yourself to the time of your life! . . . the 15th ANNUAL M. P. T. O. A. CONVENTION IN NEW ORLEANS!

Imagine it! — New Orleans in Mardi Gras time! . . . Fun, color, spectacle (Oo-o-o la, la) . . . The spirit of high carnival rife throughout one of the most hospitable cities in the whole world! . . . The event of a lifetime for you, your family, your friends — ALL AT A COST FAR BELOW THE REGULAR RATES!

SPECIAL LOW RAILROAD FARES, obtainable only by M. P. T. O. A. conventioneers and their families and guests . . . SPECIAL LOW HOTEL RATES, during the three-day convention, and during the Mardi Gras days immediately following — a time when even millionaires can’t get rooms at any price! Vitaly important issues to be discussed at the business sessions . . . plenty of social activities planned for you — and many, many more you can plan for yourself! . . . Intimate tours through the highways and byways of the friendly Frenchy city which has been the playground of bon vivants since long before the Louisiana Purchase!

It's all yours, at the lowest possible cost. COME! For full details contact National Headquarters, 1600 Broadway, New York City.
THE DuPont TRADE MARK HAS NEVER BEEN PLACED ON AN INFERIOR PRODUCT
Gold Decision Clears Status Of Film Bonds

Money Not Bullion, Is Court's Ruling

By BERTRAM F. LINZ

WASHINGTON, Feb. 18.—Film companies have been saved. Hundreds of bondholders calling for payment in gold are relieved from any necessity of paying more than the face value of their obligations in legal tender under an opinion handed down today by the U. S. Supreme Court.

Although the court did not rule directly upon the constitutionality of the devaluation of the dollar and the outlawing of the use of gold for monetary purposes, it held in general that the gold clauses in the cases before it "were not contracts for payment in gold coin as a commodity, or in bullion, but were contracts for the payment of money."

The court argued that to require givers of gold bonds to take their income in currency at its present value (Continued on page 6)

Production Stays Well Above Normal

HOLLYWOOD, Feb. 18.—Studio activity still remains above normal and is close to the aggregate number of pictures in work for the preceding week. The past week's chart shows 43 features and six shorts in work as compared to 43 and seven for the previous week. In addition, there are 14 features and 12 shorts in the final (Continued on page 6)

Jack Kelly, Booker At Warners, Passes

Jack Kelly, short subject booker for Warners, died at St. Claire Hospital here yesterday morning of pneumonia. He was 43. His body will be cremated at Ferncliff Crematory tomorrow afternoon following services at Riverside Memorial Chapel.

Surviving are his widow, several children and a brother. Before joining Warners, Kelly had served with RKO.

Suit On G. T. Stock Stirs Up Interest

Film and financial circles evinced much interest yesterday in a suit filed in County Court here against the (Continued on page 6)

Warner Theatre Personnel Reported on Percentages

Rearrangement of the Warner theatre personnel by which J. J. Hoff- man, former eastern district manager, will make his headquarters in New Haven, and Moe Silver, former western district head, will make his new quarters in Albany, was reported last night to be tied in with a company plan to operate the circuit under a percentage arrangement with benefits accruing from such a plan reflecting to the advantage of the circuit personnel.

Louis Lazar, former district head in Albany, is out. Jack Sansan, for the past four years manager of the Roger Sherman, New Haven, has been transferred to Hartford where he takes over the Colonial, one of eight Warner houses in that town. He will also act as assistant to Harry Needles, Hartford zone manager.

Theodore Sette, formerly assistant to Mr. Sette, assumed full charge of the theatre. George Bronson, manager of the Colonial, Hartford, has been transferred to a Pittsburgh house.

Joseph Bernhard could not be reached for a statement last night.

Senate Group Plans Probes Of NRA Work

WASHINGTON, Feb. 18.—Plans are being made by the Senate judiciary sub-committee headed by Senator King of Utah for a complete investigation of the NRA and practically every code. It was learned today.

At an executive meeting with members of the sub-committee on Saturday, Russell Hardy, special assistant to the Attorney General, outlined some of the investigations made by the Department of Justice and discussed the recent St. Louis anti-trust suit.

Members of the sub-committee (Continued on page 5)

F.W.C. Attorneys Hit Overbuying Charges

Overbuying charges against Fox West Coast in Pasadena and Ventura, Calif., were denied by circuit attorneys, Charles Buckley and William Powers, yesterday, before an appeal committee consisting of E. Thomas Murray, chairman; A. W. Smith, Jr., and Henry Sussman.

In both instances the attorneys presented evidence and testimony designed to show that overbuying did not exist. In the complaint of the L. L. Bard of the (Continued on page 5)

Graft Charges Draw Exhibitor Attention

Local exhibitors are speculating over the results of charges made to Mayor LaGuardia by Commissioner of Accounts Blanshard that graft and favoritism were evident in issuing li-

Industry Hit By Law Flood In Missouri

JEFFERSON CITY, Mo., Feb. 18.—Several bills striking directly at the industry, and a number indirectly, have been introduced in the Missouri legislature. Some are familiar proposals that appear year after year, designed to set up stringent regulatory features, but never approved.

It is expected that committees will dispose of many of the bills in short order. The measure to prohibit bank nights and all other forms of prize giveaways at theatres, under penalty of a fine, has already been killed by the (Continued on page 5)

Massachusetts Sale Tax Bill Is Killed

BOSTON, Feb. 18.—The proposed two per cent sales tax has been killed in committee. It was sponsored by Tax Commissioner Henry P. Long and industry leaders were prepared to launch a campaign against it.

Two other bills opposed by the industry are up for hearing this week. One is intended to prohibit admission of children under 14 to theatres and the other provides that all licensing authorities in cities and towns can act as censors.

Producers To Confer On Copyright Treaty

WASHINGTON, Feb. 18.—Views of producers on the proposed new copyright legislation will be laid before Dr. Wallace McClure, assistant chief of the treaty division of the Depart-

Best Court Dismisses Fox Contract Case

Appeal on Arbitration Back to Minnesota

By CLARENCE LINZ

WASHINGTON, Feb. 18.—The U. S. General Court of Appeals dismissed the appeal of Fox Film Corp. from a decision of the Minnesota Supreme Court holding that the agreement used in contracting to furnish product to A. E. Muller, Minnesota exhibitor, was illegal in its entirety because it contained an arbitration provision and the company therefore could not collect for pictures which had been refused by the showman.

The case was dismissed, the court announced, because "it appears that no final judgment has been entered" and the writ issued to defendant was "improvidently granted."

The contract involved called for the delivery of 40 pictures at an aggregate rental of $1,897. It was contested by Fox that Muller refused (Continued on page 6)

Film Exports Jump $632,652 in 1934

By W. A. WHITNEY

WASHINGTON, Feb. 18.—Preliminary figures on American film exports for the year 1934 show a 30,000,000-foot increase in negative and positive sound and silent films over 1933, according to compilations made by N. D. Golden, chief of the Motion (Continued on page 6)

Mississippi Houses Up By 58% in 1934

JACKSON, Miss., Feb. 18.—Theatres in Mississippi showed a healthy increase in business during 1933-38 per cent better than in 1933 and accounted for 81 per cent of the money collected from amusement taxes. Circuses and carnivals produced 11 per cent of the total collections.

Newsreels Studying Use of Trial Shots

After having sent representatives to the Mayfair to see "The Trial of the Century," a compilation of shots featuring Col. Lindbergh's flight across the Atlantic, his return to the United States and receptions here and in
G. F. RAYMOND opens at the Chicago Palace on Feb. 22 in the first of a series of personal appearances. "Transient Lady," in which he appears, will be shown at the RKO house. Following the Windy City date, Raymond is booked for the Fox, Detroit, and may be added in Cleveland, Kansas City and St. Louis. Some dependence on personal appearances, but he is needed on the coast. Danny Winkler and Mark Hanna arranged the personalities.

FELIX FEIST, Jr., was in town over the weekend. He was up at Lake Placid working on a picture, but the snow melted so he came down to spend a few days with his family. The studio wired him and he grabbed the Sunday plane for Hollywood after one night.

Ginger Rogers and Lew Ayres will be in town soon. Miss Rogers is working on "Star of Midnight" for Radio and television. Sergeant, as that’s completed and she and her husband will head for New York on their belated honeymoon.

Quip of the Day

In trying to explain her booking plow before a Campi appeal committee yesterday, Mrs. Jesse H. Dodge of the Mission, Ventura, Cal., stated that for three years she was able to get pictures third run on a first release basis. "How do you explain this?" queried Henry Sussman, one of the committee.

"The first runs were the black,” was her snappy reply.

CARL LESSERMAN, assistant to Grady Sears, and Charlie Einfeldt, publicity and advertising chief at Warners, leave for New Orleans tomorrow. They comprise one-fifth of the M.P.T.O.A. advance guard.

BRADFORD ROBES, who has just finished his writing assignment on "Hooray for Love" at Radio, due in town any day now from the coast. He’s anxious to get started on his stage musical, "Hometown Boy.”

PAUL WHITMAN had Jimmy Grafton as a dinner guest last night. Later, Grainger took in "Three Men on a Horse.”

JACK HAYDEN of the Interboro circuit is back from a southern swing, of course.

J. ROBERT RUBIN is back at his desk at M-G-M after two weeks in Palm Beach.

HERB CROUKER has been assigned the trade paper beat over at Warners. In conjunction with Sid Rechtyn.

NICHOLAS S. LUDINGTON, president of First Division Prod., will arrive from the coast in about two weeks.

LELAND HAYWARD will arrive from the coast in about two weeks.

HERB CRUICKSHANK was a symphony in gray last night.

CAPTAIN PROSEK brings his tiger act to the Roxy Friday.

M. & S. Hearing on Today

Hearings on the M. & S.-RKO arbitration case resume today, the meeting being an adjourned session from Saturday. John O’Connor may be put on the stand.

W. H. Moore Out of Bed

Hollywood, Feb. 18—William H. Moore, Jr., a Fox West Coast trustee, was discharged from Hollywood Hospital today after a brief illness.

Two Radios for Roxy

The Roxy has booked two radio features for presentation next month. They are "Murder on a Honeymoon" and "Enchanted April.”

Fathers' Day Ass’n, the organization has advised him from its headquarters in Spokane.

MARTIN MASON, who worked for both Radio and Paramount last year, has returned to the local stage. She can now be seen in "Field of Ermine.”

NEIL AGNEW and CHARLES REagan have returned from Miami yesterday and plans to leave for the southern resort in about 10 days.

CHARLES P. PETTIGNON and JOHN BOETZBER were M. P. Club luncheon guests. So was JACK MILLER of Chicago.

Research on the M. & S.-RKO arbitration case resume today, the meeting being an adjourned session from Saturday. John O’Connor may be put on the stand.
FAST MOVING COMEDY DRAMA IN THE SPIRIT OF "BROADWAY" AND "THE FRONT PAGE"

The Mystery Man

Robert Armstrong

"The Mystery Man"

EXCITING ENTERTAINMENT

—HOLLYWOOD REPORTER

with MAXINE DOYLE

Presented by MONOGRAM PICTURES
Directed by RAYMOND McCAREY

Original Story by TATE FINN • Screen Play by JOHN KRAFT—ROLLO LLOYD
Pittsburgh Slashes Cause Film Holdup

PITTSBURGH, Feb. 18.—With the reduction of its scale from 40 to 25 cents, Mort Shea’s Fulton is running into trouble with exchanges, some of which refuse to place Thomas in an orphanage, under existing Foxes. This Fox week pulled out “The Little Colonel,” which was booked to run to the Fulton next week, and other engagements are expected to be abrogated.

The same thing happened to the Alvin, an early bird remaining price of 15 cents had been announced last week from opening until 12.30. When the distributors protested, the Alvin immediately returned to its 25 and 40-cent scale, eliminating the 15-cent seats after a single week.

ITPA of Wisconsin Joins in Tax Fight

MILWAUKEE, Feb. 18.—The Independent Theatres Protective Assn. of Wisconsin and Upper Michigan is working with the newly formed Wisconsin Federation of Independent Assn., which has been organized for the purpose of enacting a state fair trade act, modeled along the lines of the Junior Capper-Kelly bill in Calif. The group will also back chain store taxation and seeks to oppose a sales tax. It includes in its membership associations representing all lines of independent retail businesses.

Ask Jersey Houses To Aid Safety Film

Cooperation of New Jersey theatre owners in connection with the highway safety drive being conducted by state officials will be sought on Feb. 21 when members of Allied of New Jersey will meet with Gov. Harold G. Hoffman. The session will be held at the state House assembly chamber in Trenton, inquiring into the subject “Once Upon a Time,” dealing with highway safety will be screened. Exhorts will be asked to show the subject on all screens and advance indications are that every theatre will exhibit the subject.

Neb. Sunday Vote Set

LINCOLN, Feb. 18.—Petitioners have gained a special election to be called soon in Beatrice, Neb., a nearby town of 10,000, to ballot on Sunday shows. Since Lincoln’s passage out of the blue law classification last summer, Beatrice has been the sole remaining town of any size in the state on a six-day basis. Although voted down several times before, 100 more than the 900 necessary signers were obtained on the petition.

Nebraska Rental Tax Up

LINCOLN, Feb. 18.—One of the first measures dealing with the show business to come up for hearing in the Nebraska legislative session will probably be a bill increasing the 5-cent tax on film rentals. The bill asks a monthly settlement.

Harry Rapf Recovering

HOLLYWOOD, Feb. 18.—Harry Rapf, M-G-M executive, who has been in the hospital suffering from flu, has gone to Palm Springs, and will remain there until his recovery is complete.

“Copperfield” May Reach to $24,000

“David Copperfield” is heading for a $24,000 gross for its five-week stay at the Capitol. During the first month, the picture tallied $204,620 in rentals, which is well under the $240,000. M-G-M is anxious to get “Sequoy” started at the Capitol, lavishly funded by Arthur Mayer for a Rialto booking.

“Little Men” at the Astor is aiming for an $8,000 week, while “A No- nix” had a lease for a week at the Mayfair over the week-end with a possible $9,500 for the stanza ending Friday night.

“Copperfield” Sets Marks in Cleveland

CLEVELAND, Feb. 18.—“David Copperfield” is setting a unique record in this territory. In the first six weeks of its release, the picture won 119 first-week openings in 67 engagements. This means that the picture played extended engagements in every instance but three. Of those three exceptions, extended time was not available in two cases, and the third has already played a repeat engagement.

Vallee, Honor Guest

Ruby Vallee, whose Warner picture, “Sweet Music,” opens at the Strand tomorrow night, was guest of honor at a cocktail party in the Green Room of the Edison yesterday with the Brownday Book and the last minute arrangements had moved the party from the Hollywood Restaurant to the Green Room of the Edison while a Warner attache went on guard in front of the Hollywood to make certain the invited few finally found their way into the chosen quarters of the Edison.

Noah Beery was among the professionals who made an appearance. The extra large crowd added to the dance line contingent was on hand in impressive numbers.

Hits Jury Stage Deal

The American Federation of Actors is on record as being opposed to any extending school, theatre or any other public place under an order issued by Dr. John P. Koehler, health commis- sioner, in an attempt to check a local scarlet fever epidemic.

Looking ’Em Over

“While the Patient Slept” (First National)

Guy Kibbee and Aline MacMahon thread an element of humor through the fabric of a swell mystery story that keeps the audience fluctuating between the jitters and chuckles. The yarn moves along at a fast pace.

This story begins with an aged uncle suffering a mild stroke in front of a fireplace as he reaches for a porcelain elephant on a mantel. Miss MacMahon, as a nurse, responds with a doctor, and most of what happens after that takes place in the room where the patient is unconscious. A man is shot on a stairway with the elephant in his hand. While Guy Kibbee

(Continued on page 5)
Saturday, February 19, 1935

Industry Hit By Law Flood In Missouri

(Continued from page 1)

The House committee on criminal justice.

Two bills that would impose a 10 per cent on gross incomes are pending, one specifically mentioning picture shows and to provide for old age pensions. One separate bills are in force, "real tax," levying one mill per foot of film shown in the state. There is a measure prohibiting standing rooms. A five per cent tax bill on luxuries presumably would include theatre admissions.

A chain is Keating's proposal, including theatres, has been reported favorably for passage. Sponsored by four representatives, it would levy a tax of $25 or $350 per unit, depending on the number in the chain.

Five sales tax bills are in the hopper, one of which would hit the theatres. All are opposed by retail merchants and commercial interests, as well as exhibitors. The bill life of the present one-half of one per cent levy, but on a broader taxing base. Others are for one, two and three mills.

Plan Tax on Slot Devices

Theatre which have weighing, vending or other slot machines would pay a registration fee of $3 to $15 per machine, under present law. Another would open the state to horse and dog racing, always stiff competition to theatres in St. Louis and Kan- sas City, and would impose a heavy license fee for the tracks and a tax of 20 cents per admission ticket.

Rep. E. H. Keating of Kansas City introduced a bill writing into the Missouri laws provision for state codes similar to those that have been adopted by national officials, said Keating.

There is a measure levying a tax of one per cent on gross incomes from all sources and is to be used to double the corporation franchise tax, now 50 cents per $1,000, capital stock. Another measure is to present a measure to create an unemployment reserve act whereby employers would be required to set aside a small percentage of the payrolls for unemployment benefits, in line with the President's security program.

Billboards within 300 feet of a highway would be taxed $25 a year by the county, under another proposal.

Hicks Is Attacked As a Code Violator

LOS ANGELES, Feb. 18.—Since Harry Hicks, member of the local grievance board, violated the price code, it is alleged, by selling a $2.50 script at $2 for admission to his Arlington Theatre, the I. T. O. of Southern California has appealed to all exchange managers asking them to sell his films on a uniform basis. Even though Hicks signified that he had withdrawn the script, those signed to the contract sold his films to place him in the 20-cent zone, it was charged.

Hicks will come before the grievance board tomorrow to show cause why he should not be removed as a member of the board.

Looking 'Em Over

"While the Patient Slept"

(Continued from page 4)

Kibbee, as a police lieutenant, is trying to solve the crime with his sergeant, Allen Jenkins, another man is suffocated with a violin string.

Lyle Talbot tries to protect her and

gets himself under a cloud. Kibbee

runs into a lot of blind alleys trying
to solve the case until Miss MacMahon gets busy and goes through some serio-comic antics. The comedy element is heightened by Kibbee's awkward efforts to convince Miss MacMahon that his romantic intentions are seriously injurious to her

The production has been staged in luxurious background and has been well directed by Ray Enright. It's good, general entertainment.

Production Code Seal No. 576. Running time, 65 minutes. "G."

Rebate on Benefit Tickets Given O. K.

WASHINGTON, Feb. 18.—Benefit re- bate on tickets sold outside a theatre by a charity organization when the price equals that of the theatre's top admission, is not an unfair practice, according to a grievance board decision here today.

Robert Levine, operating the Col- ony, Port Huron, Mich., and William William S. Wilder, charg- ing the Gates was violating the code by negotiating with the King's Daughters' Hospital Auxiliary to sell tickets outside the theatre. The Auxiliary received one-quarter of the money received.

The board dismissed the case on the ground that each patron paid the thea- tre's advertised top price of 30 cents.

A second case, involving the A. F. of T. was unofficially stated that there was no reason why Levine should not do likewise.

Wilder's reply to the charge was offered in writing.

Three of K. C. Code Cases Are Dropped

KANSAS CITY, Feb. 18.—Three complaints have been withdrawn from the local grievance board. Two, in- volving bank nights, were Fox Gran- nada, Emporia, Kan., against the Leavenworth Fox and Midway Theatres, Joplin, Mo., against the Rex, same city.

The third, charging non-theatricals, was lodged against Fox Film by A. H. Shaffer, Strand, Kansas City, seek- ing to stop film shows at the Linwood Community Church. Shaffer brought the complaint on behalf of several suburban exhibitors, and when his action stirred resentment in film ranks he attempted to have the others sign as co-complainants. They refused, it is understood, and the withdrawal fol- lowed.

Miller Here for Appeal

Jack Miller arrived from Chicago yesterday in preparation for a Camp- store appeal hearing today in which he is a defendant. His Lido, Maywood, Ill., has been charged with excessive prices on castor oil and Yale, same.

Miller plans to leave for New Or- leans tonight, but may change his plans to return to Chicago and from there go south.

Kingston with Wieland

At Kingston has completed nego- tiations to represent the Wieland Agency, of England, in New York and Hollywood.

Senate Group Plans Probes Of NRA Work

(Continued from page 1)

refused to discuss what Hardy told them.

It was said by Senator King that the group has received a large num- ber of complaints against the film and other codes from all sections of the country.

While it has not yet been deter- mined whether the sub-committee is to get the $5,000 sought for the investigation, Senator King today said the group is going ahead with plans for the probe, which would be con- ducted in the open with public hear- ings.

The sub-committee within the next few days will get in touch with Low- ell Mason, who was sent out for the Darrow review board, and will have before it when it begins hearings all the reports of that group, which in- cluded a scathing attack on the film code.

May Retain Mason

Mason was kept on by the King sub-committee to serve in the same capacity as he did the Darrow board, if he is confirmed at length by Senate with Senator King, and it is believed if the Senate grants the investigation fund sought, he will head the sub- committee again.

Officials of the Department of Com- merce and Federal Trade Commission have already told the sub- committee with such statistical information as they may have bearing upon the complaints which have been re- ceived.

If the investigation is made, it is probable that Compliance Director Sol A. Rosenblatt, who participated in the drafting of the film code, will be among those called to the Capitol for questioning.

Accordingly, it was declared by Senator King, will not be confined to any particular code but will be a com- bined investigation of all plans of code negotiation and administra- tion, possibly with representatives of the under the code authorities called before the group to answer charges which have been made regarding their activities.

Graft Charges Draw Exhibitor Attention

(Continued from page 1)

comes to some 300 large and smaller electricians. Blanshard cited 20 cases where sums of $100 and $200 were paid "fixers," naming Irving Gordon, Allen Novarro and Joe Rosenberg as "go-betweens."

In his report to the Mayor, Blan- shard added: "This reckless favorit- ism to certain men, regardless of their ability, is a public danger because of the responsibility of operators in pre- venting fires."

Flinn Is Returning East

LOS ANGELES, Feb. 18.—John C. Flinn was on his way east by plane tonight with the final draft of the local clearance schedule, which comes up for hearing Thursday at a Campi meeting in New York.
Gold Decision Clears Status Of Film Bonds

SUIT ON G.T. Stock Stirs Up Interest

Examiner Critic Quits

Film Exports Jump $632,652 in 1934

Highest Court Dismisses Fox Contract Case

Production Stays Well Above Normal

Producers to Confer On Copyright Treaty

Brantons Go to Florida

History Decision Clears Status Of Film Bonds

Garner Presents the Awards

Ceremony attending presentation in Washington of the Quigley
Grand Awards by the Vice-President of the United States to Bill
Hendricks, manager, Warner Theatre, Memphis, and Morris Rosenthal,
manager, Loew's Majestic, Bridgeport, Conn. Others present included
United States Senators McKellar and Bachman of Tennessee, Loner-
gan and Malone of Connecticut, Speaker Joseph W. Byrne, Representa-
tive William Clifton of Connecticut, and Thomas F. Gallop of Mem-
phis, and A-Mike Vogel, chairman, Managers Round Table Club of Motion
Picture Herald.

SUIT ON G.T. Stock Stirs Up Interest

(Continued from page 1)

Washington, his trip to Mexico where
he visited the Morrow family, Lin-
berg's wedding, the kidnapping of
the flyer's baby and scenes of the Haupt-
mann trial, newreel companies claim
that they had the exclusive right to
the Fleming trial scenes and have
turned the matter over to Universal
for possible action.

William McKay of Universal stated
last night no legal action had been
taken, but an investigation is being

Leo Justin, buyer and booker for the
Mayfair, said he did not know of any
reported "doping" of newreel shots in the two-reel subject.

He added he had closed a deal with Nat
Saland of Mercury Film Laboratories
for the showing "in good faith" and
that if there were any legal action to
be taken it would be against Saland
and not the Mayfair.

Examiner Critic Quits

(Continued from page 1)

Examiner, has left his job to devote
the greater part of his time to play
writing. Thompson has been
succeeded by Miss Ada Hanafin.

Retitle "Small Miracle"

Hollywood, Feb. 18.—"Small Mir-
cle," now in production at Para-
mount, has been given a final release
title. The film, which was retitled
"Night Drama," will be released as
"Four Hours to Kill."

Examiner, has left his job to devote
the greater part of his time to play
writing. Thompson has been
succeeded by Miss Ada Hanafin.

Producers to Confer On Copyright Treaty

(Continued from page 1)

of State, Thursday afternoon by
members of the copyright committee
of the M.P.P.D.A. The group will
be headed by Edwin F. Kilroe, chair-
man of the committee, and will in-
clude four committee members.

The Department of State tomorrow
will begin a series of conferences with
representatives of the various inter-
ests which would be affected by the
new legislation in an effort to secure
an agreement as to the provisions
which should be incorporated.

Brantons Go to Florida

Des Moines, Feb. 18.—Ralph
Branton, manager of the Tri-State
Theatre Corp., and Mrs. Branton have
gone to Florida for a month's vaca-
tion. They made the trip by motor.
YEAR'S GREATEST ATTRACTION!
Starting Mon. Feb. 25

2 BIG FEATURES

Enjoy the World Famous
MARDI GRAS CARNIVAL
And Attend the 15th Annual
MPTOA CONVENTION

Where the Industry's Leading Experts will discuss Your Problems.

HURRY-LAST CALL!
Special Reduced Railroad and Hotel Rates.
For reservations, Wire Hotel Roosevelt,
NEW ORLEANS
.

:

::

:

MOTION PICTURE

DAILY

s

Benny Boosts

Hollywood Personals

Mastbaum to

Hollywood, Feb. 18.—William Steiner, president of
Commodore Pictures, gets
option on Lon Chaney, Jr.,
for a possible three-year
series of action pictures.
George O'Brien and the
Mrs. (Marguerite Churchill)
on a two-week vacation in

Big $40,000

.

Philadelphia, Feb. 18—With Jack
Benny as its first name attraction, the

Roxy-Mastbaum took

its

biggest

Tuesday, February

jump

Death Valley.
William A. Brady due here

since the opening, scoring $40,000 on
the week. Whether the house can
carry on to other big grosses without
names is problematical. Picture was
"Woman in Red."
Probably the most profitable of the
week's hits was "The Scarlet Pimpernel," which took $13,000 at the
Aldine, best figure for the season at

Three weeks seem set.
house.
The low box-office scale still draws
them at the Earle, with $15,500 for
"Carnival" and a stage show.

shortly with a trunkful of
stories and a broadcasting
contract. . . Nacio Herb

Brown

and Arthur Freed
re-signed by M-G-M. . .

Sam

Taylor nearing the finish of Hal Roach's "Vagabond Lady".
Casting com.

.

M-G-M's

on

plete

"Order

Please" with Nat Pendleton,
Conrad Nagel, Steffi Duna

and Harvey Stephens featured.

Benny Rubin master of
ceremonies for the Warner
party Feb. 21.
Dorothy
.
Parker and Alan Campbell
collaborating on "The Case
Against Mrs. Ames."
Sam Mintz back at Paramount.
Herbert Mundin,
Paul Kelly and Conchita
Montenegro signed by Sol
Wurtzel for "Secret Lives".
Charles
Boyer replaces
Francis Lederer in "Break
of Hearts" at Radio.
.

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this

Total

run business was $110,-

first

Average

800.

$101,500.

is

Estimated takings for the week end-

"Gilded Lily"

Is

High Denver Draw
— With perfect
Denver, Feb.

"Lily" at $9,500
Is Providence Top
Providence, Feb.
—The Strand,

BOYD— (2.400).

35c-40c-55c,

Gross: $11,000.

"CARNIVAL"

EARLE— (2,000),

3rd

Estimated takings for the week end-

(Col.)

ing Feb. 14:

25c-35c-40c-55c,

6

Laugh and Love"

"Live,
Stage:
Gross: $15,500.

"MY

days,

6

(Average, $12,000)
days.
revue.

(Average, $12,000)
HEART IS CALLING"

FOX— (3,000),

40c-55c-65c,

5

Stage:

days.

Ray, Fred Sanborn.
(Average, 6 days, $12,000)
"LITTLE MEN" (Mascot)

Harris,
Gross: $10,000.

Leah

KARLTON— (1.000),
Gross:

$2,900.

"CLIVE
$3,400.

"WOMAN

days.

6

(Average. $3,500)
OF INDIA" (U.A.)
(2nd run)

KEITH'S— (2,000),
Gross:

25c-35c-40c,

30c-40c-50c,

days.

6

(Average. $4,000)
(4,800),

40c-55c-

Stage: Jack Benny and Mary
Livingston and Roxy revue. Gross: $40,000.
(Average, $33,000)

65c, 6 days.

"RUMBA" (Para.)
STANLEY— (3,700), 35c-40c-55c,

Gross:

days.

6

"SOCIETY DOCTOR" (M-G-M)

STANTON— (1,700),
Gross:

30c-40c-50c,

(Average,

$5,000.

6

days.

$6,000)

"Rumba" and

$6,000.

Gross:

$7,500.

7

davs.

(Fox)
3

days.

$750.

PARAMOUNT— (2.000),
Gross:

$2,000.

(Average

25c-40c. 4 days.
for week. $2,000.)

Krellberg Case to Capital

—

At the reLos Angeles, Feb.
quest of S. S. Krellberg that the
charge against him of underpaying
studio help be reviewed by CompliSol A. Rosenblatt,
ance Director
Major

J. O. Donovan, local code oftoday took the case out of the
hands of the regional compliance auand is forwarding it to
thorities
Washington.
The matter had been
"Rumba" with turned over to the local compliance

Mitzi

Buffalo, Feb. 18.
Mitzi Green on the

gave the
officials by the studio labor board,
Buffalo $15,100, or $800 above normal
and preparations were being made to
mild
in
week
of
weather
that
a
prosecute the case when Krellberg

turned

rain.

to

stage,

Business

generally

was down from the previous week.
Total take was $42,200. Normal

made

his request.

is

"Boop" Copyright Upheld

$42,800.

Estimated takings
ending Feb. 15

for

week

the

Feb. 18.—The U. S.
Supreme Court today ruled that
"RUMBA" (Para.)
"Betty Boop" dolls cannot be manudays.
BUFFALO
30c-55c,
7
(3,500),
factured except under copyright proStage: Mitzi Green: Jerry and Her Baby
The ruling was on an apGrands; Joe and Pete Michon; Harriet visions.
for oeal brought by Ralph A. Freundlich,
Gross:
Hayes.
(Average
$15,100.

STRAND— (2,300),
$9,500.

15c-40c, 7 days. Gross:

(Average, $6,500)

"UNDER PRESSURE" (Fox)
"HOME ON THE RANGE" (Para.)
CENTURY— (3,000), 25c, 7 days. Gross:
$5,200.

(Average, $6,000)

Washington,

New

York City, and sustained
the contention of the Fleischer Studio,
Inc., that the cartoon character had
been infringed upon.
Inc..

"SEQUOIA" (M-G-M)

GREAT LAKES— (3,000),
Gross:

$7,100.

25c-40c, 7 days.

(Average, $8,000)

"DAVID COPPERFIELD" (M-G-M)

HIPPODROME— (2,100),
2nd week.

Gross:

$7,800.

25c-40c,

7

(Average,

days,
$8,000)

"THE MAN WHO RECLAIMED HIS
HEAD" (Univ.)
"I'VE BEEN AROUND" (Univ.)
LAFAYETTE — (3,300), 25c, 7 days.
Gross:

$7,000.

(Average, $6,500)

— "David

18.

first

in both spots.
run business in Minne-

apolis was $26,300. Average is $23,000. Total first run take in St. Paul
was $18,000. Average is $16,500.

Estimated takings

Minneapolis:
Feb. 13:
"DAVID COPPERFIELD" (M-G-M)

Francis

Has Flu Again

LOEWS STATE— (3,800),
Gross:

$9,000.

15c-40c, 7 days.

(Average. $12,000)

"SECRET OF THE CHATEAU"
FAY'S— (1,600), 15c-40c, 7 days.

(Univ.)
Stage:

"Midnight Follies."

(Aver-

age,

Gross:

$8,400.

$7,000)

"CHARLIE CHAN IN PARIS" (Fox)
"THE WOMAN IN RED" (Warners)
MAJESTIC — (2,400), 15c-40c, 7 days.
Gross:

$6,500.

(Average, $7,000)

"RENDEZVOUS AT MIDNIGHT"
(Univ.)
RKO ALBEE— (2,300), 15c-40c, 7 days.
Stage: "Radio Ramblers."
(Average, $7,000)

Gross:

Gross:

"ROMANCE IN MANHATTAN"
RKO VICTORY— (1,600) 10c-25c,
,

Gross:

Shaw
New

to Vacation

25c-40c,

(Average,

days,

7

(Average,

3rd

$4,000)

(Warners)
Gross:

days.

$1,500)

Week Ending

Feb. 14:

"BABBITT"

(F.N.)

ORPHEUM— (2,900),

days.

7

25c-40c,

Olson and Johnson heading vaude.
(Average, $5,500)
$6,500.

Gross:

"THE COUNTY CHAIRMAN" (Fox)
STATE— (2,300), 25c-40c, 7 days. Gross:
(Average. $5,500)
"STRANGE WIVES" (Univ.)

$6,000.

PALACE— (900),

Gross:

7 days.

15c-25c,

(Average, $2,000)

$2,900..

"THE BEST MAN WINS"

(Col.)

TIME— (300), 20c-25c, 7 days. Gross:
(Average, $1,500)
"EVERGREEN" (Gaumont British)

$1,500.

WORLD— (300),

25c-75c,

Gross:

days.

7

(Average, $3,000)

$3,500.

Paul:

St.

Week Ending Feb. 14:
"KID MILLIONS" (UA)

PARAMOUNT— (2,300),
$6,500.

7

25c-40c,
$5,500)

(Average.

days.

"DAVID COPPERFIELD" (M-G-M)
RIVIERA— (1,200), 25c-40c, 7 days, 2nd
week.

Gross:

$4,000.

(Average, $3,500)
(Radio)

"GRAND OLD GIRL"

ORPHEUM— (2,000),

25c-40c,

7

Weaver Brothers heading vaude.
$4,500.

(Average, $4,000)

$1,500.

(Average, $1,500)

days.

Gross:

"THE FIRST WORLD WAR" (Fox)
TOWER— (1,000), 15c-25c, 7 days. Gross:
"PRIVATE LIFE OF DON JUAN"

WORLD— (300),

(U.A.)
25c-75c,

7

Gross:

days.

(Average, $2,000)

$1,500.

Radio)
4 days.

(Average, $1,000)

$950.

$5,000.

"THE SECRET BRIDE"
LYRIC— (1,238), 20c-25c, 7
$1,800.

$7,200.

Soon

Haven,

Feb.
18.—Harry
Shaw, in charge of Poli operations
for Loew's, sails March 8 on the
Lafayette on a three-week West Indies cruise.
Shaw has been having
trouble with a bad cold.
Erie Wright, advertising manager
for the circuit, sails Feb. 22 for a
two weeks' cruise to Santiago, Kingston and LaCiebo.
Louis Sagal and
R. E. Russell will be in charge of
operations during Shaw's absence.

"Bride" and Show
In Omaha, $13,200
Omaha, Feb.
—The Paramount
18.

staged a smash reopening with "The
Secret Bride" and a stage show
called
"Revue
Continental."
The
$13,200 take was over the old aver-

age by $3,200.
In spite of the heavy draw at the
Paramount the Orpheum, with "The

Mighty Barnum" and "The Firebird,"
went $1,000 over par for a total of
$9,000.

Total

Average

Goldwyn Coming East

—

Hollywood,
18.
Feb.
Samuel
Goldwyn leaves for New York tomorrow night. He will arrive there in
time to attend the New York opening
of "The Wedding Night."
He plans
a
European
vacation
before
he
comes back.

—

Hollywood, Feb. 18. Kay Francis
today was confined to the Cedars of
Lebanon Hospital with a second attack of the flu.
She was about to
depart on her European trip when
stricken.

CENTURY— (1,650),
week.

Gross:

"CLIVE OF INDIA" (M-G-M)

—

week, $14,300)

Total

"THE GILDED LILY" (Para.)
"THE BEST MAN WINS" (Col.)

ficial,

Strong in Buffalo

—

Feb.

week average

first

ing Feb. 15

(Warners)

ORPHEUM— (2,600). 25c-35c-50c,
(Average, S6.000.)
Gross: $7,000.
"THE FIRST WORLD WAR"
PARAMOUNT— (2,000), 25c-40c,

RKO Albee
was normal with "Rendezvous at
Midnight" and "Radio Ramblers."
First run business was $41,550.
Average is $40,500.
Estimated takings for the week endvaudeville and films, the

days.

7

$6,000.)

"DEVIL DOGS OF THE AIR"

Gross:

days.

(U. A.)

25c-35c-50c,

(Average,

7

$4,000.)

"CLIVE OF INDIA"

DENVER— (2,500),

18.

(Average, $12,000)

$8,500.

Gross:

25c-35c-50c,

(Average,

"DAVID COPPERFIELD" (M-G-M)

IN RED" (Warners)

ROXY-MASTBAUM —

(Warners)

ALADDIN— (1,500), 25c-35c-50c, 7 days.
(Average, $2,500.)
$2,000.
"THE GILDED LILY" (Para.)

DENHAM— (1,500),

(2nd run)
Phil

"THE WHITE COCKATOO"
Gross:

(Gaumont- British)

Minneapolis,

Copperfield" did remarkable business
in the Twin Cities, getting $5,000 in
its third week at the Century here and
$4,000 in the second week at the St.
Paul Riviera. This is well above the

18.

"THE SCARLET PIMPERNEL" (U. A.) weather and pictures that clicked, with "The Gilded Lily," hung up anALDINE— (1.200), 35c-40c-55c, 6 days. grosses shot upward all along the line other sensational gross for the week,
(Average, $7,000)
Gross: $13,000.
"The Gilded Lily" led the catching §9,500, over the usual take
last week.
"ENTER MADAME" (Para.)
parade by getting $6,000 at the Den- by $3,000. Fay's, too, had a big week
(2nd run)
with "Secret of the Chateau" and
ARCADIA— (600), 25c-35c-40c, 5 days. ham, thereby topping par by $2,000.
Gross: $1,500. (Average. 6 days, $2,400)
Total first run business was $25,250. "Midnight Follies" on the stage. The
"DAVID COPPERFIELD" (M-G-M)
take was $8,400.
Likewise spotting
Average is $20,500.
week.

"Copperfield"
Twin Cities'
Holdover Wow

Week Ending

18.

ing Feb. 14:

1935

19,

Newcastle, Wyo., Feb. 18.— O. L.
Cleveland, owner of the Castile here,
is recovering from a long illness.

is

was

$25,200.

Estimated takings

Week Ending Feb. 14:
"THE SECRET BRIDE" (Warners)

PARAMOUNT— (2,800),
days.
$13,200.

25c-35c-55c,

7

Stage: "Revue Continental." Gross:
(Average, $10,000)

Week Ending

Feb. 13:

"BABBITT" (F.N.)
"MURDER IN THE CLOUDS"

BRANDEIS— (1,200),
Gross:

O. L. Cleveland Gaining

run business
$21,500.

first

$3,000.

(F.N.)
7 days.

25c-35c-40c,

(Average, $3,500)

Week Ending Feb. 14:
"THE MIGHTY BARNUM" (U.A.)
"THE FIREBIRD" (Warners)

ORPHEUM— (3,000),
Gross:

$9,000.

25c-40c,

(Average, $8,000)

7

days.


Allied Setup Is Advanced By the Court
Referee's Work on Para. Creditor Approved

The reorganization plan for Allied Owners, large Paramount Publich creditor, was given preliminary approval early yesterday at the Federal court at Brooklyn by Special Master Oscar Lewis. The report filled 128 pages and had appended to it more than 1,000 pages of testimony. Only minor modifications in the plan were recommended by Lewis.

Major provisions of the plan call for a reduction in interest from six to four per cent on the $9,127,000 bond issue outstanding, and a reduction from six to three per cent interest.

Predict Low K. C. Scales Will Remain

Neighborhoods Following Lead of First Runs

KANSAS CITY, Feb. 19.—Low admissions at Kansas City first runs are here to stay, at least for the remainder of this season. Incense may be associated with the start of 1935-36 releases next fall, but this is only speculative as yet.

The latest situation is having repercussions in the neighborhoods. One of the latest to cut is the Plaza, Fox Midwest's ace suburban house, which has first call on product after the first run. There, the price has been shaved to 25 cents, after staying at 30 cents since last fall. It is said other neighborhoods are contemplating cuts.

Prices were hiked at Fox suburban theatres and some of the independents when first runs established.

Iowa Film Service Is Ordered Stopped

OMAHA, Feb. 19.—Distributors have been directed by the grievance board to cease film service to E. R. Norman, manager of the Empire at Storm Lake, Ia., within seven days because the latter has ignored a cease-and-desist order on bank nights.

Norman sent a letter to the board expressing regret he was unable to comply with its order and said his only profit came from bank nights.

Youngclaus Charges Second Run Control

OMAHA, Feb. 19.—William Youngclaus, stormy petrel among Nebraska exhibitors, stated here Monday he had filed a complaint with Compliance Director Sol A. Rosenblatt, charging distributors are maintaining a second run monopoly in Nebraska and Iowa.

While his complaint is being studied, Youngclaus said he was going ahead with his plans for a circuit in the two states. His first house will

FWC Officers Stay With Single Shift

Los Angeles, Feb. 19.—With the exception of Spyros Skouras, the new board of directors of Fox West Coast Theatres Corp. is virtually the same as Fox West Coast Theatres. Skouras is being relieved from a post on the board because of his being in New York most of the time and a local man will replace him.

Charles Skouras is president of the new company, Percy Kent and Charles Buckley, vice-presidents; Fred Metzler, treasurer; Albert W. Leeds, sec.

Coroner Ends Probe Into Maloy's Death

CHICAGO, Feb. 19.—The coroner's jury investigating the death of Thomas Maloy, local labor leader who was slain recently, today returned a verdict of murder by persons unknown.

Mrs. Effa Maloy, widow of the dead leader, was among the witnesses called.

Maloy, who was business agent and director of the M. P. Operators' Union, was killed Feb. 4 by machine gun fire while riding in his automobile. At the time of his death he was accompanied by Emmett Quinn, who was also an officer of the union.

Lesser to Base Film On Industry Figures

Hollywood, Feb. 19.—Sol Lesser plans to produce what he describes as the first serious and dignified screen treatment of the film business, visualizing the accomplishment of leaders like Marcus Loew, Jesse L. Lasky, S. R. Kent, Carl Laemmle and others.

Studios, Lesser says, have offered to cooperate in making the picture authentic, Rupert Hughes, aided by Walter Anthony and Edward F. Cline, will write the treatment from data already collected.

Fox May Hold Meet On Coast in Spring

Fox is understood to be planning to hold its annual sales convention on the coast sometime in April or early in May. The coast plan was on tap last year, but was changed to the east.

Decision will be reached on convention details when S. R. Kent returns from Florida in about three weeks.

Report Roxy Will Go To CBS on Programs

It was reported here yesterday that S. L. Rothafel would join the Columbia Broadcasting System as director.

Bernerd Hints G. B. Expects Support Here

English Theatre Control Makes Talk Important

By BRUCE ALLAN

London, Feb. 19.—Gaumont British, controlling as it does many of the finest and biggest theatres in England expects reciprocity from the American industry, it was hinted today in a statement made to the press by Jeffrey Bernerd, who returned from New York the other day.

Since American pictures get dates in Gaumont British theatres, G.B. expects the procedure to work in reverse, was the general tenor of his comment.

Independent exhibitors and several circuits out of New York have given G.B. a "marvelous" reception, he continued, and then he added:

"But British pictures did not get the support they should have from certain national organizations. The great friendship expressed by certain people"

Missourians Demand Probe Into the NRA

KANSAS CITY, Feb. 19.—Missouri merchants, large and small, and manufacturing interests in the larger cities have flooded Missouri's two senators, Bennett Champagne and Harry Truman, with messages urging their

Deny Pickford Plans Series on Her Own

Hollywood, Feb. 19.—Reports Mary Pickford would enter into a partnership with Clark Gable and Samuel Goldwyn to finance a series of pictures under her banner were em

ITOA to Pick Group To Ask State Probe

Selection of a committee of five to present to the Senate and Governor Lehman a resolution adopted by the I.T.O.A. board of directors last week

No Paper Friday

Motion Picture Daily will not publish on Friday, Feb. 22, which is Washington's Birthday and a legal holiday.
of programs on the completion of his contract with Warners as operator of the Strand. Rothafel's contract is understood to be up Feb. 28.

In his new position with the broadcasting company, Rothafel would supervise over all programs of that network not of a musical nature, but would get in an added capacity in the direction of all other presentations.

The reports were termed "appalling" by Rothafel in a wire to Motion Picture Daily last night from Philadelphia.

A Correction

Telegraphed reports from Hollywood that S. S. Krellberg had been made a defendant in a federal court action for underpayment of studio labor help are erroneous.

Motion Picture Daily regrets the inaccuracy.

Mrs. Esther Kanter Dead

Baltimore, Feb. 19—Mrs. Esther Kanter, 55, Robert Kanter, of Associated Theatres, died here of heart ailment at Sinai Hospital. Besides her husband she is survived by two children.

Hirsch Heads New Firm

Melvin Hirsch is president of Melbet Pictures, Inc., a new local independent-exchange.

WILLIAM RANDOLPH HEARST, who in months past with the dubious merit of constancy more or less, has advocated Federal censorship, hewed close to the line, as film men would have it, the other night. Then his New York Evening Journal picked up the recent report on extras and what they earn and editorially in that newspaper of large circulation urged this:

"Only a dozen men and women working as movie extras earned a "living wage" in 1934. Although 219,859 daily jobs were given to about 4,000 extras, only six women earned as much as $2,000 during the year.

"Girls who yearn to go to Hollywood should learn from these figures that they shouldn't start out unless they are in the position of men who go into the diplomatic service—that is, unless they have private incomes great enough to keep them going.

"Girls—and boys too—take the tip! Forget dreams of movie grandeur unless your bread-and-butter problems are already solved. If and if they are solved, you'd better eat your bread and butter where you are without digesting them to the tune of heartaches and disappointment."

That, we venture to suggest, is much closer to it. ▼

Headline of the day: Mickey Mouse's pappy, Walt Disney, gave the rodent his first opportunity to blossom forth in color yesterday with results terrific, colossal and stupendous. All of this has to do with "The Band Concert," the initial Mickey in Technicolor. Skillfully blending music and cartoonotics, the total effect is excuse sufficient to pick up encomiums from their dust pile and garland them around the Mouse's neck. He's Hollywood's best performer. ▼

SEC security data which makes it compulsory to file the dope on changes either in stock holdings of one thing unmistakably clear: That Mike Meehan is the biggest single factor in KAO. That company, far and away the most important part of the RKO theatre structure, has 60,000 shares of preferred outstanding. Meehan's holdings now are 26,800. It's been common talk. This merely makes it smack of the official. ▼

It goes without saying, of course, that no theatre in any of the major circuits will give dates to the one who has bid away the Hauptmann jury. If Hollywood has been kept clear of the unsavory by dodging pictures based on the Lindbergh kidnapping, aside from one transgression in "Miss Fane's Baby Is Stolen," the theatre end of the business, is assumed without argument, will keep its escutch- en unseulled as well. ▼

Glorious indictment: Fox Midwest's loose policy which allows "Bank Nights" in some of its houses was described by a national idea, via code grievance boards, in others not under the Midwest banner. A sort of right hand, left hand idea, keeping the peregrinations of each secret from the other. ▼

Harry Brandt is so excited over "The Whole Town's Talking," he offered Columbia a three-month guarantee with a joint day-and-date run at the Globe and the Central with a one buck top admission. So the picture goes to the Music Hall. A matter of contracts. ▼

Ben Schulberg, whose name has grown dimmer and dimmer as production head of Paramount, now plans to stay independent next season. That is, he will release through a small distributor, but make his program on his own and where he likes. ▼

Pesky Heads Perfect

Edward Pesky is head of Perfect Theatres, Inc., which recently took over the Pickwick, Greenwich, Conn. He is also executive buyer for George Boursas' local circuit and in addition has an interest in a number of other theatres in the west.

Schine Pays Dividend

Schine Theatrical Co. has declared a dividend of 75 cents per share on the preferred stock payable March 1 to stockholders of record on Feb. 20.

Report Bennett Injured

London, Feb. 19—Reports from England are to the effect that Richard Bennett has been seriously injured by a fall from a horse on the course at Loder at Harpenden, Hertfordshire.

Glucksman Gets National

E. M. Glucksman has taken over the National at Houston St. and Second Ave., and will reopen the house March 1 with vaudeville and films. Opening attraction will be "The Gay Divorcee."

Bennett Hints G. B. Expects Support Here

(Continued from page 1) toward Gaumont has not been carried out." Bennett pointed out his company now realized the importance of American stars and cited Michael Balcon's current visit for the purpose of signing some as evidence of this realization.

The "certain people" referred to by Jeffrey Bernard in London yesterday are several of the major circuits. When he was here several weeks ago, the G.B. executive is understood to have no use for expanding his attitude toward failure of these unnamed circuits to give his product the break he deservingly deserves.

Michael Balcon, production chief for G.B., is abroad the Olympic which is due in New York tomorrow.

Move to Seek Help For Amateur Nights

Indicating he planned to have passed an ordinance authorizing amateur nights in picture houses, License Commissioner Paul Moss yesterday conferred with a group of independent exhibitors on their reaction. Moss explained that while he thought such a step would relieve the unemployment situation a bit he first wanted to get exhibitor opinion before going ahead. The theatre men present heartily approved the move.

Dismiss Orstein Suit

Federal Judge Henry W. Goddard yesterday dismissed a suit against Paramount by George Orstein asking for an injunction and accounting of "Blonde Venus," which the complainant alleged was plagiarized from his play "Woman." In dismissing the suit, Judge Goddard held the picture did not infringe on the play.

FitzPatrick Returns

James A. FitzPatrick yesterday returned from Guatemala and Mexico where he made Technicolor Travel-tales, the last two of eight to be released by M-G-M this season. Within the next month, he will leave for Africa to film his first independent feature production, "Black Ivory." FitzPatrick will make a series of eleven 12-color travel shorts for M-G-M next season, the first to be "Japan."

Soviet Film Today

MOSCOW, Feb. 19—The World Cinema Festival in celebration of the 15th Anniversary of the Soviet industry opens here tomorrow. Representatives from nearly every country will be present.

Zelda Sears, 62, Dead

Hollywood, Feb. 19—Zelda Sears, 62, M-G-M scenario, died this morning. She had been ill since October. Surviving are her husband, L. C. Wiswell, and a sister, Marie Pauld.
HELP POLICE!
The 26th day

The sign now reads 5th WEEK! New all-time Capitol record. Hold everything—especially extra playing time!
Meyer Schine and William Smalley had another inning at Campy yesterday when an appeal committee consisting of Roy L. Hanna of Warners, Dan Michelleau of Fox and William Yoost, independent exhibitor, heard an overbuying complaint filed by the latter exhibitor. H. T. McKay, a major chain store manager, represented the plaintiff.

Mr. McKay is the third to present his side of the appeal to the committee, the last being the Yankee, Chicago, complained of charges and Norman Samuelson represented the plaintiff.

William M. L. Fiske, III, of First Division and Reginald Baker of Associated Talking Pictures, respectively, will prepare the case of a cocktails affair at the Waldorf Thursday. First Division will be the host in the hands-across-the-sea event.

Missourians Demand Probe Into the NRA (Continued from page 1) support of the McCarran-Nye resolution to investigate the NRA.

Senator Clark is among the outspoken critics of the NRA, having voted against the original NRA measure.

Mickey to Day and Date Rivoli—M. H.

All future Mickey Mouses, which will be done in Technicolor, will play the Music Hall and the Rivoli day and date, according to the terms of a deal recently completed between United Artists and the Music Hall.

The Office of the President Latest Mickey Mouse and the first to be done in Technicolor, opens at the Rivoli Friday and the Music Hall tomorrow.

Refuses to Oust Hicks Los Angeles, Feb. 19.—The grievance board today dismissed the demand of the I.T.O. on Southern Cal-ifornia that Harry Hicks be ousted from the board for allegedly violating the code by issuing script. It was said Hicks had agreed to stop the practice.

American Seating Gains Net profit of the American Seating Co. after the I.T.O. depreciation, Federal taxes and other charges was $134,075 for 1934. This is equal to 60 cents a share on capital shares outstanding exclusive of 27,125 treasury shares, and compares with a net loss of $174,007 for 1933.

Century Case on Today Hearings on Century Circuit's complaint against RKO in Long Island will be resumed today before the Jack L. Warner executive board and zoning board.

Basil Rathbone intends to leave for Hollywood in six weeks. He has turned down an offer by M-G-M, was to appear in "Anna Karenina," with Greta Garbo and Fredric March. Rathbone is anxious to play the Shakespearean role in "The Taming of Two Cities," but will most likely be signed by a company other than M-G-M.

Captain Richard Norton, British and Dominions producer here on a visit, was yesterday at WOR's station yesterday at WOR's station yesterday interviewing Bide Dudley. The subject of the interview was British music and "Brewster's Millions," in particular.

Quip of the Day Imaginary conversations, imagined by Joe Stein:

Patron (to cashier)—"If you recommend the picture playing here tonight?"

Cashier—"I would, but the manager seems to be recommending the picture playing at our competitor's house. There's a big account for the fare, I always say.

Fred Meyers, master of the West, Western loan branch, for a minute thought word of his appointment, published here, had gone to another merely because the lines matter forgot the final "S.

Frank Morgan arrives in town this morning on a vacation trip. He has just finished work in M-G-M's "The Good Fairy."

James Clarke arrives from Phila-delphia tomorrow, his first trip here in several weeks.

Arthur Loew will fly to the coast again tomorrow. Foreign production angles need attention.

Meyer Schine and Bill Smalley, state circuit operators, leave for Miami today, but on different trains.

I'TO to Push Trust Action Vs. Midwest (Continued from page 1) of clearance. A committee was appointed to present all local independ-ents.

The I.T.O. was advised by its counsel that there exists sufficient ground for action, which is expected to be launched in a few days. Exactly what steps will be taken has not been de-clared.

Jay Means, I.T.O. head, asked John Flinn to stop off on his way east for a conference on clearance and other matters, but the Campy secretary wired he would be unable to visit the city now, but planned to be here in about two weeks.

Lazar to Get New Post Albany, Feb. 19.—Louis Lazar, who has been succeeded here by Moe Silver as district head of Warner distribution, was taken by the New York office as a district managerial post for the circuit in another key center, it is reported.

William M. L. Fiske, III, of First Division and Reginald Baker of Associated Talking Pictures, respectively, will prepare the case of a cocktails affair at the Waldorf Thursday. First Division will be the host in the hands-across-the-sea event.

Boris Morros, the old Southern (Kentucky) colonel, staged an informal reception and tea yesterday afternoon following a screening of "Ruggles of Red Gap" at Paramount.

Harry Hellman and his wife leave today for Sarasota, Fla. He operates the Royal, Albany. His son, Nat, was in town with him yesterday attending a code appeal hearing.

Edward Golden starts on a three-city trip today, Philadelphia being the first stop, Cleveland the second, and Chicago the last. He plans to return next Tuesday.

Al Freeman is to arrive on the coast today. He's been visiting a lot of First Division exchanges, making the trips with the aid of air service.

Sam Cokes is slated to return from Miami on Feb. 28. He managed to knock off a cold that has been bothering him for some time.

Albert Lewin, M-G-M associate producer is giving Broadway plays the once-over. He will be here about 10 days.

Maurice Grad, Columbia sales promotion manager, will return Monday from a vacation in Florida.

Ned E. Depp, A.H. and M. Gauslin are back from a trip to the RKO studios.

Jack Miller flies to New Orleans tonight, instead of going home to Chicago.

Joseph M. Schenck is due to leave today from the coast by plane.

Temple May Appear In New "Long Legs" Shirley Temple will appear in a re-charge of "My Long Legs," the title of which will be changed by Fox when the picture is released next season. The distributor is canvassing exhibitors on three new titles.

Fox originally planned four Temples this season, but will deliver only three. "Daddy Long Legs" will have been the fourth, but has been taken off the schedule. It will be the star's first next season.

Close Australian Deal Arrangements have been closed for the release of 25 Monograph pictures in Australia this year, starting next month. The deal was closed between Norton V. Ritchie, president of the Australian Film Productions, and M. Ehrenreich, managing director of Film Distributors, Ltd., Sydney, Australia.

N. O. to See "Marietta" Hollywood, Feb. 19.—M-G-M is planning to hold the world premiere of "Naughty Marietta" in New Orleans during the Mardi Gras.

Wall Street

Small Losses on Big Board

Bears are striving to keep a lid on the market, but their efforts are proving weak. One plus on the day was a 3% gain on the Wall Street stock index, which closed at 26.1.

Chicago, Feb. 19.—Adjusted main market index was 113 3/4, up 0.7%.

Mergers and consolidations are of the order of the day.

George Patrick, controller of the Loew's circuit, has been appointed to the board by the Warner public corporation.

Warner Bros. stock was 28 3/4 at the close of New York trading yesterday.

Forecast of the Day

New York, Feb. 19.—Forecast is for a New York rally, with a strong showing in the Stock Firsts. The average financial picture is sound, and the market has a real buying spirit, especially among the small holders.
From these small beginnings

BORN 1920... in 1935 a vital necessity to every theatre in the land . . . the driving-force of every picture-selling campaign. The cheapest and BEST exploitation ever devised. Produced and serviced to your theatre by the original creators of high-power trailers . . . a young, healthy nationwide organization of more than 700 "trailer-made" specialists bursting with ideas . . . still with one goal in mind . . . constant re-birth of technique and idea . . . that variety . . . zip and zest that has kept National Screen Trailers dominant in any theatre advertising campaign . . . on that complete service basis that makes the 15th Anniversary of

NATIONAL SCREEN SERVICE
Predict Low K. C. Scales Will Remain

higher scales early last fall. Three of the first runs, however, returned to lower scales after a trial of several weeks. Of the first runs, only the Pikes Newnan and the Fox Up-town have withstood the price-cutting wave.

The subsurbs blame Loew's and RKO for disrupting a swing toward a healthier price situation. They assert the citywide problem would have involved all the local exchanges had they maintained established scales. Ironically, though, those circuits blame each other and also the subsurbs for the necessity of slashing in self-defense.

While the first runs blame the neighborhoods' low prices, double billing and premiums for their own price revisions, the subsurbs claim that if the first runs had not reverted to lower scales they would have been willing to restrict those practices and institute price boosts generally.

FWC Officers Stay With Single Pitch

(Continued from page 1)

Charles Buckley and Charles Skou-
ras are in New York working on the
10-year joint operating contract Charles and Speros expect to sign with Na-
tional Theatre Corp. in about a week. Terms and conditions have been agreed
upon and papers are now being drawn.

Sherman Testifies in M. & S.-RKO Case

(Continued from page 1)

ing by Bruce Bromley in connection with arbitration hearings of Meyer & Schleis.

Sherman declared that his objections against RKO as a result of film play-
ing policies at the Hollywood and Apollo. Sherman admitted under quizzing
that Manhattan's film contracts with Paramount, Universal, Columbia and others had been
breached when Manhattan went into bankruptcy in 1932.

The hearing was adjourned until
tomorrow when, it is expected, Max D. Steuer, counsel for M. & S., will
call William Steiner, former official of the Apollo, to the stand.

ITOA to Pick Group To Ask State Probe

(Continued from page 1)

seeking to probe major circuit activities in this territory will be made today at a meeting of the unit at the Astor.

Bernard Barr, Rudolph Sanders, Dave Weinstock, John Benas and Harry
Pear are understood to have reached agreement.

At a meeting of the organization's directors yesterday discussions revolved
around the formation of short and
newscasts, which is claimed to be working hardships on independents.

Chaplains to Celebrate

OMAHA, Feb. 19—H. J. Chap-
man, Columbia exchange manager,
and Mrs. Chapman celebrate their
15th wedding anniversary Friday.

Looking 'Em Over

"Sweet Music" (Warriors)

"Sweet Music" relies for business on Rudy Vallee's drawing power. He dominates the picture and its music, which is always tuneful and frequently memorable, particularly the "Farewell, Amahlina" number, which is featured in the closing sequence. Its story is a light, inconse-
quential item, picked up from time to time between the performances of Vallee and his orchestra.

Ann Dvorak, night club performer, shows her dislike for Vallee when the latter is featured in a one-night stand while on
route to New York for a musical show. Vallee breaks into song during the show, which fails to open. Chance gets her on a radio program which features Vallee but she fails to click, and despite his efforts to
keep her on, she is dropped. After another short-lived radio venture, Miss Dvorak is brought together with Vallee once more at a benefit performance. They are a success, appearing in the number they had rehearsed for the musical which never opened, and their misunder-
standing is cleared away for a happy ending.

Vallee's performance is natural and pleasing. Comedy is contributed by Allen Jenkins as a publicity agent for Vallee; Ned Sparks as Miss Dvorak's manager; Robert Armstrong as a gangster with crooning
ambitions; Alice White as his sister, a chorus girl, and Joe Cawthorn and Al Shean, as radio program sponsors. Helen Morgan appears in one sequence. Miss Dvorak is satisfactory in her role. Frank and Milt
Beck's band have several comic sequences to bid for laughs.

The production is nicely styled and photographed. The direction, by Alfred E. Green, varies. While seeming to run a trifle longer than necessary, "Sweet Music," on the whole, stacks up as a good comic
musical which offers all Vallee fans a generous helping of the radio star.

Production Code Seal No. 536. Running time, 95 minutes. "G."

Allied's Setup Is Advanced by Court

(Continued from page 1)

on the $1,747,000 of Allied de-
bentures. The reductions continue to Jan. 19, 1945. Interest on the bonds is increased to five per cent and on the debentures to four per cent. The plan also proposes cancellation of Allied's $498,400 debt to New York Investors, Inc., the parent com-
pany. Additional miscellaneous debentures aggregating $1,400,000 are provided for in the plan.

The proposed settlement of Allied's $250,000 claim against Paramount
for $5,000,000, a new case in the Brooklyn Paramount and the Para-
mount theatres at Birmingham, Glens Falls, N. V., and Fremont, O., not included in the plan, having been reserved for special action by the Allied trustees. Negotiations are now under way between them and the Para-
mount trustees for an agreement on the method of issuing new Paramount
securities. The latter said Allied which will avoid a $50,000 transfer tax. The method of payment prescribed in the pro-
ceedings will be subject to the approval of the court and is not acceptable to the Allied trustees, it was said.

In addition to the Paramount the-
ares named, Allied is also owner of Loew's Kings, Pitkin and Valen-
ca. Stephen Callaghan, one of the three Allied trustees, has been assured a place on the new Paramount board of directors.

Lewis' report on the reorganization plan goes to Federal Judge Rock
in final confirmation, after which the plan will be sent out to creditors for their approval.

Approval Is Sought On Loew Settlement

(Continued from page 1)

Master John E. Joyce by counsel for the Flame.

The Loew New England theatres filed claims against Paramount for
triple damages of $5,000,000. Joyce submitted a counterclaim which could not be tripled when filed against a
bankrupt, indicating that the claims would not be worth $1,000,000. The settlement figure is expected to be about $50,000.

Deny Pickford Plans Series on Her Own

(Continued from page 1)

plastically denied today by Goldwyn
and Dennis O'Brien, her attorney.

The latter said Pickford plans to make a series under the United Artists' banner, but details have not been released.

O'Brien asserted the actress may make one or two with herself in the cast or perhaps a series with out-
side a-starashelp. However, if he makes the wise decision, he said, will be made
upon her return east next week.

Flash Review

Secrets of Chinatown—... sort of melodramatic entertainment ground out the tiring days of the indus-
try. ... This film will be reviewed in full in a later issue of Motion Picture Daily.
Going

. . . to the Scene of Action

Red Kann, editor of Motion Picture Daily, will be in New Orleans for the duration of the MPTOA Convention (February 25-28) to observe, report and interpret significant talk and action affecting interests of theatre owners and the industry-at-large.

Read it in

MOTION PICTURE DAILY
TERRIFIC MONEymaker!

SOCKO B.O. IN ALL SPOTS!

A BOX-OFFICE GOLD MINE!

THAT'S HOW THEY'RE ALL TALKING ABOUT

EDWARD G. ROBINSON

THE WHOLE TOWN'S TALKING

COLUMBIA'S NEW SMASH HIT!

WORLD PREMIERE
RADio CITY MUSIC HALL

A JOHN FORD PRODUCTION

Screen play by Jo Swerling and Robert Riskin
Based on a story by W. R. Burnett
Directed by John Ford
Para. Deposit Form Passed By the Court

Committee Now Is Able To Solicit Assents

Orders approving the deposit certificate forms of Paramount stock and bondholders' committee unit of the Paramount Broadway bonds were signed yesterday by Federal Judge Alfred C. Conk. Approval of the forms makes it possible for these committees to begin once the solicitation of assents to the Paramount reorganization plan.

Stockholders and bondholders who have not deposited with the committees now have 30 days in which to do so if they approve the plan, and holders who have deposited are given

(Continued on page 8)

Schaefer Will Miss Sessions of MPTOA

Hollywood, Feb. 20.—George Schaefer will not be present at the M.P.T.O.A. convention in New Orleans, as he had planned. He has been delayed here by studio conferences and will go directly to New York when he leaves, the latter part of the week.

Schaefer expresses himself as elated with the studio setup.

Adolph Zukor will remain on the coast for another two or three weeks before returning to New York.

ITOA Names Men to Study Shorts Sales

Following a discussion of the forcing of shorts, members of the I.T.O.A. yesterday named Bernard Barr, Dave Weinstock, Leo Brecher and John Bensa as a committee to investigate the local situation and report back to the organization for action.

Appointment of a committee to present charges against major circuits in this territory to the Senate and Governor Lehman was tabled yesterday for another session.

'S Forsaking' Is First Of January Champs

"Forsaking All Others" heads the list of Motion Picture Herald's "box office champions" for January. The other lucky ones are "The Little Minister", "Broadway Bill," "The County Chairman," "Bright Eyes" and "Lives of a Bengal Lancer."

Schulberg May Do Para. Series

B. P. Schulberg leaves by plane for Hollywood today to launch plans for an independently-made series of features for release through one of the major studios. He declined to discuss distribution.

However, renewal of his former deal with Paramount would occasion little surprise.

Sunday Bill Included in Kansas List

TOPEKA, Feb. 20.—Measures presented in the Kansas legislature which affect the industry include one by Senator Miller of Leavenworth repealing the 70-year-old prohibition against Sunday shows. It is being considered by the committee on Federal and state affairs.

While Kansas exhibitors want Sunday operation, they are not actively supporting this bill because the state is under a form of local option as to Sabbath showings, which is deemed

(Continued on page 8)

Cal. ITO Moves to End Short Forcing

LOS ANGELES, Feb. 20.—Alleged violation of the code by forcing exhibitors to buy more shorts than they need to get features is protested in letters sent by the I.T.O. of Southern California today to Campi, Content

(Continued on page 8)

ROOSEVELT ASKS 2 MORE YEARS OF NRA

Morris Kohn Passes Away Unexpectedly

Morris Kohn, affectionately regarded by those who knew him as one of "the grand old men" of the industry, died suddenly yesterday at Nazareth, Pa., where he resided. It is county place. He would have been 72 in June.

The end came unexpectedly. Kohn's health was excellent, but about noon yesterday he complained of not feeling well and retired. Shortly thereafter his heart action ceased.

Well known to the old guard, Kohn was the father of Ralph A. Kohn, for years one of the high executives at Paramount. Other children are Nor- man E., an executive in the Para- mount foreign department, and Ben- lah Goetz, wife of Jack Goetz, of Dayton.

Newsreels Agree on Sound Volume Level

All the principal newsreels—Fox Movietone, Hearst Metrotope, Para- mount, Pathé and Universal—have reached an agreement on uniform recording of sound. Hereafter sound will be recorded at about the same volume used in studios for features.

In the past sound volume has varied widely on the reels, with a general tendency to make it too loud, it is said.

(Continued on page 8)

Will Push NRA Quiz; Nye Seeks Ammunition in K. C.

By AL FINESTONE

KANSAS CITY, Feb. 20.—Exhibitor criticism of side-opposite operations is being gathered by Senator Nye of North Dakota, one of the foremost critics of the recovery legislation, to be used as ammunition in the debate in the Senate over NRA continuance.

W. D. Fulton, Kansas City exhib- itor, replying to a wire from Sena- tor Nye requesting information on

(Continued on page 5)

By CLARENCE LINZ

WASHINGTON, Feb. 20.—A thoroughgoing house operation is being gathered by Senator Pat Harrison of Miss- issippi, chairman of the Senate Fi- nance Committee.

The committee gave its approval to the resolution introduced last week by

(Continued on page 5)

Stronger Measures Are Demanded to Protect 'Small Fellows'

By BERTRAM F. LINZ

WASHINGTON, Feb. 20.—Extension of the National Recovery Act for a period of two years was today urged upon Congress by President Roose-velt.

Possibly influenced by the fact that Congressional investigation of the Re- covery Administration, soon to be initiated, may develop information dis- closing the need for drastic revision of the law, the President in his mes- sage made but few recommendations, and those largely of a general na-ture.

Briefer he suggested that the policy and standards for administration of the act should be further defined in the light of past experience; voluntary submission of rules should be encouraged by authority given for forcible imposition where an industry

(Continued on page 5)

Radio to Deliver 46, Depinet Says

RKO Radio will deliver a minimum of one picture this season, Ned E. Depinet, president of Radio Pictures Distributing Corp., said yesterday following his return from a three weeks' visit at the studios.

Of the expected number for the current season 21 had been delivered

(Continued on page 8)

SMPE Lines Up Plan For Spring Session

Tentative plans have been completed for the spring convention of the Society of M. F. Engineers to be held at the Roosevelt Hotel, Hollywood, May 20-24, during which nine technical ses- sions will be held.

A luncheon will open the convention the first day and the semi-annual banquet will be held the night of May 22.

The studio and Los Angeles theatres will be open to those attending the ses- sions as delegates.

No Paper Tomorrow

Motion Picture Daily will not publish tomorrow, which is Washington's Birthday and a legal holiday.
MOTION PICTURE DAILY
(Registered U. S. Patent Office)

Wall Street

Stocks Irregular on Big Board

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No Change on Curb

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RKO Bonds Up One

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No Playdate Bill

Dix Signed for 2 More

Presto, the film world's premiere at the Orpheum here Feb. 28. The showing was arranged especially to allow delegates at the M. P. T. O. convention to see the picture.

M. & S. Case Set Mar. 13

Hearings in the arbitration proceedings, involving the Hollywood and Apollo, will not be resumed until March 13. The last hearing was held on Tuesday and adjourned until today, but by mutual agreement between the parties it has been postponed until next month.

Cohen Goes West

Emanuel Cohen left New York for Hollywood yesterday with plans to return here in a couple of weeks. Prior to his departure, he said he would make no deal on the coast but would return over the current production situation.

Frank Conklin Is Host

Frank Conklin, recently appointed assistant manager of the reporters bar at the RKO-Pathe-New York, has been on a tour of the Hearst hotels, was host yesterday at a party for critics, film executives and newspapermen, later in the afternoon for the coast.

Lederman Has the Flu

Les Lederman, Feb. 20—D. Ross Lederman has been confined to his home with the flu and Warners have replaced him with Howard Bretheron for the direction of "Dinky."
ANOTHER
GOLD
DECISION!

(on next page)
SUPREME COURT UPHOLDS THE GOVERNMENT!

M-G-M UPHOLDS THE INDUSTRY!

“Thar’s GOLD in them thar pictures!”

DAVID COPPERFIELD
Greatest Extended Run Hit in the history of motion pictures!

SEQUOIA
1935’s Exploitation Triumph!
Nominated among Year’s Ten Best!

WALLACE BEERY and Giant Cast in WEST POINT OF THE AIR
Thrilling successor to “Hell Divers” and just as BIG!

CLARK GABLE CONSTANCE BENNETT
AFTER OFFICE HOURS
Successor to “Forsaking All Others” Washington, D.C., premiere sensational!

JEANETTE MacDonald NELSON EDDY
in VICTOR HERBERT’S STAGE HIT
NAUGHTY MARIETTA
Coast advance notices predict greatest musical of all time.

JEAN HARLOW WILLIAM POWELL
RECKLESS
Unique musical melodrama, Jerome Kern melodies. Biggest Song and Spectacle Show M-G-M ever produced!

FLASH! Telegram from E. J. Sparks, Community Theatre, Miami: “‘AFTER OFFICE HOURS’ broke all existing records Sunday! Monday set another Monday record and almost equalled Sunday!” FLASH! “NAUGHTY MARIETTA” Coast Preview sensational!
2 Years More Of NRA Asked
By Roosevelt

(Continued from page 1)

"abusers" under the code, stated that unless the code is drastically revised "it will eventually strangle the small theatre man."

The senator's questionnaire makes it clear that the exhibitors believe the code has increased, as opposed to the similar code existing in other businesses. His wire to Fulton was as follows:

"During the past year many have presented to me their discouraging experiences under the NRA and its codes. In view of the immense legislation to extend the NRA, I should like to learn from you and your associates whether the abuses in connection with the SNRA and code authorities have been corrected.

"If the businesses and industries of which you have personal knowledge are being benefited by the codes and the administration of codes by code authorities, I should like to be so advised. If this is not true, I would appreciate specific information concerning the abuses which may exist."

Sees 'Draastic Revising' Needed

In his reply, Fulton told the senator:

"The motion picture code will need drastic revising to apply to the thousands of independent theatres. In fact, it is my opinion that as actually administered it is more detrimental than helpful and unless changed will eventually strangle the small theatre man. It is possible that a code could be drawn up to greatly help our business, but until the monopolistic grip of the large producer-distributors is broken, I will take my chances under the Sherman anti-trust laws in our courts.

"We have no clearance and zoning schedule here, but the chain (Fox Field) which complexates the suburban situation wrote just what it pleased in film contracts and we take it or close up. The independent theatres talk big but are not in a position to do anything unless they go to court—and in about five years.

"The makeup of the Code Authority is entirely producer-controlled. The makeup of our local boards is entirely producer-controlled," it was charged by Fulton, who said that the Kansas City grievance board had one producer and three independent, Jay Means. "Means is head of the local I. T. O.

"I think any alterations of the set-up should be an exchange of representation between independent theatre owners on one side and the producers-distributors-exhibitors on the other. This will be useful, plus the antitrust laws should be reinstated. They are our only salvation," Fulton concluded.

Maynard Case Adjourned

Los Angeles, Feb. 20.—The code committee hearing on C. C. Burr's Maynard case was adjourned Tuesday evening, after a long session extending into the early hours of the morning.

(Continued from page 1)

Senators Nye and McCarran, listing 21 charges of oppression of small business under the codes. The inquiry will be conducted by the commerce sub-committee headed by Senator William H. King of Utah, whose group would include Senator Wayne D. Borah of Idaho, enemy of Recovery Administration, with Lowell Mason, counsel for the Darrow Board, as attorney.

King, however, has indicated that he will go ahead with his probe, regardless of the finance committee's action.

Cal. I.T.O. Moves to End Short Forcing

(Continued from page 1)

Superintendent Director Sol A. Rosenblatt, superintendent of Allied, and all local and New York distribution offices.

The counsel had charged the exhibitor is utterly helpless against the practice complained of. Among the tactics allegedly used to force the exhibitor to comply with denial of further product and issuance of C.O.D. on so-called "delinquent" shows and features sent to them.

The L. O. T. O. demands the situation be immediately remedied by making required adjustments retroactive with the 1934-35 season. "If this is not done immediately," says the organization, "we will be compelled to take necessary action in Federal court."

The L. O. T. O. is asking John C. Flynn to whom the exhibitor is to appeal, pointing out that the county body has taken no action in the matter.

Copies of all correspondence have been sent to the Department of Justice.

Heard on Sunday Bill

Albany, Feb. 20.—The Berg bill permitting Sunday theatricals was opposed at a public hearing today by President Frank Gilmore of Actors Equity. Paul N. Turner of Equity, said the bill would deprive New York City hospitals of $250,000 receipts from Sunday night benefits. Senator Berg said if the bill would hurt the hospitals he would drop it. Florence Reed, Madge Kennedy and Selena Royce also opposed the measure. Dr. Henry Moskowitz of the League of New York Theatres favored the measure.

Objections to Count Where

Charges that Louis Nizer was "tricky and unfair in his questioning" of witnesses by a New York circuit judge during the "gypoed" in the pooling arrangement between Century and RKO were made by Mitchell Kluttz, attorney for Nizer, with the charge that a clearance dispute in Long Island gained ground yesterday before the local board. At one time during the session, Nizer asked the board to reprimand Kluttz for his remarks. The arguments, mostly on technicalities, developed into a query by both sides as to who was running the board. Nizer accused Kluttz and Kluttz charged his opponent with "falsehoods," however.

During one of the heated opposition, Kluttz said to Nizer: "Let's ask Orson Welles, how many objections you have made so far?"

Nizer responded: "Orsintz can't make you a good lawyer. Kluttz shot back: "Neither can be you a good one."
The board laughed heartily at the remarks, but Leo Abrams, chairman, struck the gavel and the New York Picture Daily's tabulation for objections during the morning session was 44 for each counsel. The first session was overruled on nine of them. The afternoon session was quite mild, the legal combatants settling down to a reserved procedure.

Hearing Lasts Four Hours

Yesterday's hearing lasted four hours, two in the morning and two in the afternoon. The first session took five hours and resulted in 176 pages of testimony.

Thomas Murray of Central States occupied the stand the entire day with the exception of interruptions when Fred Schwartz and Julia M. Nelson were called to testify about the advertising and mailing list statistics.

Most of the hearing was devoted to the question of whether or not RKO for pooling certain Long Island houses, exhibition contracts with reference to clearance, advertising and mailing lists. Murray was discussing 1932-33 contracts, Century made with major and independent companies when the meeting adjourned at 10:30 today.

Sitting on the board were Laurence Golombok, former judge Alfred E. Steers, Robert Wolf, Abrams, Edward Rugoff, Eugene Picker and Harry Shifman. RKO brought most if its witnesses from the first hearing, while Century had about seven on hand. Pete Harrison, Roy H. Danes, Elwood Kluttz, Edward Schieter and Nat Cohn of Columbia were among the 25 spectators.

Don Douglas with R. & R.

Dallas, Feb. 20.—Don Douglas, former secretary of the local code board, has joined the Rob and Rode. His place on the board has been taken by former secretary of the Dallas Film Board of Trade.

Approve "Folies Bergeres"

Hollywood, Feb. 20.—"Folies Bergeres" has been approved by the Pro-14 for Administration and given the seal No. 600.
This week Rudy in the Warner Bros. Manner
Ann Dvorak in a Dancing Surprise
The Connecticut

Helen Morgan in Her Ace Torch-Song
Ned Sparks in Dead Earnest
Allen Jenkins in Battle

the box-office success

-with the enthusiastic assistance of Ann Dvorak, 99-
AL LEE will make

Frank & Milt Britton's Band in Turmoil

100 Girls in the "Fare Thee Well, Annabelle" Number Staged by Bobby Connolly

Alice White in a Flit-Wits

Joe Cawthorn & Al Shean in Conversational Difficulties

All in a Story by "20 Million Sweethearts" Authors

ESSOR TO "DEVIL DOGS"

2 BANDS, 6 SONGS, 100 GIRLS, DIRECTOR AL GREEN, AND R BROS.
Sunday Bill Included in Kansas List

(Continued from page 1)
satisfactory. The state administration is said to be disposed to let things stand as is.

On the other hand, a bill has been introduced prohibiting the sale of merchandise in Kansas on Sundays. This is, it is believed, hit at the many subterfuges taken to do business on Sunday, and this afternoon Representative E. A. Briles, who operates a theatre at Stafford, Kan., is sponsoring a measure to amend the censorship laws whereby pictures may be sold in Kansas before being censored by the state board. This is considered a strong measure. Should the bill pass, it will not be possible for distributors to write contracts as they have been doing. The law now provides that films cannot be used in Kansas unless the bill is pending in the Senate for passage with amendments.

Two other cinema bills in the Senate to prohibit discrimination in the selling price of commodities to merchants in different parts of the state with intention of destroying competition. While its purpose is general, observers construe the bill as affecting film rentals, as between separate towns and as between circuits and individuals.

“Sweet Music” Opens

Rudy Vallee fans crowded the Strand last night for the opening of “Sweet Music,” his initial film for Warner Brothers, as well as his first starring role in person. The premiere attracted Paul Whitman, Alice Faye, Richard Hageman, Fred Waring, Abe Lyman, Edmond Gould, Ethel Seeley, Ben Fields, Arthur Tracy, Jean Lang, the Stuart Sisters, Smith & Dale, Jane Froman, Johny Green, and others prominent in the amusement world. Albert, Harry M. and Jack Warner, S. Charles Einfeldt and Gradwell Sears represented Warners.

Three hundred amateur radio critics will attend a performance of “Sweet Music” at the Strand and radio stations. They will broadcast their impressions of the picture over WNEW as they leave the lobby, where a microphone will be rigged up. Einfeldt, Warners advertising and publicity chief, arranged the stunt.

Mrs. Woestmann Buried

St. Louis, Feb. 20.—Funeral services were held here for Mrs. Louis Woestmann, sister of Fred Wehrenberg, president of the M. F. T. O. She passed away suddenly last week at her home at a farm at DeSoto, Mo., following a heart attack.

Charles Koch Passes

New Orleans, Feb. 20.—Charles A. Koch, manager of the Municipal Auditorium, for several years, dropped dead here today from heart disease while at work.

Plans 7 Big Houses

London, Feb. 20.—Fred Bernard's Union Cinemas will build seven big theatres, some 3,000-seaters, including Bath, Belfast and Huddersfield.

Radio to Deliver 46, Depinet Says

(Continued from page 1)
up to February, leaving 26 to complete the schedule. No applications are anticipated for next season, Depinet said, explaining that the Radio studios of appropriate groups have been invited to submit proposals for 45 to 50 features per season. Any increase over this average, he said, would have to come from outside producers releasing through Radio.

The company's annual sales convention will be held in late June or early July at a city not yet decided, but will be held, with the choice probably resting with either New York or Chicago. There will be only one large meeting, Depinet said, the idea of regions having been vetoed.

Depinet stated that Robert R. Sisk, assistant to J. R. McDonough, head of RKO Radio Pictures, was being groomed for a production berth. It was considered that Sisk, former RKO advertising and publicity head, may have a production unit on next season's schedule.

Depinet expressed enthusiasm over the balance of releases for the current season, which includes two musicals, in which Marlene Dietrich, "Rola"; two Hayworths, and a Richard Dix western. None of the "stars" pictures or real box-office attraction. Next week's program will be another large meeting, Depinet said, the idea of regions having been vetoed.

Elliott Will Take Radio to Mongolia

In a carefully condensed statement of the allegations that he has made, Ben H. Atwell let it be known that when Clyde Elliott leaves the coast for China next month to film "China Radio" for Columbia he will have a short wave radio set and airplanes.

"The expedition," he says, will constitute the most significant event in the history of the industry to use a distant land and its people for the background of a film production. "Furthermore, the broadcast of the communication plant is unprecedented and in some respects transcends the achievements of the Byrd expedition."

Apparently he hasn't heard that Fox has its only post in touch with Shanghai located by short wave, but has played the sound track back nightly to keep the boys in touch with their rushes.

Para. Deposit Form Passed By the Court

(Continued from page 1)
the same length of time in which to withdraw their deposits if they do not approve. Thus, after March 21, stockholders will have a positive vote to determine their proposal of stockholders for adoption. In anticipation of the bill it is anticipated that the number of stockholders will be increased during the next 30 days.

The stockholders' committee now has about $88 per cent of the outstanding Paramount stock on deposit. The bondholders' committees' holdings average about 60 per cent. Under the reorganization statutes, the plan must have the approval of a majority of the stockholders and the three-quarters in amount of all classes of creditors, including security holders, before it can be made effective.

Counsel for the Paramount trustees yesterday filed a bill of lease claim of $443,832 brought against Paramount by the Missouri, St. Louis, contending that the claim had been paid and the present holders and that damage there should be fixed at that amount. It is the feeling of the theatre that the lease claim had been terminated with the landlord's re-entry, shortly after Paramount relinquished the property, assuming that the claim was a subject, in any event, to a counter claim being brought against the landlord by Paramount. The set forth that the theatre lease had been terminated with the landlord's re-entry, shortly after Paramount relinquished the property, assuming that the claim was a subject, in any event, to a counter claim being brought against the landlord by Paramount. The

E. M. Loew Award of $75,000 Agreed On

Sentence of the E. M. Loew anti-trust claim which will yield $75,000, was learned yesterday. Papers asking court authorization to set forth the legal claim are being drawn and will be filed with Special Master John E. Joyce within the next few days.

The Loew claim against Paramount was filed for triple damages of $5,000,000, and was based on litigation begun by the Boston independent circuit prior to Paramount's bankruptcy. The litigation had proceeded as far as a trial on the issue of liability before a special master in Boston who subsequently submitted a report recommending a judgment of approxi-mately $300,000. Loew's lawyer, Joyce recently ruled that triple damages could not be collected in an anti-trust action against a bankruptcy, indicating that the Loew claim might be subject to a reduction from $5,000,000 to about $1,650,000.

Newsreels Agree on Sound Volume Level

(Continued from page 1)
This has made it necessary for projectionists to use faders. The new agreement will be effective with issues appearing March 4, and warnings to projectionists will be pasted on the film cans.
HERE SHE COMES

Strike Up the Band!... Let 'em play Dixie!... Here comes that Show Boat, PARAMOUNT'S "MISSISSIPPI"... a floating palace of entertainment, loaded to the gunwales with the most glittering galaxy of stars ever assembled on one deck... bringing you melodicus music, side-shaking laughter, dancing, excitement, action and rare romance!

PARAMOUNT'S 'MISSISSIPPI'
THE GREATEST SHOW AFOAT

SONGS!

Adolph Zukor presents

BING CROSBY

W.C. FIELDS

JOAN BENNETT

“MISSISSIPPI”

with QUEENIE SMITH, JOHN MILIAN, GAIL PATRICK

Hear Massa Bing, the Singing Killer, Sing “Down By The River”, “Soon” “It’s Easy To Remember” and a new arrangement of “Swance River”

EXTRA!

Meet W.C. Fields as Commodore Jackson, Champion Calliope Player of the Seven Seas!
FRED KOHLER • CLAUDE GILLINGWATER

From the play by Booth Tarkington • A Paramount Picture • Directed by Edward Sutherland

ROMANCE!

Thrill to the Melodic Hero of Dixie who wins the most luscious maiden in the Mint Julep belt!

SENSATIONAL!

See the Ethiopian Quintuplets—Wonder of the World!
The Five Cabin Kids—Sun-tanned Singers of Novelty Melodies

DANCING DYNAMITE!

"Alabam"—Syncopating Singer, Dancing Explosive, Belle of the Bayous!

THE BATTLE OF THE CENTURY!

The Notorious Colonel Steele in the Battle of the Century with Dead Shot Cap'n Blackie, Unchained Alligator of the Dismal Swamp!

Music and Lyrics by Rodgers and Hart
THE SOVIET'S PICTURES AND THE AMERICAN MARKET

OFFICIAL PROGRAM OF M.P.T.O.A. CONVENTION

VICE PRESIDENT GARNER PRESENTS QUIGLEY AWARD

PRODUCERS SPEND TWO MILLIONS FOR STAGE PLAYS

And all the other news of the screen world—with all the service departments of the industry's service journal.

MOTION PICTURE HERALD
Expect More Than 500 at MPTOA Meet

With Wives and Others, Total May Be 1,000

A registration of more than 500 exhibitor delegates is expected at the M.P.T.O.A. annual convention which gets under way Monday at New Orleans, officers of the organization stated here Thursday. The full registration is expected to approximate 1,000, including wives of members, representatives of distribution and equipment companies and other non-members of M.P.T.O.A. who will be on hand.

Exhibitors from New England and the nearby eastern territory began gathering here yesterday to join the large New York contingent which will travel to New Orleans on the convention special which leaves here Monday and returns Saturday.

Sabbath Show Bill Is Up in Tennessee

NASHVILLE, Feb. 22.—A bill permitting Sunday shows by local option has been introduced in the House by Representatives Charles Brown of Memphis and Robert Brown of Hickman County.

The measure provides for unstricted Sunday theatrical performances where five-fifths of a city commission votes approval. A bare majority vote would only permit the holding of Sunday shows intended for charity.

Open Sundays Vote Asked in Delaware

WILMINGTON, Feb. 22.—Provisions for a referendum to decide whether or not films can be shown on Sundays in cities and towns is included in a bill introduced in the House at Dover yesterday.

If a majority vote favors Sunday shows, they could then be put on after the adoption of permissive ordinances by local governing bodies.

Ohio Bill Asks 10% Ticket Tax Return

COLUMBUS, Feb. 22.—A bill has been introduced in the House to restore the 10 per cent admission tax in effect prior to Jan. 1. The 10 per cent was temporarily set aside in favor of a three per cent gross receipt tax at the time of the passage of the sales tax.

English Seek New Deal for Film Buying

Want New Credit Terms, Standard Contract

By BRUCE ALLAN

LONDON, Feb. 12.—Drastic revisions in present trading methods were demanded by a deputation from the Cinematograph Exhibitors’ Assn., which met members of the Kinematograph Renters’ Society.

Councillor J. Pollard, exhibitors’ president, submitted proposals asking: Inquiry into the credit restriction scheme, under which certain exhibitors are required to pay bills at short dates, on penalty of receiving no film supply.

Extension of the “no exhibitor” reduced rental terms to theatres taking up to 4½ per week.

Acceptance by distributors of a dividend of Loew’s Up to 50c Quarter

Loew’s, Inc., has doubled the annual dividend rate on the common stock, it was revealed Thursday. The board of directors met the day before and declared a 50-cent quarterly dividend, against 25 cents paid previously. This is payable March 30 to stockholders of record March 15.

The company has paid the 25-cent quarterly disbursements since March, 1925.

F. D.-British Deal About Ready: Baker

Final details of the five-year reciprocal distribution deal between First Division and Associated British Film Distributors will be worked out here between Harry J. Thomas, president of the former company, and Reginald Baker, general manager and financial head of the English firm, Baker & Weisman.

Balcon Here to Get Talent for Gaumont

To further the Gaumont British plan to cast American players in the company’s pictures made in England, Michael Balcon, production head, arrived Thursday on the Olympic, en route to Hollywood where he will spend six weeks signing up about 20 players.

He has brought with him several English players who are well known on the stage here. They will be given a chance to break into pictures and it is expected they will be in the company for at least a year or two.
MOTION PICTURE DAILY

Purely Personal

WILLIAM KUPPER today leaves for Chicago for a two-day visit, following which he will go to Seattle, Portland, Los Angeles, San Francisco, Salt Lake City, Denver, Omaha, Des Moines, Kansas City, Oklahoma City, Dallas, St. Louis, Memphis, New Orleans, Atlanta and Charlotte in the order given.

CHARLES LAUGHTON, his 20th Century's "Les Misérables" finalist, will get into town from the coast today just in time to catch the "Champlain" for England, where he is to make a picture for London Films.

Quip of the Day

Fred Meyers, noticing a Motion Picture Daily item stating that "Les Misérables" will be in New York Thursday, said: "I didn't think the RKO bankers had anything left." 

E. C. GRAINGER, who was in Pittsburgh yesterday, is due in Indianapolis today. On Monday he will be in Cincinnati and from there he will go to Chicago and Buffalo.

EDDIE GOLDEN, general sales manager of Monogram, was in Philadelphia yesterday. He is going on to Chicago and Cleveland next week.

LILLIAN SILVER, secretary of the local grievance board, called it a double holiday yesterday. Her birthday happens to fall on the same day as George Washington's.

M-G-M Buys 'Maskerade'

London, Feb. 22.—It is reported here today that M-G-M has purchased the picture now in its 18th month here, has bought of M-G-M for $100,000. It is planned by the studio to make a film in Hollywood with Helen Hayes as the star.

Willy Forst, who directed the picture, has returned from Europe where he has been shooting a movie there with the Columbia picture company. He was here in Hollywood last week as a visitor.

M-G-M home office executives Thursday morning were given nothing of the purchase of "Maskerade" in London, but advanced opinion the deal may have been closed on the coast.

Monogram in Cuban Deal

Norton V. Ritchey, president of Ritchey International Corp., foreign distributors for Monogram, has formed a new company, "Cuban Films," to handle that territory for the next three years.

To Try More N. O. Vaude

New Orleans, Feb. 22.—More than two hundred across the country have announced plans to enter the stock for the upcoming "N. O. Vaude". This is the biggest such event in the history of the company, but there are reports that the film will never be released.

F. D.—British Deal About Ready: Baker

(Continued from page 1)

stated Thursday upon his arrival on the Olympic, William M. L. Fiske, 3rd, First Division vice-president, was in London today.

The contract between the two companies was signed some time ago, but negotiations have been necessary in the offices of British Talking Pictures in England. Baker explained his trip as an attempt to get a contract with the firm. Fiske had said his company did not plan to do business in America, but that Basil Dean would come over in the fall to study American production angles. A. B. F. D. will make from 20 to 24 features for the 1934-35 season, Baker explained. He has in February, March and April, and planning to make three a month and one in May. The contract is for 12 months, and the studio will go to the coast in a week.

F. D. will not use the reciprocal contract, adding that First Division may participate with B. P. T. in production abroad. This plan is being considered by the company since Oct. 19. He visited London and Paris on business and will not return until February. First Division has appointed Paul Graetz as Continental European head with headquarters in Paris. About 10 salesmen are handling the company's product in Europe. No other foreign offices are being established, he said. Fiske said, "We are not interested in Europe at this time. We hope to get to Hollywood in a week to confer on production.

First Div. Entertainers


Servers for Kohn

Funeral services were held at the Universal Funeral Chapel at 2 P. M. yesterday for Morris Kohn, pioneer New York distrover with News, who was buried at Mt. Hope Cemetery in Westchester.

Honorary pallbearers were Nicholas M. Scheck, David Bernstein, Adolph Zucker, Elek J. Ludvigh, Reuben Samet, William Mayer, Louis Zuckor, Harry Goetz, Carl Kaulman, Mel Shauer, Al Kaulman, Harry Goetz and Leon Friedman.

Douglas Z. Doty Buried

Los Angeles, Feb. 22.—Funeral services were held today for Douglas Z. Doty, screen writer, who was stabbed to death in Hollywood yesterday morning.

He collaborated on the screen play of "Laughter," which won an Academy Award as the best picture of 1931. Doty was one of the key figures in the business.

U. A. Meet Set in May

Tentative plans for the United Artists sales convention call for the meeting to take place in Hollywood in the latter part of May. Representatives of U. A.'s affiliated London companies will attend.

Balcon Here to Get Talent for Gaumont

(Continued from page 1)

about a dozen scripts, for which he will compete for the award.

"Gaumont British knows it has a big market in England," he said upon his arrival, "and we are striving to increase our production to meet the demand."

"It has been our plan right along to cast American players, but now we are going to try them in a big way," Balcon said.

While here, Balcon will discuss 1935-36 production with Arthur Leon and other executives. The company plans a maximum of 24, 16 of which will be brought over for distribution here. In addition to the Gaumont British films, the American subsidiary will handle pictures made by outside producers.

Balcon will leave for the coast Thursday to look over Hollywood production in addition to signing talent. He said he is willing to offer the Gaumont British talent for American companies. Arthur Lee may accompany him, but his status is expected to arrive here some time in April.

Before Balcon returns abroad he is expected to announce the complete line-up of pictures and talent.

Hollywood, Feb. 22.—George Arliss leaves March 2 for New York en route to England where he will make a second Gaumont British picture. Michael Balcon, production head, is due here late next week to confer with Arliss before he leaves.
English Seek New Deal for Film Buying

(Continued from page 1)
standard contract approved by exhibitors.

Proposals to limit overbuilding,
"Sympathetic consideration" of these suggestions were promised by John Maxwell, president of the K.R.S.

Recently threats were made that the C.E.A. would ask legislation to protect its members against oppressive trading methods, which are alleged against American firms chiefly.

** A recommendation from the licensing committee of the London County Council was given in a full council yesterday asking it to permit the exhibition of films on Sundays from 5:30 P.M. instead of 6 P.M.

Immediately the half hour concessions was announced, the Lord's Day Observance Society sent a telegram of protest to all members of the council. It was announced subsequently at the council that the recommendation would not be submitted. An opportunity is to be given to the L.D.O.S. to state its case to the licensing committee.

** Begin Restrictions On Quebec Showings

(Continued from page 1)
Beaulac, chairman of the Quebec censor board, has begun enforcement of regulations covering non-theatrical shows.

Non-fireproof films cannot be shown in buildings or halls without proper exits. Non-theatrical shows can be given in a structure which has not been approved by the inspector of industrial establishments and public buildings who will determine the number of persons to be admitted.

No steps have been taken to prohibit admission of juveniles to film shows in places other than theatres and exhibitors are disappointed. Children under 16 years of age have been barred from theatres for the past six years.

** Putnam First Cohen Appointee to Resign

George Palmer Putnam is one of the first of Emanuel Cohen's appointees to follow him out of the company. Putnam was eastern head of the editorial board. He had been with the company for three years.

Cohen and Putnam first became associated a number of years ago when the former was head of Putne's News, the latter was connected with the publishing house which bore his father's name. He headed an expedition for which Putne had exclusive rights.

"Pimpemel" at $72,680

"The Scarlet Pimpernel" hit $72,680 for the second week at the Music Hall, which is good money on a holdover. "Blessed My Wife" at the Roxy garnered $32,000, netting the house a handsome profit.

MOTION PICTURE DAILY'S
HOLLYWOOD PREVIEW

"Mississippi" (M-G-M)

Hollywood, Feb. 22—Bing Crosby's crooning, W. C. Fields' comedy and Joan Bennett's beauty unite in name and talent array to make this production of showboat and plantation life colorful and interesting.

Booth Tarkington's basic story—twice before produced, once as "The Fighting Coward" and again as "Magnolia"—receives a new sight-and-sound treatment via Edward Sloman's direction from Claude Binyon's and Herbert Fields' adaptation and Francis Martin's and Jack Cunningham's screen play.

The story opens with Bing, engaged to Gail Patrick, refusing to engage in a pistol duel with John Miljan over an imaginary slight to her honor. Miss Bennett, Gail's sister, approving Bing's ideals, falls for him as he departs to join Fields' showboat troupe. Publicized by Fields as the "singing killer," Bing in self-defense fights Fred Kohler, who accidentally shoots, killing himself. With an unearned reputation preceding him, Bing returns to his home, tells off Miljan and sweeps Gail with him.

Crosby in the best box-office manner sings the Rodgers-Hart songs, "Down by the River," "Soon," and "It's Easy to Remember, Hard to Forget," and his own applause-winning version of "Suwanee River." Fields' comicities kept a preview audience in stitches. Miss Bennett's charm radiates, Queenie Smith, Claude Gillingwater, Miss Patrice, Miljan and Kohler are cast in support, with colored cabin kids providing natural entertainment.

Arthur Hornblow produced for a maximum of eye and ear effects. Scenographie direction registers.

Electric-light names, the title and the colorful locales give a fine exploitation foundation for showmen.

Production Code Seal No. 540. Running time, 80 minutes. "G."

"West Point of the Air" (M-G-M)

Hollywood, Feb. 22—Crammed with flag-waving, father love and stunt flying, this one is good hokum with thrilling moments and exploitation angles and should be box-office.

Wallace Beery, cast as a flying instructor sergeant, is not as hard-boiled as he was when growing up with aviation pioneers, but instead is the tender father of Robert Young, flying cadet. West Point football hero and pilot Maureen O'Sullivan, daughter of Lewis Stone, flying school commander.

Young's football prowess brings him to the attention of Rosalind Russell, who follows him to a Texas flying field, interrupting his romance with Miss O'Sullivan. Young and Miss Russell in a parked car interfere with a cadet landing in a plane. The plane crashes and Young is sent in the air to restore his nerve, but he damages his landing gear while aloft. Beery goes up, jumps onto Young's plane and lands it for him.

On the ground father and son have an argument and Beery strikes the youth. Beery is dishonorably discharged for hitting a superior officer, Young. Eventually Beery shames Young into continuing his flying, forcing him to take part in air maneuvers. Beery crashes and is saved by Young and restored to the service, while the youth and Miss O'Sullivan reunite.

The photography, especially the aviation scenes and shots of plane maneuvers, is exceptional. The direction of Richard Rosson is nicely timed and production by Monta Bell suitable.

The supporting cast, headed by Russell Harding, Robert Taylor and Frank Cady, is ably handled, with James Gleason brightening the offering with oblique relief.

No production code seal. Running time, 105 minutes. "G."

"It Happened in New York" (Universal)

Hollywood, Feb. 22—This is one sure-fire laugh entertainment with a hair misses being a truly fine picture. The performances and direction are of high caliber, but the story, in spots, keeps the film from being in the knockout category.

The story revolves around taxi-driver Lyle Talbot and switchboard operator Heather Angel, who are engaged to be married. Things start happening when Gertrude Michael, a dynamic Hollywood star, reaches New York. Seeking new romance and freedom from her fans, Miss Michael ditches her manager, Hugh O'Connell, and through several

(Continued on page 4)

Fox Theatres, Schenck Share Fox Met Stock

(Continued from page 1)
pledged as security for the $124,670 of the company's bonds outstanding.

Under the new reorganization plan, organized Fox Met, would issue approximately $6,000,000 of secured debentures to the bondholders for 50 per cent of their equity and approximately 250,000 shares of new stock for the other 50 per cent. The debentures that half of the new stock to be sold by the bondholders to Schenck for approximately $500,000 cash and the other half to Fox Theatres for $300,000 cash and the resale of Fox Met, from the $5,000,000 Fox Theatres' claim, which for the purposes of the plan is allowed in the amount of $300,000.

Thus, if the plan receives court and creditor approval, Fox Met, bondholders would receive immediate cash amounting to approximately 20 cents on the $1, and would retain an aggregate $6,000,000 equity in the new company. In addition, the bondholders will receive warrants for a pro rata share in the approximately $2,500,000 cash in the possession of the Fox Met, trustee, after deduction of administration and reorganization expenses.

Would Continue as Operators

Skeumus and Randorf would continue as operators of the circuit under their present arrangements at least until May 1, 1936, the plan proposes. It is expected that Weisman, as receiver for Fox Theatres, would also become an officer, probably a vice-president, of the new Fox Met, because of his control of the theatres which would hold in the new company.

It is also considered probable that Fox Met Theatres will liquidate its new Fox Met, stock holdings and proceed with its own liquidation or reorganization thereafter.

Weisman and Randorf have said that final conferences on the Fox Met, reorganization plan would probably be held today or immediately following Schenck's scheduled arrival from the coast yesterday. He said he planned to go to Judge Mack on Tuesday to complete arrangements for filing the plan with the court. He said that he had been asked whether A. C. Blumenthal or Loebs had any interest in the plan and had replied that they had not.

"It is implied that a plan, to be acceptable to the court and to Fox Met creditors, would have to provide for an experienced industry man to head the new company," Weisman said. "I believe that Joe Schenck's qualifications, together with his freedom from exhibitor's connections, make him an ideal choice."

Schenck Flies East

Hollywood, Feb. 22—Joseph M. Schenck, as reported by Allan Burkam and Dennis O'Brien, left here last night by plane for New York.

"Talking" at M. P. Club

"The Whole Town's Talking" will be screened at the M. P. Club tomorrow night.
Expect More

More than 500 at
MPTOA Meet

(Continued from page 1)

on the second section of the Crescent Limited. Indications are that approximately 200 conventionees will arrive by this train. Additional groups will join this contingent at Washington, Charleston, and Atlantic City.

Special trains will also leave Chicago and St. Louis today, for New Orleans, with arrangements for a grand hotel reception, dinner, and entertainment at the courtesy joining each group having been made. Numerous others are expected from near-by official groups and local hotels.

Reservations at the Roosevelt, New Orleans convention hotel, were exhausted several days ago, according to advice reaching here. Overflow rooms will be quartered in nearby hotels.

An impressive list of industry leaders will be in attendance at the convention and many of them will address the business sessions. Among the latter are Sidney R. Kent, president of Loew's, Louis B. Mayer, head of United Artists, and Joseph A. Barnet, president of the M.P.T.O.A. The convention sessions will not open officially until Tuesday, Monday being reserved for registration, special events and a closed meeting of the M.P.T.O.A., board of directors, at which the annual election of the organization's officers will be held. Business sessions will continue through Thursday with the annual banquet terminating the convention that night. Social affairs of an impromptu nature are being arranged for Friday for the benefit of the many conventionees who will remain over for New Orleans' Mardi Gras festival, which gets under way Friday night and continues throughout the following week.

Airport Fair Is Off

NEW ORLEANS, Feb. 22.—The film fair at Shushan airport during the M.P.T.O.A. convention has been shelved permanently owing to the lack of interest both of local and national exchanges. Last year, the G.S.T.O.A. staged a film fair along Film Row which was the talk of all who attended. There was open house at all exchanges, free liquid refreshments, hot dogs and street dancing. According to those in the know, the fair at the airport would have cost approximately $5,000. Only $1,000 was raised.

Stars Attend Opening

NEW ORLEANS, Feb. 22.—Jeanette MacDonald, Nelson Eddy and W. S. Van Dyke, who directed Miss MacDonald and Eddy in "Rose Marie," are en route here for a personal appearance with the opening of the theater during the M.P.T.O.A. convention.

McLeod Won't Run

NEW ORLEANS, Feb. 22.—Harry S. McLeod, president of the G.S.T.O.A., declared he will not be a candidate for re-election when his unit meets here next week in conjunction with the national M.P.T.O.A. convention.

He also denied his association will affiliate with the Kuykendall group.

Maxwell, Ostrer in

New Circuit Move

(Continued from page 1)

worked up recently after a study by the directors.

Charles Guliver presided and a committee was named to study both plans and report to a meeting of all preference shareholders Wednesday.

Circuit buying is under way at present. B. S. has acquired a large holding in Union Cinema Co., Ltd. Arthur Jarratt, booking head for G.B., has joined the lot and will do booking. Thirty new houses are planned.

Assuredly has bought Dave Bros. Ltd. and Beards four London hotels and Astoria's Brighton and Margate, and is bidding for two other big circuits.

Gaumont British has also bought an interest in Hyams' eight H. & G. theaters. Jarratt has also been placed on the board of this circuit and will do the booking. Reports are that this circuit and Gaumont and H. & G. will jointly build the 4,700-seat Kilburn at a cost of $350,000.

St. Louis Operator

Files a Para. Suit

ST. LOUIS, Feb. 22.—The Abraham Lincoln Amusement Co., operator of a negro theater here, has filed an anti-trust suit against Paramount claiming $20,250 damages on the ground that it denied first run pictures after entering into a contract for them on Oct. 1. Triple damages are sought.

The circuit, which has never fulfilled the concern allege, and it was forced to close as a result.

U. S. Probe in Ohio

Is Reported Begun

CLEVELAND, Feb. 22.—It is understood here that a Federal investigation is being conducted into the effects of block booking and the operation of affiliated circuits.
"WE WANT CODE CHANGES", IS CONVENTION KEYNOTE

Kuykendall’s Regime Will Be Continued

He and Present Slate To Be Re-elected

New Orleans, Feb. 24.—Re-election for another year of Ed Kuykendall as M.P.T.O.A. president, as well as the entire slate of incumbent officers of the organization, is regarded as a certainty at the annual meeting of the M.P.T.O.A. board Monday.

A new secretory will be reelected to fill the vacancy caused by the resignation of Fred S. Meyer, who became an assistant to Carl Laemmle during the past year. Morris Lowenstein of Oklahoma City and Charles W. Piequet of Pinhurst, N. C., are regarded as likely candidates for the post.

In addition to Kuykendall, officers slated for re-election include Walter Vincen, New York, treasurer; M. E. Comerford, Scranton; M. A. Lightman, Memphis; A. Julian Brylawski, Washington; R. N. Berinstein, Los Angeles, and W. S. Butterfield, Detroit, as vice-presidents; Edward G. Levy, New Haven, general counsel.

(Continued on page 2)

Looks Like S. R. O. This Week in N. O.

New Orleans, Feb. 24.—The dual bill, composed of the M.P.T.O.A. convention and the Mardi Gras which trails it, is jamming the city.

H. R. Chase, general manager of the Association of Commerce, has issued an appeal to families with spare rooms to offer them to visitors to the Mardi Gras. "The hotels, large and small, will accommodate about 25,000 in a pinch," says Chase.

"On inquiry we learned that all had been booked to the limit. We also learned that even the hospitals which rent extra rooms on such occasions have been booked to the limit. Only"

(Continued on page 2)

Dangle Block Booking Angle To Force Cancellations Up

By RED KANN

ABURBAN M.P.T.O.A. SPECIAL, ATLANTA, Feb. 24.—It looks like a party. A big party. A handful of hours after this special, running as a second section of the Crescent Limited into the New Orleans playground, left New York Saturday night clinched the argument, if there was any, which there was not.

Socially, it looks like a big handful of days. Business-like, the convention looks interesting with results entirely in futures.

Bulletins out of New Orleans indicate the stagecraft has gone into overtime. The code, good old code will provide whatever fireworks develop. Once again, the ancient battle between those none too friendly enemies, the producer and the exhibitor, is about to be touched off, this time almost entirely through the code and what it does not provide.

Says the M.P.T.O.A. in effect even if not in this language:

"We have the code has done. It's over a year since it became the law. What we are interested in now is in pointing up what the code has not done. We admit the document was our means of keeping alive public exhibition of objectionable pictures through insinuation. Sunday playdates when family patronage is strongest.

Objection will be registered to the present status of the copyright laws which impose a $250 fine upon violators, whether conscious or otherwise, and without benefit of hearing.

A formula will be sought to effect clearance on a broad scale throughout the country, but based on admissions only. Probable is the development of a plan to bring about this objective through proposals in code revision, although details tonight are being jealously guarded.

Much attention will be paid to ways and means of increasing grosses by squeezing to its maximum dryness that which exhibitors get in product rather than continue to waste time by ranting against producers for failure to deliver"

(Continued on page 14)

They'll Be at New Orleans And Here's What They Want

MOTION PICTURE DAILY wired its nation-wide corps of correspondents to find out who'll attend the M.P.T.O.A. convention in New Orleans and what grievances they've packed into their bags for airing on the floor. What follows are the results of that check-up.

Benton from Upstate

ALBANY, Feb. 24.—William Benton, operator of the Congress, Saratoga Springs, is expected to attend the M.P.T.O.A. convention. No others contemplate the trip so far as can be learned. The M.P.T.O.A. has no affiliated unit in this section.

Eight from Southeast

ATLANTA, Feb. 24.—R. B. Wilby of Valdosta Theatres, Lionel H. Keene of Loew's, Inc., W. K. Jenkins of the Lucas and Jenkins circuit, Sam Moscow, southern district manager for Columbia, and H. O. Duke (Continued on page 14)
Dangle Block Booking Angle  
To Force Cancellations Up

(Continued from page 1)

written without precedent. We also understand that they have finally drawn and approved minus clauses to the effect that if showers or snow were wanted and couldn't get. Now we want them.

Are those things? For one, there is the situation on cancellations. Plenty to do about, and with, that I confess through, but only in 10 per cent provision, hamstrung with catches and tied up pertly in knots of various kinds isn't nearly enough. The concession. The figures are argued for 20 per cent during those murderous code formulation days in reporting in advance, that the way to something which it maintains simply will not do.

It wants:

1. Aiden the lification of the atmosphere on the 10 per cent arrangement. Simplification also to the end that exhibitions have or are to get without question, hindrance or sidetracking.

2. A hike to 20 per cent or, or: all deals in the blue or in the compromise at 15. The M.P.T.O.A. will be content with the half-way mark.

How It Hooks Up

All of this ties in with block booking. And block booking is the activities of sundry individuals in that sale. Washington this jaunt day for the most part of the small hours of Sunday morning. The exhibitor organization's attitude is that block booking will shrivel to a considerable profit minutes, or cancellations expand out into a more sizable one. It will argue, this observer is that block booking is not sound, or that they cannot consider unsuitable for their audiences. The M.P.T.O.A. is apt, very apt, to go all out. It is not a new idea, or a large place, unless something is done about cancellations, the organization will either get actively behind some of the block booking game, or it will insist, or the death of block-bookers contingent by remaining passive. That, if it is insisted, will be good stuff either way.

Open support against sales in blocks through the usual pressure on Congress is likely to sharpen the issue into something more tangible, their argument goes. Passive resistance of the antagonists, they continue, easily might hasten the same results.

Therefore, New Orleans may see a bit of real brewing with cancellations the spoils.

Oppose Blocks, But—

M.P.T.O.A. men make it clear that they have no desire to sponsor block booking legislation activity or otherwise. Chiefly, their reason for preferring to continue anti is their fear of block booking legislation. Customarily, the practice will revile the now famous, but gone, "right to buy" theory and result in a higher cost per feature. Also, there is the one-to-one ratio of their situation such an open market condition would bring about. Whether they mean it or not, whether they are clashing with the well-known brand of red herrings is a question, open kind, but this is their story.

Hold Star Value Slant

It works something like this:

The last so-and-so may have been so good. Too bad, but incapable is the point that, since the exhibitor has already bought it, he ought to do something about selling the film instead of shipping his feet.

Higher uppers in the M.P.T.O.A. ranks have computed—generously, of course—that of the total picture output per annum the peak load in big attractions rests at 25.

They also figure that in numbers of out-of-town showings, this as unsatisfactorily at six or eight. They continue:

The question happens? The average exhibitor makes gods and goddesses of them. The excitement naturally reflects itself in Hollywood, attitude to soar steadily toward the heavens. Ditto on rentals.

But exhibitors have to show the other product as well. If they did something about it, if they operated as the showmen are supposed to be, would, and should, it is easily conceivable that other stars might be made, thereby increasing the number of drawing cards at the till and making the general exhibition problem easier.

The impression that the film studios may sit down and wait for their grosses to pile up with no assistance drawn from the fount of their own imagination.

Hollywood will go into ecstasies over this.

The argument sounds, and is, interjected with a lot of hot air. Anyone who knows Hollywood, who has been doing alright for years through sheer indifference which sometimes is another name for ability.

If the conventionees can get away from Antoine's, Sazeracs and Ramos gin fizzes long enough to think, what's more, do something about it, this phase of the about-to-start parley easily may emerge as the highlight of the session.

Success Note

New Orleans, Feb. 24.—The M.P.T.O.A. convention combines with Mardi Gras to give the hotels here their highest registration in years. The Roosevelt has been sold out for several weeks past, according to Pat O'Shaugnessy, manager, who said rooms in one of his hotels has been booked solid for Carnival Week.

Tony Dowd's name of the Jung says all the rooms there are filled and will remain so until the conclusion of John O'Leary's of the St. Charles and Tony Stopfer's Continental likewise report capacity.

Kuykendall's Regime Will Be Continued

(Continued from page 1)

and Fred Wehrenberg, St. Louis, chairman of the board.

A new board of trustees and executive committee is also slated for election at the directors' meeting. Sam Dembrow, Jr., resigned as a trustee when he left Paramount to become associated with National Screen Service during the past year, leaving a vacancy to be filled. Other trustees include Kuykendall; Josephs Bernhard of Warners; Comerford; Ficquet; E. A. Schiller of Loew's; L. E. Thompson of RKO, and Vincent. Several replacements for this board are anticipated.

Meyer was a member of the executive committee and many believed that his successor as secretary will also be elected to the committee Monday. Several other changes in the executive committee are anticipated. Members now include Kuykendall; O. C. Lam, Sidney Lust, J. H. Michael, Jack Miller and Thompson.

Members of the board of directors are elected regionally by the affiliated units. No election of directors is scheduled at this time.

Contagion Spreads;
"U' Holding One, Too

New Orleans, Feb. 24.—James R. Grainger, the manager of Universal, is here from Atlanta and New York to look in on the exhibition convention and to hold a sales talk of his own with several of the Universal district managers assembled for the purpose.

W. J. Heineman, western district; Henry Herbel, headquarters in Chicago; John Ezell, headquarters in Atlanta, director of advertising and quartering in Kansas City, are here. Grainger will return to New York in a few days and in about four weeks again go to the coast, this time to prepare "O's" line-up for 1936-37.

Looks Like S. R. O. This Week In N. O.

(Continued from page 1)

Saturday morning we received telegrams and telephone calls from travel agencies and persons in places as far away as Cincinnati asking for accommodation reservations. New Orleans as a civic duty make available their rooms it will be impossible to accommodate them all.

Counting the number who will spend Mardi Gras Day in New Orleans, Chase bureau the crowd will total at least 200,000.

Gillham to Sit In

New Orleans, Feb. 24.—Robert M. Gillham, president of Motion Picture Herald and manager of Paramount's recently acquired public, is here for the convention, following 10 days of fishing in Florida.
PARAMOUNT PRESENTS A PREVUE OF "MISSISSIPPI"

starring

BING CROSBY
W. C. FIELDS
JOAN BENNETT

with

Queenie Smith, John Miljan, Gail Patrick
Fred Kohler, Claude Gillingwater

A Paramount Picture • From the play by Booth Tarkington • Directed by Edward Sutherland
THE GLAMOUR OF THE OLD SOUTH!—Bing Crosby playing the gallant to his lovely Dixie bride, Gail Patrick, amidst the romantic glamour of the Old South.

IN A JAM!—The old Man of the River, W. C. Fields, is jammed in between the doorway and Queenie Smith after an altercation in which the commodore comes out second best.

THE SINGING KILLER!—Bing Crosby sings love songs to lovely ladies, fights for honor and wins the prettiest gal in Dixie!

STYMIED HAM!—The steely glitter in Dead Shot Cap'n Blackie's (Fred Kohler) eyes interrupts the trajectory of some "ham-and" from the plate to the commodious mouth of the four-flushing river showman!

THE BATTLE OF THE CENTURY!—The Singing Killer in a struggle to the death with Dead Shot Cap'n Blackie, Unchained Alligator of the Dismal Swamp!

HERE THEY ARE... the Glittering Galaxy of Stars from the Greatest Jackson HIMSELF... Alabam, Dancing Dynamite of the Bayous... Fri of Novelty Melodies... A ship of Song, Laughter, Rhythm and Romantic
ANCING . . . EXCITEMENT . . . ROMANCE!

HAPPY ENDING!—With a happy song on their lips, Bing Crosby and Joan Bennett steam away with the Show Boat troupe down the broad highway of the Mississippi.

ANYWAY, IT'S LOUD!—The Champion Calliope Player of the Seven Seas hits a close one with the Notorious Colonel Steele, the Singing Killer.

LDRS ON THE LOOSE!—A tense moment when a friendly card game started with chips and glasses ends with pistols and knives!

NOT SO BAD!—Lovely Joan Bennett gets quite a shock when she learns that the notorious river desperado, The Singing Killer, is none other than her romantic troubadour, Bing Crosby.

THE OLD ARMY GAME!—What with bedlam rampant on the Show Boat and killers on the loose, the Skipper can't be bothered playing around in a woman's arms!

A SONG OF LOVE!—Bing Crosby sings his way into the heart of Joan Bennett, the loveliest lass in the Mint Julep Belt.
NATION-WIDE MERCHANDISING CAMPAIGNS TO PLUG PARAMOUNT’S “MISSISSIPPI”

National Newspaper Ads
Key centers throughout the country will be supported by a national newspaper campaign that will sell “Mississippi” as the most important entertainment event in the history of the community!

Music
Rodgers and Hart Hit Songs...Nation-wide window tie-ups...radio plugs...ballroom tie-ups...Decca and Brunswick record tie-ups...music exploitation that will blanket the country!

Exploitation
Giant National Exploitation Tie-Ups...Armour, Old Gold, Woolworth, Kresge, Woodbury...Full page ads in Saturday Evening Post and American Weekly...newspaper ads, display cards, heralds, window tie-ups, still give-aways...Exploitation of a nationwide scope!
MY GRATITUDE TO PARAMOUNT FOR PUTTING AT MY DISPOSAL THE SUPERB TALENT AND GREAT ORGANIZATION WHICH PERMITTED ME TO PRODUCE MISSISSIPPI

Arthur Hornblow, Jr.
FROM BEHIND THE CAMERAS OF
PARAMOUNT'S
"MISSISSIPPI"
(ARTHUR HORNBLOW, JR.—ASSOCIATE PRODUCER)
AND
"THE GREAT ZIEGFELD"
(WILLIAM ANTHONY McGUIRE'S PRODUCTION FOR UNIVERSAL)
DIRECTOR
A. EDWARD SUTHERLAND
SENDS HAPPY BOX-OFFICE GREETINGS TO THE SHOWMEN OF AMERICA!
“Greetings Showmen of America—

I sincerely hope *Mississippi* clicks for you. Thanks Paramount and fellow workers. ’Twas a pleasure.”

[Signature]

[Photo of Bing Crosby]
To Showmen Everywhere

“Lucy” sends you all her very best wishes from the Showboat of Paramount’s “Mississippi”

Joan Bennett
CANCELLATION SHIFT IS UP TO CAMPi

Convention's Action Needed
Gov't Stamp

New Orleans, Feb. 24.—Recommendations for doubling the present 10 per cent cancellation provision in the code, slated for the M.P.T.O.A. convention, will have to be made to Campi. A Campi amendment will have to go to Washington for Compliance Director Sol A. Rosenblatt's signature.

Efforts by exhibitors for 15, 20 and 25 per cent elimination privileges in contracts date back to the early stages of the formation of the code when coordinating committees were named to pacify opposing elements. On Aug. 2, 1935, at the 5-5 arrangement, arrived at after 20 or more months of active and desultory conferring by committees representing exhibitors and distributors, was included in the list of 28 exceptions submitted with the draft. In these days, O'Reilly, shrewd exhibitor coordinator, the elimination provision was included.

Has Ancient History

On Sept. 21, 1933, Motion Picture Daily stated that Allied was seeking a 15 per cent elimination clause, the issue ultimately was left to Rosenblatt for decision. In the master exhibitor draft sent to Washington, the 5-5 arrangement, arrived at after 20 or more months of active and desultory conferring by committees representing exhibitors and distributors, was included, but in the list of 28 exceptions submitted with the draft. In these days, O'Reilly, shrewd exhibitor coordinator, the elimination provision was included.

CANCELLATION CLAUSE FACING FIRE ON CONVENTION FLOOR

New Orleans, Feb. 24.—The cancellation clause against which the M.P.T.O.A. will lay down a heavy barrage appears in the code under Article V (Unfair Practices), Subdivision F, Part 6.

This is the text on which the exhibitor convention will seek amendment to increase the 10 per cent bracket to 20 per cent:

Part 6, if in any license agreement for the exhibition of feature motion pictures the Exhibitor has contracted to exhibit all of the motion pictures offered at one time by the Distributor to the Exhibitor and the Exhibitor agrees to pay for the same except where it is expressly provided in the contract not to exceed ten per cent (10%) of the total number of the motion pictures so licensed; provided the Exhibitor has been indemnified under such license agreement, and

(c) the Exhibitor shall have the right to use the Distributor's name and the provisions thereof, if any, for the exhibition of such motion pictures at specified intervals.

(b) Such privileges of exclusion may be exercised by the Exhibitor if he shall have been indemnified under such license agreement.

(c) If any feature motion picture is excluded as provided in paragraph (b) above, the Exhibitor may nevertheless rely on the Distributor's name and the provisions of the license agreement for the picture excluded as provided in paragraph (b) above, except that the Distributor's name and the provisions thereof shall be used by the Exhibitor only in connection with the exclusion of such picture and not otherwise.

(d) If the Exhibitor has paid less than the agreed license fee for any motion picture, the Exhibitor shall be entitled to the distribution thereof and to any other feature motion picture purchased by the Distributor to the Exhibitor as provided in paragraph (b) (2) hereof.

(e) If the Exhibitor has paid more than the agreed license fee for any feature motion picture purchased by the Distributor to the Exhibitor as provided in paragraph (b) (2) hereof, the Exhibitor shall be entitled to the distribution thereof and to any other feature motion picture purchased by the Distributor to the Exhibitor as provided in paragraph (b) (2) hereof.

(f) The right to take a picture from the lower bracket in any contract and charge an exhibitor the amount of the film cancelled in the higher bracket. The M.P.T.O.A., in a bulletin to M.P.T.O.A. members, recommending an overhauling of the code, stated the code cancellation privilege should be eliminated, adding that the topic would be one for convention discussion in New Orleans.

No further complaints against U. A.'s restrictions have been registered with either local boards or Campi. Apparently disagreement over the code's cancellation privileges, Allied at its board of directors meeting in Washington recently did not dip into the subject, but slammed the code at large.
"A triumph!" SAYS MOTION PICTURE DAILY
SAMUEL GOLDWYN

presents

GARY COOPER

ANNA STEN

in

THE WEDDING NIGHT

with

RALPH BELLAMY • HELEN VINSON

SIEGFRIED RUMANN

Directed by KING Vidor

Released thru

UNITED ARTISTS
Delegates Are Ready with Problems

Territorial Complaints Seek Hearing

(Continued from page 1)

"We Want Code Changes" Is Keynote of Convention

(Continued from page 1)

something better. This is the keynote behind the solid day's program to be devoted to addresses by advertising managers of major producers, and experts in merchandising and by experts in theatre merchandising.

The "drones" in exhibition ranks are slated for a lashing for their dependence upon an active few in their territory to throttle adverse legislation. "Pop" talks designed to make exhibitors from this territory in conference in this direction will be spotted throughout the sessions.

The cancellation issue will be a hot one. It looks like fireworks at this point. M.P.T.O.A. men insist the 10 per cent bracket is not sufficiently generous. They maintain they cannot walk off outside, adverse criticism unless the bars are further let down. They maintain there are too many strings attached to the method by which the current eliminations are granted and they charge some districts with bad faith in that they either are dodging cancellations or making them difficult to get, code notoriety.

Therefore, the convention will hit hard for two things. One is clarification of the cancellation privilege as it now stands with the elimination of all strings attached. Two, a hike in the bracket.

They get this concession, which, no matter how the convention works out will have to be submitted to Code Authority in New York, it is argued the block booking question will become less acute. The greater the number of pictures cancellable, the easier it will be those forced to buy in groups. This is the idea in a nutshell.

Ed Kuykendall, national president, told Motion Picture Daily on the eve of the confab that this will be no "smothered" convention.

"We have deliberately drawn up our program to include speakers who by and large are people of complete sympathy with our objectives," he said. "We expect them and they will give us the benefit of their advice."

While Kuykendall makes this promise, convention routine determined upon will follow essentially along the lines set up last year in Los Angeles. There will be little or no "beeching" or airing of individual complaints from the floor. "That appears to be that no one is particularly interested in being wearied by long harangues of exhibitors complaining of local to his operation; that this will slow down an already crowded schedule and that the most efficacious manner of hearing grievances is to divert them to the private deliberations of interested officers delegated for this purpose.

In the preparatory committee rooms, individuals will have their say.

If what they say is viewed as important enough to reach the floor, the chairman of the committee will in time an actual resolution.

Contrary to Los Angeles and the 14th annual convention where studio parties were the order of the day, the deliberations this year will divide themselves into both morning and afternoon sessions. The plan is to send each day's final agenda at about 4:30 or 5 o'clock, allow committees an hour or so thereafter for their own business and thereby permit a brief interchange between convention proper and each evening's social calendar.

So that the Roosevelt tonight will be a premium. Convention overflow is reaching to the Jung and other hotels.

A hearing to the Jumbo will be the first time on record, or at least the first time in years, that top-notch hotels in town have accepted pictures during the week of March 21.

PIC-TURE

DAILY

MOTION

Dallas After 36 Convention

DALLAS, Feb. 24.—Among local short house operators attending the M.P.T.O.A. convention will be Harold Kobr and Ed Rowley of R. & R. Circuit, Claude Byrd and Bill Underwood of Independent Film Co., Buddy Harris of Alexander Film, R. J. Potter of Wilshire, William Keyser of National Theatre Supply and Bert King of RCA.

Walsh and group will ask the convention in 1936 for Dallas, at which time Texas will be holding theennial Convention with Dallas as the principal community. L. O. Griffith of Griffith Amusement Co. of Oklahoma City joined Walsh in the delegation which will attempt to interest San Antonio managers in the idea of bringing the convention to Dallas. San Antonio is reported driven to Dallas to join forces with the local group, New Orleans bound.

Huffman Grooming Fight

DENVER, Feb. 24.—There is a strong conviction among Motion Picture Theater Owners' Ass'n will be represented at the convention. The president, Earl P. (Bishop) Briggs and Frank Calp are planning on attending. All are supporters of the local organization.

HuffmanSUCCESSFUL in a fight in Federal court to prevent several exchanges from carrying out the orders of the grievance board to stop service to his theaters. Ordered to stop auto giveaways, he persisted, and the stop order was rescinded after Huffman attended the expected to try to have the code modified to allow giveaways in theatres. He is firm in his belief that the exchanges are needed in the local districts.

Draws Des Moines Blank

DES MOINES, Feb. 24.—A check made by Motion Picture Daily, the local exhibitor fraternity is passing up the M.P.T.O.A. convention completely.

Detroit Sans Delegation

DETROIT, Feb. 24.—Checkup of exhibitors here indicates that Michigan, which has no M.P.T.O.A. unit, will not be represented at the convention in New Orleans.

Harold C. Robinson, of Film Truck Service, is the only one of the group to attend the session of the National Film Carriers, Inc., which will be held during the exhibitor convention. Robinson, who is a member of the local body, will go to Florida from New Orleans for a vacation of several weeks.

Indiana Won't Be Present

INDIANAPOLIS, Feb. 24.—This is an Allied territory in which the As-
North, South, East and West

The Officers and the Directors of M.P.T.O.A.
WE TOLD YOU SO!...WEEK-END CROWD!

BY “NIGHT LIFE OF THE GODS,” UNIVERSAL

AND HERE IS THE ROXY AD CAMPAIGN THAT DREW PACKED HOUSES FROM MORN TO MIDNIGHT!
OS AT THE N.Y. ROXY WERE AMAZED

VERSAL'S MASTERPIECE OF NONSENSE!

"NIGHT LIFE OF THE GODS"
A Universal Picture with Alan Mowbray - Peggy Shannon - Florine McKinney - Henry Armetta

ROXY
25¢ ANY DAY 35¢ ANY SEAT

ON THE STAGE
ROXIE'S TIGERS
A Universal Picture with Fredric March - Sally Blane - Joan Blondell

ROXY
25¢ ANY DAY 35¢ ANY SEAT

ROXY's HOLIDAY REVUE
PROKES' TIGERS
Rufus Davis & Radio Rubes

TOM W'€™S 10:30 A.M.
PREVIEW TONIGHT
Complete Preview 10:30 A.M.
See both

"NIGHT LIFE OF THE GODS"
A Universal Picture with Alan Mowbray - Peggy Shannon - Florine McKinney - Henry Armetta

GENEVA MITCHELL

"NIGHT LIFE OF THE GODS"
A Universal Picture with Alan Mowbray - Peggy Shannon - Florine McKinney - Henry Armetta

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See both

"NIGHT LIFE OF THE GODS"
A Universal Picture with Alan Mowbray - Peggy Shannon - Florine McKinney - Henry Armetta

GENEVA MITCHELL
JEANETTE MacDONALD
NELSON EDDY
in VICTOR HERBERT'S STAGE HIT
NAUGHTY MARIETTA
Coast advance notices predict greatest musical of all time.

WALLACE BEERY
at great cost to
WEST POINT
OF THE AIR
Thrilling hands-on to "Hell Divers" and just as Daring.

JEAN HARLOW
WILLIAM POWELL
RECKLESS
HELL BENT!

The eyes of the entire industry are on your pal Leo. Never in the annals of Metro-Goldwyn-Mayer (and what annals!) has Leo hit such a winning stride. Keep your dough on the leaping lion. This is only February of 1935!
Memphis for Death to “Walkathons”

Sees Them As Evil; Wants Some Relief

(Continued from page 14) sociated Theatre Owners of Indiana hold sway. Therefore, there is no interest in this section in the New Orleans convention.

Kansas City Disinterested Kansas City, Feb. 24.—Neither national exhibitor organization has any affiliation in this territory and so it obviously follows local exhibitors have no particular interest in the New Orleans convention.

Elmer C. Rhoden, Fox Midwest division manager, was on hand to address the parleys, will not attend. Pressure of business attendant upon emergence of his company from bankruptcy is the reason.

Falls City, Neb., Feb. 24.—Oscar Johnson, local exhibitor, will attend the M.P.T.O.A. convention in New Orleans beginning tomorrow.

Bерínстейн Goes Solo Los Angeles, Feb. 24.—Ben Berínстейн, president of the Southern California association which is affiliated with the national M.P.T.O.A., will act as a one-man delegation to the New Orleans convention.

“Death to Walkathons” Memphis, Feb. 24.—Representatives of M.P.T.O. of Arkansas, Mississippi and Tennessee will go to the national M.P.T.O.A. convention with the proposal that all exhibitors unite in a move to bar walkathons from their communities.

Arkansas motion chairman of the tri-state board of directors, said tax problems will be uppermost in the minds of exhibitors from this territory who attend the convention, but that they will not have any indefinite recommendations other than the walkathon ban, moving according to present indications.

Official representatives of this union will be Lightman, of the exhibitors, of Batesville, Ark., president; and R. X. Williams, of Oxford, Miss., secretary. Lightman is scheduled to speak on “Successful Ways of Putting Over the Family Night Idea,” but plans to “cheat” a bit on his subject, expanding to include the general theme of goodwill promotion within the community and state. He will contend that the proper handling of this problem by exhibitors will go a long way toward solving all their legislative difficulties.

As chairman of the legislative committee, Lightman went to the convention a day or so ahead. Exhibitors in this territory are more and more coming to regard the walkathon as a form of competition to which they need not submit, according to the former national president.

Sentiment has been developing for some time for a definite move to curb such events and, in several instances, theatre owners have succeeded in keeping this type of amusement out of their cities.

“Tn that it is time all the facts regarding what goes on at a walkathon should be brought before the national body for action,” Lightman said. “So far as I know, it is about the only thing upon which the tri-state group is determined to secure action.”

Wisconsin Sending Observers Milwaukee, Feb. 24.—With the dissolution of the M.P.T.O. of Wisconsin, of counsel of the Kuykendall organization, will be in New Orleans. Max Tabackman of Massachusetts Theatres, Inc., will also attend.

Crowd from New York This New York delegation made up almost entirely of distributor and accessory representatives, is traveling to the convention, and special white arrivals, New Orleans this morning as a second section of the Crescent Limited.

For two local exhibitor organizations, the I.T.O.A. and the T.O.C.C., will not be represented unless Harry Brandt, president of the former, and

Robert, Treasury Dep’t Official, Will Talk on Taxation Problems

Washington, Feb. 24.—Assistant Secretary of the Treasury Lawrence Wood Robert, Jr., will address the M.P.T.O.A. convention in New Orleans on the various forms of taxation confronting the exhibitor in the operation of his business.

Robert was born at Monticello, Ga., 45 years ago and was educated at Georgia Tech, where he was a full-attendance All American football player of sufficient promise to lead "Ty" Cobb to seek to enlist him professionally, a fast man on the track and an all-round athlete.

Graduating, he became a consulting engineer and was, prior to his coming to the Treasury Department of the United States, president of Robert & Co., textile engineers, and largely responsible for initiating the migration of textile plants from New England to the South.

Bearing the family name, Lawrence Wood, borne by his father and grandfather before him, he is naturally known to his friends as "Chip." His official title is Assistant Secretary of the Treasury in Charge of Engraving and Printing and Mint Service.

Robert plans to leave Washington Feb. 25 or 26, stopping over at home in Atlanta, Ga., to attend the Capt. Lawrence Wood Robert, before going to New Orleans. On the way back he will stop at the Pass Christian home of Ben Hecht, president of the American Bankers Ass’n.

conspiration and Upper Michigan, Inc., now in process, this city will be lucky sent a strong delegation to the M.P.T.O.A. convention in California, will send no official delegation to New Orleans.

To date, those who have signified their intentions of giving a look-in without any particular axe to grind, include Mike Brumm of the Ritz, and Al Bartelt of the Plaza, both of whom are members of the recently organized Independent Theatres Protective Ass’n of Wisconsin. It is possible that several others may find their way to the gathering.

Northwest Doesn’t Figure Minneapolis, Feb. 24.—The New Orleans convention appears to be of little interest in the Twin City area where most exhibitors who turn for exhibitor associations are, in the main, members of Allied.

Levy from New Haven New Haven, Feb. 24.—Edward G. Levy, not as a member of the M.P.T.O. of Connecticut which, despite its name, is not affiliated with the national M.P.T.O.A., but as general counsel of the Kuykendall organization, will be in New Orleans. Max Tabackman of Massachusetts Theatres, Inc., will also attend.

National Film Carriers, Inc.; H. H. Price of the New York City, Mandeville Corp.; Edward G. Levy, general counsel M.P.T.O.A. with New Haven as his home town; Helen O'Toole, recording secretary of the exhibitors’ association; Sally Kelly; Jack Knight and Jack Diamond of Paramount; L. S. Tobias and Mrs. Tobias; John Holbrook, Edward Johnstone, Sidney Zucker, James P. Clarke and Fred Fillmore.

Abie Sablosky and Charles Segall boarded the train at Philadelphia about midnight Saturday night.

Oklahoma Spreds Self Oklahoma City, Feb. 24.—This territory will descend on New Orleans with a real-sized delegation. Headed by Morris Lowenstein, president of the Oklahoma, and director of the national M.P.T.O.A., the group will include: Fred Pickrel, Ponca City; L. C. Griffin, Ada; M. D. Webster, Enid; Robert Berinstein and Mrs. Moulder, Sapulpa; Charles Zears, secretary of the local Film Board; Max R. Broch, Lawton; Mrs. C. P. Dooley, Purell; Phil Issley, Tulsa, and W. P. Moran, Oklahoma City, both identified with Southwestern Theatres, Inc.; L. E. Breweston’s Paul’s Valley; O. E. Enloe, El Reno; Sol Davis, Monogram Pictures, Oklahoma City, and Edward Holbrook, formerly of Oklahoma City and in Dallas.

Most of the delegates are on their way by auto and train. However, Enloe, who operates the Criterion at El Reno, is flying on his own plane. The delegates attending are: Texas, Dallas and Baton Rouge and carries to New Orleans no particular grievances for airing.

The majority of the conventionees from this section will remain for the Mardi Gras.

Nebraska Seeks Changes Omaha, Feb. 24.—Charles E. Williams, president of the Nebraska Theatre Owners Ass’n and a member of the national board of directors of the M.P.T.O.A., for more than 10 years, was in Chicago yesterday to join a group of northwest delegates and exhibitors enroute to the New Orleans convention.

Carl Johnson of Red Oak, Ia., and Oscar Johnson of Falls City, Neb., brother exhibitors, together with their wives, will motor to New Orleans for the convention.

Williams told Motion Picture Daily he would make the same recommendations to the national association as were discussed and informally agreed to at the M.P.T.O. convention in Chicago last November. The local unit had suggested that the code—if it is to continue—should undergo sufficient changes so as to

(Continued on page 23)
GREETINGS TO THE THEATRE OWNERS OF AMERICA:

We extend to you our sincere thanks for your support during the past year, and wish you success for the ensuing season.

WE DEEM IT OUR DUTY TO WARN YOU

against people who impose upon Theatre Men and Merchants by claiming to be associated with or representing us. Numerous instances, some of which are pure "rackets" and violations of criminal laws, have come to our attention where unauthorized persons have made use of our name and characters in theatre tie-ups.

OUR ONLY AUTHORIZED REPRESENTATIVES ARE:

UNITED ARTISTS CORPORATION

DISTRIBUTORS

KAY KAMEN, Inc.

729 SEVENTH AVENUE, NEW YORK

Special Representative in Other Than Motion Picture Activities

(SIGNED)

Walt Disney Productions, Ltd.
Mickey Mouse and Silly Symphony Cartoons
Walt Disney Enterprises
Philadelphia Carries Plan To Convention

(Continued from page 20)

"give it teeth" and that Code Authority speed up action on appeals. As far as we are concerned, we are generally satisfied with the code," Williams said. "We would like to see some changes made in it, though, I think if the code was simplified and made more understandable for the small exhibitor it would be a popular document."

Wants Independents Supported

PHILADELPHIA, Feb. 24.—The M. P. T. O. of Eastern Pennsylvania, Sod- er Benedict and Delaware will carry to the convention this week a definite plea for the independent producer and exhibitor, backed by a practical program.

The local body's slogan of "1,000 New Dates for the Independents Durng the Year" will be brought before the national body and an attempt made to get general M.P.T.O. support for the plan.

The idea may be launched by Leven Fizor, president of the local group which is the parent of the plan. It is Fizor's contention that the buildup of the independent producer will offer a stronger film market, enabling the independent exhibitor, providing him with sufficient product to maintain his programs. Fizor also argues that the definite call for the independent producers to better their product.

Fizor, now in Florida, and George P. Aaron, secretary of the local group, will officially represent the M.P.T.O. of this territory. Other local exhibitors will be in attendance, including George P. Emanuel, Charles Segall, Al Fisher and Mike Egnal.

Aarons, accompanied by Kline who runs the Strand, Boyertown, Pa., and is head of the Kline Poster Co., left by automobile Thursday. Emanuel, vacationing in Miami, goes directly to the Mardi Gras city.

In addition to the plan for aiding independent production, the local group will be strongly in back of the movement for a 20 per cent cancella- tion, or at least a better deal than the present 10 per cent agreement.

Draw Pittsburgh Blank

Pittsburgh, Feb. 24.—This is an Allied territory and that's sufficient reason to count this territory out where representation at the New Or- leans convention is concerned.

None from Oregon

PORTLAND, Ore., Feb. 24.—M. Blumauer of the Capitol is an ardent M.P.T.O. man, but extreme age makes it impossible to attend New Or- leans.

Fay from Rhode Island

PROVIDENCE, Feb. 24.—E. M. Fay, first run operator here, will be a one-

man delegation to the convention. He will represent the M. P. T. O. of Rhode Island and is already here.

St. Louis for Code Changes

St. Louis, Feb. 24.—Believing that they will have to continue to operate under the NRA code for another year, the delegation of 16 from the M. P. T. O. of St. Louis, Eastern District, and St. Louis Independent exhibitors, going to New Orleans with a number of proposed amendments to the code as it is now written.

The amendments to be proposed in- clude: An unconditional 20 per cent can- cellation clause to cover each block of 10 pictures without regard to their national release date or availability to the exhibitor seller is an unfair trade practice and should be stopped.

Fair and equitable method of clear- ance and zoning.

Uncertain as stopping at 6 P.M., when the maximum night prices must go into effect.

A provision that the decisions of the local clearance and zoning and griev- ance board decisions must go into effect within 10 days.

The local delegation will be headed by Fred Wehrenberg of St. Louis, president of the organization, and Godfrey H. Stasio, secretary and treas- urer; C. H. Weeks of Dexter, Mo., and Mrs. Weeks; Sam Koon, Col- umbia Booking; and other exhibitors and committees.

Fizor feels, there is more workable, equitable and fairer.

A special car carrying the Northern California delegation left here Thursday. Most of the delegates are expected to return home about March 7.

N. W. Won't Attend

SEATTLE, Feb. 24.—Al lied Amuse- ments of the Pacific Northwest, in- cluding exhibitors in Washington, Montana, Idaho and Alaska, will not attend the M.P.T.O. convention. A check just completed by Hugh W. Brun, organization presid- ent, disclosed that none of this terri- tory's exhibitors, affiliated or inde- pendent, plans to attend the meeting.

Committees and Chairmen

Who Will Run Convention

NEW ORLEANS, Feb. 24.—The con- vention is pretty much in the hands of these committees:


Registration and Housing: Victor Meyer, Orpheum, New Orleans.

Banquet: Joe Alsino, Famous Thea- tres, New Orleans; Meyer and Toops.

PLAN now...

FOR EXTENDED RUNS ON THESE FOX HITS!

GLANCE at the details and convince yourself that the exhibitor who doesn’t date them in for extra playing time is cheating his bank account. And ...while you’re at it... slap yourself on the back for being a FOX showman!

JANET GAYNOR  WARNER BAXTER in
ONE MORE SPRING

GEORGE WHITE'S 1935 SCANDALS
With ALICE FAYE, JAMES DUNN, NED SPARKS

SHIRLEY TEMPLE LIONEL BARRYMORE in
The LITTLE COLONEL

WILL ROGERS in
LIFE BEGINS AT 40

The GREAT HOTEL MURDER with
EDMUND  VICTOR LOWE MCLAGLEN
“Another honey for the Shirley Temple fans. Little Miss Temple lives up to everything her fans think of her. She and Bill Robinson do a couple of duets that are wows and worth the price of admission. It can’t miss!”
—Hollywood Reporter
SHIRLEY TEMPLE
LIONEL BARRYMORE

in

The LITTLE COLONEL

A B. G. DeSylva Production with

EVELYN VENABLE · JOHN LODGE

and BILL ROBINSON

Directed by David Butler

Screen play and adaptation by William Conselman
Based on the story by Annie Fellows Johnston

Fox
Jerome Kern's Musical Romances

starring the golden girl with the silver song

Irene Dunne
and America's Dancing Stars

Fred Astaire
Ginger Rogers

Randolph Scott... Helen Westley
Victor Varconi... Claire Dodd

From the play "Roberta"
Book and lyrics by Otto Harbach
Directed by William A. Seiter
Production

RKO Radio Picture
"RINGS THE GONG WITH HIGH POINT BOX-OFFICE... IT'S RKO-RADIO'S WOW!"

— Motion Picture Daily

"ROBERTA' A SURE-FIRE SMASH... A KNOCK-OUT, A HONEY AND A WOW!"

— Hollywood Reporter

SMASH MUSICAL... STRONG CAST, STORY, MELODIES, STYLE FLASH... THE WOW YOU WANT!"

— Film Daily
Program Varied in Content and Scope

Business All Day, But Fun In Evenings

New Orleans, Feb. 24.—Here is the official program as it stood tonight, although subject to changes because of the inability of some scheduled speakers to attend.

Suggestions of the arrangements committee as to what to do and how, in order to reduce confusion and to allow the individual participation of conventioners to proceed smoothly are included:

Monday, Feb. 25
Registration of delegates, members, friends and guests at the registration desk on the mezzanine floor of the Roosevelt, near the entrance to the Gold Room. This will be convention headquarters and information bureau. Registrants are promised to participate in all convention affairs. Registration cards provided should be filled out completely, giving full name, address, room number and hotel, and theatre or firm. You will materially assist the committee in making your stay enjoyable by registering promptly. Registration fee: $10. Registration fee includes all convention affairs as follows:
1. Official convention badge. Identifies and admits you to all general sessions of the convention, and admission without.
2. All motion picture theaters in New Orleans during convention.
3. The New Orleans Athletic Club during the convention.
4. M.P.T.O.A. Golf Tournament at Metairie Country Club this afternoon. (Greens Fee, $1.) M.P.T.O.A. bridge party at Metairie Country Club this afternoon.
5. Registration of delegates, members, friends and guests at the registration desk; you have not registered, do it now.

Afternoon Business session in the Gold Room, mezzanine floor, the Roosevelt at 2 P.M. sharp.
Convention called to order by H. S. McLeod, general chairman, convention arrangements committee.
Invocation
Address of welcome to New Orleans.—Theodore Simmons, vice-president, New Orleans Chamber of Commerce.
Response to welcome on behalf of M.P.T.O.A.—M. E. Comerford, Scranton.
Report of committee on convention arrangements—H. S. McLeod, general chairman.
Report of committee on labor relations—Jack Miller, Chicago.
Report of committee on public relations—Fred Wehrenberg, chairman.
Report of committee on entertainment values—Walter Vincent, chairman.
Announcement of special committees for the convention, where and when they will meet.
Adjourn 4:45 P.M. for committee meetings.

Evening
The president’s reception—Tip Top Inn on the roof of the Roosevelt at 9 P.M. Informal dancing, refreshments. Your badge admits you.

Wednesday, Feb. 27
Business session in the Gold Room, mezzanine floor, the Roosevelt at 10:30 A.M. sharp.
Special facilities in the Theatres for the Hard of Hearing Patron—

Thursday, Feb. 28
Forenoon
Business session in the Gold Room at 9:30 A.M.
"Film Delivery Problems and Services"—James P. Clarke, Philadelphia, President, National Ass’n of Film Carriers.
"Our Problems in Local Legislation"—Roy L. Walker, Lampasas, Tex., President, The Owner’s Protective Ass’n of Texas.
Address by John C. Flynn, executive secretary, Code Authority.
Address by Sol A. Rosenblatt, convention speaker.
Adjourn at 11:30 A.M.

Afternoon
Business session in the Gold Room at 2:30 P.M.
Report of Committee on Music Taxes—Leven Fizor, chairman.
Report of Committee on Non-Theatrical Competition—George A. Giles, chairman.
Report of Committee on Public Relations and Community Affairs—Fred Wehrenberg, chairman.
Unfinished business.
Convention adjourn sine die.

Evening
Annual convention banquet—Tip Top Inn, roof of The Roosevelt at 7 P.M. Informal.

The Mardi Gras
The features listed below, while not an official part of the convention, are the seasonable events of the New Orleans Mardi Gras season and are mentioned for general information only.
M.P.T.O.A. visitors are invited to stay over for the Carefree Carnival of the Mardi Gras, which reaches its climax on Mardi Gras Day, March 5, with the parade, masque, pageant and ball of the Krewe of Rex, King of the Carnival. Environmental affairs will be held daily, many of them public, others are private and available to invited persons only.
Mardi Gras Farms is held in the Parade of the Krewe of Nor (Children’s Carnival Pageant).
Friday evening you are invited to attend the Junior League Mardi Gras Ball at the Civic Auditorium. Through the courtesy of the Junior League, all invitation badges may purchase tickets and attend this affair, one of the largest and most brilliant of the Mardi Gras balls. Tickets are $2 per person, reserved tables $3 and $5 per person.
NOW AT BAT...
AND IT'S ANOTHER HOMER...

Buster KEATON
in
"ONE RUN ELMER"
Directed by Charles Lamont

NEXT MAN UP...

ERNEST TRUEX
in
"OBJECT NOT MATRIMONY"
Produced by Al Christie

Joe Cook, Buster Keaton, Ernest Truex . . . . home run kings of comedy . . . . Sylvia Froos, the Easy Aces, York and King, Tom Howard, Junior Coghlan, Billy Gilbert . . . . regular Babe Ruths, every one of them, when it comes to socking out the laughs and entertainment in the shorts innings. And they're drawing the paying fans to the stands, too, whenever they play. No wonder that Educational team is walking away with the pennant again.

Presented by E. W. HAMMONS

Distributed in U.S.A. by Fox Film Corporation
New Orleans, Feb. 24.—This is a city of contrasts. Natives like to call it “The City That Makes You Talk.” “Odd” McIntyre dubs it “the most romantic city in America.”

Will Rogers said of the city: “I almost believe that there are just three towns in the whole of America that was different and distinct; New Orleans, Frisco and San Antonio.”

Arthur Brisbane, famous editorialist, has described New Orleans as one of the two most interesting cities in the nation, the other being whatever your own home town happens to be.

Conventioneers will find plenty to do and see here. Whether their interest is in the days and things of yesteryear or the joys, if any, of this current existence, they’ll find it and them not far from convention headquarters at the Roosevelt. They’ll find their answer in the fabulous old streets of the Old Quarter, in the industrial life of the Mississippi Valley’s great port and in sightseeing in pleasant swinging, golliwog-like hunting if these are the objectives.

The mighty brown reach of Old Man River almost encircles his Crescent City and his majestic bosom is animated with every known type of life. Through 10 miles of docks, the aromatic products of the world’s far corners are exchanged for the varied products in 37 States. Let your mind go around the world while you spend a day sauntering the sights of the Mississippi Valley’s main entrance.

Gateway to Empire

New Orleans, only 100 miles from the mouth of the Mississippi, is the gateway to America’s inland empire and a crossroads of America for two centuries. When the Spaniards owned the city, Americans of the Middle West planned to seize New Orleans, but just about that time Spain ceded Louisiana to France and the French President Jefferson then changed the course of history by his purchase of Louisiana from France for $11,000,000.

Today New Orleans lives up to its promises and is one of the world’s great ports. Along the miles of wharves are docked ships from the seven seas; fast luxurious steamers make New Orleans the starting point for many delightful cruises to the beautiful isles of the Caribbean. New Orleans are the glamour of a great seaport.

Rue Royale Worth Seeing

For those who like to stroll down quaint streets and out of days gone by, the famous Rue Royale, known the world over for its shops, ancient stores and sites of historical interest, is a fitting starting point. Royal Street was the first to be paved in the city, the cost amounting to less than the four and one-half acres to the fact that ships returning from the continent with full cargoes of the New World riches sold their ballasts, stone blocks from Belgium, to the city fathers at that figure.

Before we stroll very far through the famous old Vieux Carre, let’s stop a moment and get that name right. Vieux Carre, literally translated, means “Old Square” and refers to a area bounded by Canal to Bienville and from the river to N. Rampart Sts. The correct French pronunciation is “Vee Yuh Care Ray.” Got it? Let’s go.

Our first stop is 121 Royal, the home and office of the famous Dr. Annotarchi, maker of the Napoleon death mask now at the Cabildo.

Next we come to 127 Royal. Here tradition has it the plans were laid for the first carnival ball. Then down to the 400 block at 417 to the site of the old Louisiana Bank, established in 1804. There first the Bank was just one of many of the relics that reposes under its protecting walls. Built in 1795 as a meeting place for the Spanish legislature, it was the first the city. Protestant religious services were held in a room on the second floor. Here the history of Louisiana to the United States was consummated in 1803. Later it was used as a city hall and court building.

Courthouse a Monument

Directly across the street at 416 Royal is the civil courthouse of the Parish of Orleans, erected at a cost of $2,000,000. At the corner of Royal and St. Louis is the site of the old St. Louis Hotel, once a favorite mart, where the blacks were auctioned on a high block under the rotunda.

Down the street at No. 1,000 is the Reed Art Gallery, with its exhibition and a charming historical interior, open to the public for inspection, and then into the street at block 613 where is the Courtyard of the Two Sisters, famous stories of New Orleans.

At 627, we find the well-known residence and courtyard of the golden-voiced Adelina Patti. Beautiful antiques and furniture, jewels and crockery are in the many little stories along both sides of the street mark the way to the Haunted House at 1140 Royal. This house was owned by Madame Lalaure, a French aristocrat, who was forced to flee to Europe when some of her slaves were discovered in a "horror chamber." Their wails of torture are still supposed to be heard on drizzly moon nights.

The building is known as the "Warrington House," a haven for sculptors. Visitors are welcome to see the magnificent collection of the charming interior of this celebrated old Creole mansion and even the attic where the Haunted Chamber was supposed to be located.

Religious Spots Historic

Let’s leave Royal St. for a time and walk one square toward the river until we reach Chartres St. There is St. 1120 is an ancient church Mary’s, erected in 1780. Tradition avers that the heart of every archbishop of this diocese lies on the altar. A few doors down, at 1114, the historic old Ursuline Convent looks into the view, the oldest building in the Mississippi Valley, erected in 1734. Across the street at 1101 is the home of General P. G. T. Beauregard, the noted Confederate leader. Winding our way towards Canal St. at 930-40 Chartres is the site of the old Cafe des Refugiados. Here gathered Louisiana’s first criminals during the French and Spanish occupation of the city and here the famous cafe of LePetit Gouave was first concocted.

Down the street we find at 921 the old hotel de La Marine, a meeting place of pirates, and in the rear of the building Vendetta Alley, so named because of the many "Madam" or "blackhand" murders committed there.

The blacksmith shop of Jean and Pierre Lafitte, the famous pirates who held the city and the Spanish government after their invaluable assistance in the Battle of New Orleans, looms almost 200 years ago.

As we saunter along glimping patio, courtyards and beautiful balconies, we approach the famous Cabildo. The Cabildo is considered one of the most noted museums of the United States. Its Hispanic architecture reflects many of the relics that reposes under its protecting walls. Built in 1795 as a meeting place for the Spanish legislature, it was the first the city. Protestant religious services were held in a room on the second floor. Here the history of Louisiana to the United States was consummated in 1803. Later it was used as a city hall and court building.

Recalls Famous Names

Many immortals, including Lafayet, Henry Clay, Zachary Taylor, Edwin Booth, Sarah Bernhardt, Audubon, Mark Twain, William McKinley, Theodore Roosevelt, and O. Henry are associated with this memory-haunted old building, which has frequently watched the growth and birth from a colonial outpost to the port of the Valley. The building became a state museum in 1910 and admission is free. The Cabildo should not be missed.

Leaving the Cabildo, we are directly facing Jackson Square, originally called the Place d’Arms, or the Public Square of the city. Jackson Square was laid out by St. Peter, founder of New Orleans, and has been the scene of historical moment and a civic center for over 200 years. Elaborate plans have taken place in this famous square include the arrival of the “Cassette” (Casket) girls in 1727; the reception of the Acadians from Nova Scotia in 1769; the official transfer of Louisiana from Spain to France in 1769; the welcoming to Jackson after his victory with Chalmette, the square was laid out and planted with flowers by the French government in 1816 and the statue of General Andrew Jackson in the center of the Square is the work of Clark Mills.

Pontalba Famous Structure

Flanking the square to the left and right are the famous Pontalba Building, the oldest apartments in the United States and one of the best known sights of the French Quarter. These apartments were built by the Baroness Pontalba in 1849. Here in one of these buildings, on St. Peter St., Jenny Lind, the famous singer, brought to New Orleans by P. T. Barnum, first entertained by Mrs. Lincoln. Here by across the street, the same building, it is believed, Thackeray enjoyed the excellent "bouillabaisse" supper in his honor.

A stroll down St. Peter St. to 616 brings one to the "Le Petit Theatre de la Gaite," one of the most efficient Little Theatres in America.

(Continued on page 33)
In a new field, in the space of only a few weeks, THE MARCH OF TIME has made a new impression—fresh—deep—clear cut. More than a thousand motion picture theatres are now showing THE MARCH OF TIME on the screen. Millions of people have thrilled to this new kind of pictorial journalism... The public and critics alike have been quick to recognize in this "newsmagazine of the screen" a mark of distinction for theatres from coast to coast. Second release—March 8th.

Released by FIRST DIVISION—Harry H. Thomas, Pres., Radio City, N. Y.
New Orleans
Is Colorful
Historic City

(Continued from page 30)

The founder, Mrs. J. Oscar Nixon, has been decorated by the French Government for her services in preserving the best type of French drama. The “Little Theatre” is a private association, but visitors are welcome during the day to view the beautiful foyer and the courtyard. A few doors down, at 620, is the “Le Petit Salon.”

Back into Chartres we find ourselves at 502, the famous “Napoleon House,” built by a wealthy New Orleans merchant, a Mr. Giroud, who planned to rescue Napoleon from St. Helena and bring him here. Napoleon, however, died, but the grand house built for the use of the “little corporal” still stands, a monument to the dream of its sponsor.

At 505 Chartres is the site of the old Strangers Hotel, where Dr. Anotomarchi presented Bonaparte’s death mask to the city. Lafayette was also entertained at this hotel. A few steps further and we reach 438 Chartres, Masepo’ Exchange, where, according to tradition, Jackson planned the defense of New Orleans.

Back again to St. Peter St. to find at 718, the old site of the Tabary Theatre, located here in 1791-1807, the first theatre in the city and the place where grand opera was sung. Four blocks out St. Peter St. to North Rampart, we reach Beauregard Square, the former famous “Congo Square,” gathering place of negro slaves. It was here that the weird “voodoo” ceremonies and wild orgies took place. Immediately back of it is the Municipal Auditorium, with a seating capacity of 12,000 and home of the carnaval balls. All visitors to the convention will have a chance to see it at the Junior League Ball.

By this time, food would seem important. Let’s stop at Arnaud’s at 817 Bienville for crawfish bisque or a nice juicy steak, cooked by famous Creole chefs. Or, if you are a connoisseur of connoisseurs, let’s try Antoine’s at 713 St. Louis St. You must have heard of Antoine, famous for many dishes, particularly oysters la Rockefeller; crepe suzette, shrimp la remoulade; pompano en papillote, or trout la Marguerite, cafe Bril. Of course, you will be served with the proper wines and liquors to make it not a luncheon, but an hour of gastronomic bliss that will linger in your memories.

Ach, That German Cooking!

Perhaps, you don’t like French cooking? Then, let’s walk a few blocks back to St. Charles, where at 125 we find Kohn’s, famous for its German cuisine and fine Rhine wines and particularly noted for sausenfleer and wiener schnitzel.

Or maybe you like Italian food? Then to Tuque’s at 223 Bourbon for a spaghetti dinner with real “dagoe” red. If your taste runs to the not so slowly onion soup, Tuque’s at 823 Decatur seems the next stop.

A stroll through the Quarter after nightfall has a flavor and a charm distinctive and different from its own. Ceremony dictates, however, a couple of famous gin fizzes at the unbelievably long Roosevelt bar before embarking on this adventure. There are gin fizzes and sloe gin fizzes, but a Ramos is exactly that and simply refuses to break competition.

And the Absinthe House

The nocturnal tour through this city of many moods might well start at the famous, old Absinthe House at 400 Bourbon St. Here, at many New Orleans landmarks, there is ceremony. In this instance, the ritual calls for a sip or more of an absinthe frappe. To come and go at Absinthe House without so doing is considerably less than sacrilege and more than an affront to Pete Cazeau, the patriarchal barkeep. You might browse through ancient registers here, but keep a weather eye Decatur for the signatures of many names made famous over the span of last 150 years. Napoleon’s sword, or one of them, is there as is the famous marble dripe fountain which has stood in silent watch over New Orleans’ bow window.

In a more recent by this time, Le Cafe de Opera, or better known as the Nut Club, located at 805 St. Louis St., seems a logical center of attraction. Its music is brash and loud, but its liquor, whether at bar or table, is excellent. Excitement runs high in this spot. More of the same is the Vanity Club, 300 Bourbon St. This is one of the smaller cafes in the quarter, but perfectly lively and worthy of a visit.

The Plantation at Conti and Delphine has a lure of its own, especially to those with pugilistic memories. For this is the spot run by Petie Herman, one-time champion boxer, who by being too game, lost his sight and then went broke. Spanish atmosphere, for those seeking it, is available at La Lune, 800 Bourbon St. in an effective patio setting backgrounded by stringed Mexican or Spanish music.

There is all this about New Orleans and much, much more. The visitor might well visit the spreading 500-year old monarachs of an ancient forest in Audubon Park, where once was the plantation on which Evangeline’s birth was first learned to granulate cane juice; visit the Zoo, the Popp Gardens; see the green man-made hills that hold a great river in check; see the duelling oaks; and motor in the nation’s sixth largest park with its 1,300 acres of restful shade; visit ancient forts with moats and turrets of embattled brick; the 14 ancient forts in the surrounding countryside carry the memories of Orleanian and their visitors back through 218 years of hectic days when Indians prowled nearby swamps, when buccaneers roved, Civil War days when Admiral Farragut broke through the Mississippi chains.

He might tour Evangeline’s land, just a few hours west. On the Old Spanish Trail, he would come to the Teche country, to the “forest primeval” where Longfellow with his gifted pen brought Evangeline and the exiled Acadians.

Dependable Film Delivery
Assured By

Carolina Delivery Service Co., Charlotte, N. C.
Columbus-Cincinnati Trucking Co., Columbus, Ohio
Electric Delivery System, New Orleans, La.
Exhibitors Film Delivery & Service Co., Inc., Denver, Colo.
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Film Express Service, Minneapolis, Minn.
Film Pick-Up Service, Minneapolis, Minn.
Film Service, Inc., Milwaukee, Wis.
Film Transfer Co., Minneapolis, Minn.
Film Transport Co., Omaha, Neb.
Film Transportation Co., Des Moines, la.
Film Truck Service, Detroit, Mich. and Chicago, Ill.

Gilboy Company, San Francisco, Cal.
Gross & Johnson, Cleveland, Ohio
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Interstate Film Service, Minneapolis, Minn.
Iowa Film Delivery, Des Moines, la.
Middle West Film Express, Minneapolis, Minn.
Northwest Film Delivery Co., Seattle, Wash.
Smith Film Service, Inc., Syracuse, N. Y.
Theatre Service Co., Minneapolis, Minn.
Theatre Transport Co., Toledo, Ohio

All Members Of
NATIONAL FILM CARRIERS, INC.
1228 Vine Street, Philadelphia
110 William Street, New York
New Orleans In Gay Array For Visitors

New Orleans, Feb. 24.—If they decide on a busman’s holiday, delegates and visitors to the convention will find a varied assortment of celluloid entertainment at their beck and call. Here is what the local first runs will be showing:

Liberty—“Great Expectations.”
Lorain State—“After Office Hours.”
Orpheum—“Roberta.”
Saenger—“The Little Colonel.”
St. Charles—“Carnival.”

Victor Meyers, manager of the Orpheum, will show programs during the convention and plans to be on hand to welcome those who want to take it in. Other theatres are expected to do likewise.

Hotel grills and night clubs around town are lining up special programs. Destined to be popular is The Blue Room at the Hotel Roosevelt, in which hostelry convention headquarters are to be maintained. The Eagle Music Hall is continuing “Uncle Tom’s Cabin” and vaseline.

All of this has nothing at all to do with midnight and early morning forays which conventioneers may determine to rig up on their own.

Town Primed for Crowd

Many surprises are scheduled for the visitors, including golf tournaments at the Metairie golf course, a bridge tournament for women, a tour of the Vieux Carre with experienced guides, who in the old quarter, a hundred historic squares, the living romances of two colorful centuries have been preserved in settings unchanged and unique. Beneath balconies embroidered with the iron handiwork of African slaves, under the waving leaves of banana trees in cool patios, as in the Napoleon House and the Absinthe House, visitors may commune with the spirits of Lafayette, Bienville, Lafitte, Jackson, Pere Antoine, heroes of the early days. With Creole chefs they may revel in the culinary marvels created here for them by proud generations of Creole chefs. In secluded patios they may discover genuine gumbo and find out why Thackeray raved of New Orleans’ boulobaisse: why gumbo is Irvin S. Cobb’s favorite; and top a gala day with an absinthe frappe or a gin fizz among a people who know.

Then the Racetrack

While numerous night clubs have provided additional entertainers, showers and all that go with an athletic club can be had in the immense structure of the New Orleans Athletic Club just a few doors from Canal Street in the heart of the city. On Monday afternoon while warming up the afternoon of the convention proper, the entertainment committee has provided a corking good golf contest on the grounds of the Metairie Country Club, one of the finest greens in the south; the ladies will also be taken care of by a bridge party in the spacers club house.

Those who don’t go in for golf have the privilege of visiting the race track watching the hanger-tails go by and the bookmakers making funny noises when they pay off. At night the delegates are to be turned loose and wander where they will. They will wander. Special guides may be hired to show them the sights. No curfew bells will ring out.

The committee on arrangements has made arrangements with the Yellow Cabs for side trips and the like to places of interest such as the antique shops, old world places of beauty, cafes and bars without limit.

On Tuesday night after the worries of business sessions and committee meetings, President Kuykendall will hold a reception in the Tip Top Inn in the Hotel Roosevelt.

Wednesday night, the steamer Capitola has been engaged for a real old-time southern party with a cruise up and down the Mississippi with vaudeville stunts and dancing the order of the evening. Deck hands will be attired as the roundabouts of the days gone by, the steamer will be decorated with cotton bales as settees and side tables, while genuine (?) yellow girls and boys will carry refreshment trays.

For those that like to gamble—and what showman doesn’t—the Louisiana Jockey Club at the fair grounds will make losing money a pleasure. The grounds and clubhouse are most beautiful and the pari-mutuel system prevails.

The Gulf States Theatre Owners will also meet during the M.P.T.O.A. convention.

AN EMPTI POOL

has nothing on the shock of uncomfortable seats

Why shock your patrons with hard, lumpy, uncomfortable chairs?

Ask Us, “How can I reseat and pay for new chairs conveniently?”

AMERICAN SEATING COMPANY

Manufacturers of Dependable Seating for Theatres and Auditoriums

General Offices: Grand Rapids, Michigan

BRANCHES IN ALL PRINCIPAL CITIES

COMFORT—The Greatest Star Of Them All!

SURE, WE WILL BE THERE!

VISIT OUR BOOTH AT THE M. P. T. O. A. CONVETION AT NEW ORLEANS

See Our Display of Century of Progress COMFORT CHAIRS
**British Union Seeks Law on Wages, Hours**

By BRUCE ALLAN

London, Feb. 14.—Failure of the Joint Conciliation Board of the industry to arrive at a satisfactory settlement of outstanding disputes about wages and hours in London and Manchester is the reason alleged for an appeal from the Trade Union Congress and the National Ass'n of Theatrical Employees to the Home Secretary, asking legislative settlement of employment problems.

The union's suggestion is that the Cinematograph Act shall be amended to impose minimum wage scales and statutory working conditions on all theatres. That the theatre staff may bear a strict proportion to average patronage is another suggestion. *** * ***

Since publication of the report of the official Television Committee, big rises have been reported in the shares of the Baird Television Co. and in those of Gaumont British, which has a predominating interest in the Baird company.

Baird Deferred is now at 10/- against 3/6d. Jan. 29; the Preferred is 6/9d against 2/3d and the Preferred "A" 60/- against 35/3. Gaumont British ordinary is priced at 10/- on Jan. 29. All are now 12/3.

The Baird system is one of two selected by the committee for the daily three-hour television transmissions recommended in the report. The other is owned by Electrical Musical Industries, shares of which have also increased in value, from 32/45 to 34/45.

*** * * **

Charles Laughton has been cast as the Emperor Claudius in a London film feature to be written from "I Claudius" and "Claudius the God," two novels by Robert Graves.

"Whither Mankind," "Queen Elizabeth," "The Conquest of the Air" and "Claudius" are scheduled as the first on the 1935 program. "Sanders of the River" is due for trade shows in early March.

*** * * **

Universal has signed Henry Molli- son, the West End actor who, after a success in the play "Richard of Bordeaux," was signed for Mr. Ginders by B.I.P., who later cast him in "McClosky, the Sea Rover" and "Drake." He sails on completing the latter part at the end of February.

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**“Good Fairy” $7,800 Draw On the Coast**

Los Angeles, Feb. 24.—"The Good Fairy" romped away with the best gross of the week by more than doubling normal on a $7,800 take at Pantages.

Only three other spots succeeded in doing good business. They were the Star, where "The Iron Duke" reached $5,500; the Hillstreet, where "Devil Dogs of the Air" went slightly poorer at $8,400, and the United Artists, where a duel, "The Winning Ticket" and "Lottery Lover" grabbed $4,200.

Total first run business was $81,100. Average is $91,200.

Estimated takings for the week ending Feb. 24:

"DAVID COPPERFIELD" (M-G-M) CHINESE—(5,500), $36,500, 7 days, 2nd week. Gross: $1,250. (Average, $182.50)

"THE BLUE LIGHT" (Mayfair Ass'n)

National—(2,000), $1,200. (Average, $600)

"THE IRON DUKE" (Gaumont British)

HILLSTREET—4ST—(900), 35c, 6 days. Gross: $1,900. (Average, $317)

"DAVID COPPERFIELD" (M-G-M) LOEN'S STATE—(3,500), 35c, 5c, 7 days. 2nd week. Gross: $15,200. (Average, $3,500)

"WINGS IN THE DARK" (Para.) PARAMOUNT—(3,000), 35c-5c, 7 days. Stages: F. & M. Revue, Moore & Revel, Rosco Wolf and his orchestra. Gross: $15,600. (Average, $4,400)

"DEVL DOGS OF THE AIR" (Warners) HILLSTREET—(2,000), 25c-65c, 7 days. Gross: $8,000. (Average, $1,100)

"THE WINNING TICKET" (M-G-M) WARNER BROS. "LILY" (Warners)

HILLSTREET—(3,500) 25c-65c, 7 days. 2nd week. Gross: $6,800. (Average, $960)

"WOMAN IN RED" (Warners)

"LIGHTNING STRIKES TWICE" (Radial) WARNER BROS. "DOWNSTAY" (3,400) 25c-65c, 7 days. Gross: $6,000. (Average, $850)

"THE GOOD FAIRY" (Univ.) PANTAGES—(5,000), 25c-65c, 7 days. Gross: $6,800. (Average, $1,300)

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**Carriers Preparing For Own N. O. Meet**

New Orleans, Feb. 24.—Legislative problems affecting the trucking industry will be discussed tomorrow and Sunday by the executive committee of the National Film Carriers, Inc. James Clarke, president of the organization, is chairman of the committee which consists of George F. Callahan of Exhibitors Service; Pittsburgh; H. C. Robinson, Film Truck Service, Denver; John Vickers, Carolina Delivery Service; Charlotte; G. M. Blackman, Smith Film Service, Syracuse. Several other members in addition to the executive committee are here for the M.P.T.O.A. session.

Clint Weyer, secretary, recently stated that there were pending in 44 states a total of 850 bills which, if passed, would work undue hardship on the film trucking men.

Clarke recently attended the policy committee meeting of the American Trucking Ass'n, when the various bills were discussed.

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**Fitzgerald Ends Nights**

Milwaukee, Feb. 24.—Wisconsin Amusement Enterprises, Inc., will discontinue bank nights in all its houses, according to H. J. Fitzgerald.
Re-Team Francis-Brent
Hollywood, Feb. 24.— Warners have again teamed Kay Francis and George Brent due to their success in "The Goose and the Gander." They will be starred in "Lady with a Badge," an original by Ferdinand Reyher and Commander Frank Wead dealing with a Travelers' Aid Society worker.

Iola Theatres Pooled
Iola, Kan., Feb. 24.— A pooling arrangement has been effected here between Glen W. Dickinson Theatres and Ira Kelly. The Dickinson has been closed and Kelly will operate the Iola and Kelly. Another theatre in this town is operated by E. Van Hyning.

Canada War Film Ready
Toronto, Feb. 24.— The world premiere of Canada's war feature, "Lest We Forget," will take place in Ottawa on March 7 under the patronage of the Governor-General and Countess of Bessborough, Prime Minister R. B. Bennett, members of the Canadian Cabinet and other dignitaries including Dominion officers of the Canadian Legion.

The film, largely comprising shots of the Canadian Expeditionary Force from the official archives, has been prepared by the Canadian Government M. P. Bureau and will be released to theatres after the first formal showing.

Liberty in Canada Deal
Toronto, Feb. 24.— Product of Liberty goes to Excellent Films.

Ban Springfield Change
Boston, Feb. 24.— The grievance board has dismissed a petition of Nathan and Sam Goldstein, operators of theatres in the western part of the state, to give the Arcade Theatre in Springfield 14 days' clearance over the Phillips, 30 days over the Strand, five months over the Liberty, six months to a year over the Garden, four months over the Jefferson, and five months over the Fox Nelson. These are all houses operated by the Winchester Amusement Co.

Fox Signs June Knight
Hollywood, Feb. 24.— June Knight has been definitely set by Fox for the lead in "Red Heads on Parade." She will have her hair dyed red for the role opposite John Boles.

For complete information regarding ERPI's new Service Plan, visit Booths 62-63 on the Convention Floor.

Distributed by Electrical Research Products, Inc.
250 West 57th Street, New York
Okay, New Orleans!

Okay, M.P.T.O.A. Members!
While you’re having a good time, Columbia is going right ahead with more big-money productions!
Get set to break records with

Edward G. Robinson in The Whole Town’s Talking

Lilian Harvey — Tullio Carminati in Let’s Live Tonight

Grace Moore in On Wings of Song

A New Claudette Colbert Hit!

A New Frank Capra production always “The Best of the Year”!

Columbia Pictures
"WE WANT CODE CHANGES", IS CONVENTION KEYNOTE

Wilentz Will Take Warner Case to NRA

Having successfully prosecuted Bruno Hauptmann for the murder of the Lindbergh baby, David T. Wilentz, attorney general of New Jersey, will next concentrate his legal activities on the clearance dispute which an Allied of New Jersey member has pending against Warners.

Wilentz will return from a Miami vacation on March 15 and will appear before the Industrial Appeals Board of the NRA in Washington on behalf of Louis Levin, operator of the Elwood, Newark, who seeks to eliminate the 14-day clearance by Warners’ Regent, Newark, and Capitol, Belleville, N. J. The original hearing date, Feb. 20, was set back because of Wilentz’s absence.

Representing Allied and Levin when the matter was first heard by the New Jersey advisory committee, of which Joe Lee was chairman, on June 10, Wilentz confided his lack of familiarity with film cases, stating this complaint was his first. In his opening statement, the attorney general minced no words, saying: “I have mainly been representing fellows hit by trucks and not those hit by Warners.” The meeting, covered (Continued on page 30)

Wm. Fox Reported In Dicker for “U”

Hollywood, Feb. 24 — William Fox’s name enters the Universal situation as a bidder for its purchase and with B. F. Schulberg in charge of production. Reports along above (Continued on page 2)

Report Another Fox Met in Offing

A second bid for Fox Metropolitan Playhouses in competition with the Joseph M. Schenck-Fox Theatre (Continued on page 32)

Dangle Block Booking Angle To Force Cancellations Up

Meet the President

By RED KANN
ABOARD M.P.T.O.A. SPECIAL, ATLANTA, Feb. 24—It looks like a party. A big party. A handful of hours after this special, running as a second section of the Crescent Limited into the New Orleans playground, let New York Saturday night clinched the argument, if there was any, which there was not.

Socially, it looks like a big handful of days. Business-like, the convention looks interesting with results entirely in futures.

Bulletins out of New Orleans indicate the stagecraft has gone into overtime. The code, good old code, will provide whatever fireworks develop. Once again, the ancient battle between those none too friendly enemies, the producer and the exhibitor, is about to be touched off, this time almost entirely through the code and what it does not provide.

Says the M.P.T.O.A., in effect even if not in this language:

“Let’s see what the code has done. It’s over a year since it became the law. What we are interested in now is in pointing up what the code has not done. We admit the document was

They’ll Be At New Orleans

And Here’s What They Seek

Motion Picture Daily wired its nationwide corps of correspondents to find out who will attend the M.P.T.O.A. convention in New Orleans and what grievances they’ve packed into their bags for airing on the floor. What follows are the results of that check-up:

Benton from Upstate

ALBANY, Feb. 24 — William Benton, operator of the Congress, Saratoga Springs, is expected to attend the M.P.T.O.A. convention. No others contemplate the trip so far as can be learned. The M.P.T.O.A. has no affiliated unit in this section.

Eight from Southeast

ATLANTA, Feb. 24 — B. Wilby of Valatenga Theatres, Lionel H. Keene of Loew’s, Inc., W. K. Jenkins of the Lucas and Jenkins circuit, Sam Moscow, southern district manager for Columbia, and H. O. Duke (Continued on page 14)

Cancellations Up, Designated Dates Out, Are Aims

By J. W. LEIGH

NEW ORLEANS, Feb. 24 — The M.P.T.O.A. will strike for significant changes in the code at its 15th annual convention which gets under way Monday at the Roosevelt.

It will strike out for an upswing in the convention clause from its present 10 per cent to 20 per cent, but emerge satisfied from convention hurriedly at the end of the week with a split at 15 per cent if it can get that.

It will strike out for elimination of designated playdates on the ground that the practice indulged in today by all major distributors is not only an encroachment on the freedom of theatre operation, but a means of keeping alive public exhibition of objectionable pictures through insistence on Sunday playdates when family patronage is strongest.

Objection will be registered to the present status of the copyright laws which impose a $250 fine upon violators, whether conscious or otherwise, and without benefit of hearing.

A formula will be sought to effect clearance on a broad scale throughout the country, but based on admissions only. Probable is the development of a plan to bring about this objective through proposals in code revision, although details tonight are being jealously guarded.

Much attention will be paid to ways and means of increasing grosses by squeezing to its maximum dryness that which exhibitors get in product rather than continue to waste time by ranting against producers for failure to deliver

(Continued on page 2)

Turn to page 28 for the day-by-day program of the convention.
written without precedent. We also ad-
mitted that it was finally drawn and ap-
proved minus a lot of things we wanted 
couldn't get. Now we want them."

What are those things? For one, there is the situation on cancellations. Perhaps we're doing nothing in this department, but the problem, insists the M.P.T.O.A. The 10 per cent provision, hamstrung with catches and ties-up, are obviously one of various kinds isn't nearly enough of a concession. The M.P.T.O.A. argued for 20 per cent during those murderous days in Washington and walked off with something which it maintains simply isn't enough.

It wants:
(1) Clarification of the atmosphere on the 10 per cent arrangement.
(2) A two per cent, or less, bump in the film business, a compromise at 15. The M.P.T.O.A. will be content with a compromise.

How It Hooks Up
All of this ties in with block booking and the activities of sundry individuals in the industry. The block booking system has been under attack to some extent in the last couple of days. The distribution is that block booking will shrink to a considerably less vital issue if cancellations expand into a more sizeable one. It will argue, that on day is reporting in advance, that the way to stifle much of this anti-block booking threat is to give exhibitors more latitude in pencilling out product they either do not wish to or that they consider unsatisfactory to their audiences. The M.P.T.O.A. is apt, very apt, to go strategic and inform distributors at large that unless something is done about cancellations, the organization will either get actively behind some of the legislation stumping in Washington, or simply go out of business. It is going to have some words to say about the influence to be shown on its ultimate en-
actment.

Of considerable potential interest is the situation in the studio picture which will spend the day discussing theatre problems, posing merchant-
men's and business-riddle, airming methods of ap-
proximating maximum from available raw material.

The theory behind this is simple, yet exciting. It takes into account what is described as the futility of raising hell with producers for quality on general principle. They wish to have the same time, little or nothing is done about delivered product. This is why the M.P.T.O.A. and others are on the alert to see that the theaters are given the proper treatment through the distribution board of the Balaban and Wilby type who, having once recognized what they are given to sell to the public, proceed to sell it even while they may silently rave over the futilities of Hollywood.

Hold Star Value Slant
It works something like this: The last so-and-so may not have been good. Too bad, but inexpres-
sible is the point that, since the exhib-
itor already bought it, he ought to do something about selling the film in-
stead of gnashing his teeth.

Higher uppers in the M.P.T.O.A. say that the group has come up with a fantastic outpost outlook—that of the total pic-
ture output per annum the peak load in high gross is the result of the M.P.T.O.A. They also figure that in numbers of out-
standing box-office shows, the total ends per show are relatively at six or eight. They continue: "What happens? The average exhibi-
tor makes gods and goddesses of the images of the comedy and the way it re-
sects itself in Hollywood and studio salaries continue to soar steadily to-
wards the next year into Dumas and Ramos Royalty."

But exhibitors have to show the other product as well. If they did something about it, if they operated on the idea that they are supposed to be would, and should, it is easily conceiv-

able that other stars might be made, thereby increasing the number of these being cut at the tail and making the general exhibition problem easier. The trouble is too many operators of theatres sit down and wait for their grosses to come up with no assistance drawn from the fount of their own experience.

Hollywood will go into ecstasies over this.

The argument sounds, and is, inter-
esting. There are many exhibitors, so called, who have been doing alright who are different in their own way, which sometimes is another name for luck.

If the confectioners can get away from "Pie's" Sazeracs and Sacrementos, it might not be such a bad idea to come up as the highlight of the session.

MOTION PICTURE DAILY

Kuykendall’s
Regime Will
Be Continued

NEW ORLEANS, Feb. 24.—Re-elec-
tion for another year of Ed Kuy-
kendall as M.P.T.O.A. president, as well 
as the entire slate of incumbent offi-
cers of the organization, is regarded as a certainty at the annual meeting of the M.P.T.O.A. board Monday.

A meeting of directors was reconvened to fill the vacancy caused by the resign-
ation of Fred S. Meyer, who became assistant to Carl Laemmle during the past year. Morris Lovenstein of Oklahoma City and Charles W. Picquet of Finchurst, N. C., are regarded as likely candidates for the post.

In addition to Kuykendall, officers slated for re-election include Walter V. Williams, vice-president; E. J. Comerford, secretary; M. A. Light-
man, Treasurer; A. Julian Brylawski, recording secretary; E. J. Dembrow, Jr., as secretary when he left Paramount to assume a position as sales manager in New York, and E. V. Schiller of Loew's; L. E. Thompson of KKO, and Vincent. Several
replacements for this board are antici-
pated.

Meyer was a member of the exec-
utive committee and it is believed that his successor will be similarly 
will also be elected to the committee Mr. and the new executive committee will be the elected to the committee Mr. and the new executive committee will be led by Ed Kuy-
kendall, O. C. Lam, Sidney Lust, J. H. 
Michael, Jack Miller and Thompson. Several of the board of directors are elected reursively by the affiliate-
ating units. No election of directors is scheduled at this time.

Gillham to Sit In

NEW ORLEANS, Feb. 24.—Robert M. Gillham, director of advertising and publicity of Paramount, is here for the convention and is showing 10 days of fishing in Florida.
PARAMOUNT PRESENTS A PREVUE OF "MISSISSIPPI"

starring

BING CROSBY
W. C. FIELDS
JOAN BENNETT

with

Queenie Smith, John Miljan, Gail Patrick
Fred Kohler, Claude Gillingwater

A Paramount Picture • From the play by Booth Tarkington • Directed by Edward Sutherland
THE GLAMOUR OF THE OLD SOUTH!—Bing Crosby playing the gallant to his lovely Dixie bride, Gail Patrick, amidst the romantic glamour of the Old South.

IN A JAM!—The old Man of the River, W. C. Fields, is jammed in between the doorway and Queenie Smith after an altercation in which the commodore comes out second best.

THE SINGING KILLER!—Bing Crosby sings love songs to lovely ladies, fights for honor and wins the prettiest gal in Dixie!

STYMIED HAM!—The steely glitter in Dead Shot Cap'n Blackie's (Fred Kohler) eyes interrupts the trajectory of some "ham-and" from the plate to the commodious mouth of the four-flushing river showman!

THE BATTLE OF THE CENTURY!—The Singing Killer in a struggle to the death with Dead Shot Cap'n Blackie, Unchained Alligator of the Dismal Swamp!

HERE THEY ARE... the Glittering Galaxy of Stars from the Great Jackson HIMSELF... Alabam, Dancing Dynamite of the Bayous... of Novelty Melodies... A ship of Song, Laughter, Rhythm and Romance...
ANCING . . . EXCITEMENT . . . ROMANCE!

HAPPY ENDING!—With a happy song on their lips, Bing Crosby and Joan Bennett steam away with the Show Boat troupe down the broad highway of the Mississippi.

ANYWAY, IT’S LOUD!—The Champion Calliope Player of the Seven Seas hits a close one with the Notorious Colonel Steele, the Singing Killer.

ON THE LOOSE!—A tense moment when a friendly card that started with chips and glasses ends with pistols and knives!

NOT SO BAD!—Lovely Joan Bennett gets quite a shock when she learns that the notorious river desperado, The Singing Killer, is none other than her romantic troubador, Bing Crosby.

THE OLD ARMY GAME!—What with bedlam rampant on the Show Boat and killers on the loose, the Skipper can’t be bothered playing around in a woman’s arms!

A SONG OF LOVE!—Bing Crosby sings his way into the heart of Joan Bennett, the loveliest lass in the Mint Julep Belt.
NATION-WIDE MERCHANDISING CAMPAIGNS TO PLUG PARAMOUNT'S "MISSISSIPPI"

National Newspaper Ads
Key centers throughout the country will be supported by a national newspaper campaign that will sell "Mississippi" as the most important entertainment event in the history of the community!

Music
Rodgers and Hart Hit Songs... nation-wide window tie-ups... radio plugs... ballroom tie-ups... Decca and Brunswick record tie-ups... music exploitation that will blanket the country!

Exploitation
Giant National Exploitation Tie-Ups... Armour, Old Gold, Woolworth, Kresge, Woodbury...
Full page ads in Saturday Evening Post and American Weekly...
newspaper ads, display cards, heralds, window tie-ups, still give-aways... Exploitation of a nation-wide scope!

Armour's MEAL OF THE MONTH

We suggest you see W.C. Fields in his newest Paramount success "MISSISSIPPI" at your local theater.
MY GRATITUDE TO PARAMOUNT FOR PUTTING AT MY DISPOSAL THE SUPERB TALENT AND GREAT ORGANIZATION WHICH PERMITTED ME TO PRODUCE MISSISSIPPI

Arthur Hornblow, Jr.
FROM BEHIND THE CAMERAS OF

PARAMOUNT'S

"MISSISSIPPI"

(Arthur Hornblow, Jr.—Associate Producer)

DIRECTOR

A. EDWARD SUTHERLAND

 SENDS HAPPY BOX-OFFICE GREETINGS TO THE SHOWMEN OF AMERICA!
"Greetings Showmen of America—

I sincerely hope *Mississippi* clicks for you. Thanks Paramount and fellow workers. 'Twas a pleasure."

_Bing Crosby_
To
Showmen
Everywhere

“Lucy” sends you all her very best wishes from
the Showboat of Paramount’s
“Mississippi”

Joan Bennett
Cancellation Shift Is Up to Campi

Newark, Feb. 24.—Revisions for doubling the present 10 per cent cancellation provision in the code, slated for the M.P.T.O.A. convention, will have to be made to Campi. If it approves, any amendment will have to go to Washington for Compliance Director Sol A. Rosenblatt's signature.

Efforts by exhibitors for 15, 20 and 25 per cent elimination privileges in contracts date back to the early stages of the formation of the code when coordinating committees were named to pacify opposing elements. On Aug. 2, 1932, the M.P.T.O.A. of the industry had worked on a tentative draft of the code for months and the first signs of cancellation came to light. Exhibitors were given a 10 per cent clause. Distributors wanted to adhere to the uniform contract provision and sought the 15 per cent clause in the code. It provides for the first five per cent with full payment, the second five at half price and the third five without payment.

With exhibitors holding out for a 15 per cent and distributor group tremendously increasing the code clause, the issue ultimately was left to Rosenblatt for decision. In the master exhibitor draft sent to Washington, the 5-3-3 arrangement, arrived at after 20 more months of active and desultory conferring by committees representing exhibitors and distributors, was included, but in the list of 28 exceptions submitted with the draft by Charles L. O'Reilly, exhibitor coordinator for the elimination provision was included.

Has Ancient History

On Sept. 21, 1933, Motion Picture Daily stated that Allied was seeking a 20 per cent cancellation. S. R. Kent, distributor coordinator, in commenting on the subject, said at the time: "If the exhibitor is given the right to cancel out pictures as he may elect how can the studios tell what pictures to make or not to make? Our negative income costs, after elimination, will maintain their present high level; we will be compelled to make all of the pictures we set out to make at the start of the season and staggered on the chance some of them will be canceled, and by not being canceled, return what we have spent."

On Oct. 4, 1933, the first revised draft of the exhibitor code by Rosenblatt was included, the 20 per cent elimination without payment. Five days later this clause was changed by reducing the percentage by five. The reduction followed conferences between Rosenblatt, then administrator, and distributor heads.

The third revision of the exhibitor draft followed on Oct. 19 when the clause was changed to read that cancellations can only be made on groups of 10, or, in other words, one of ever 10 pictures bought may be canceled.

On Oct. 28, United Artists had not yet signed the code and, while it was stated at the time that its reason was because it opposed the anti-filling clause in the production code draft, it was believed that the cancellation privilege was also an annoyance because of the company's individual selling policy.

Two days later, distributors went on record as willing to abide by contracts already signed providing for 15 per cent cancellation. This was under the original 5-3-3 arrangement, but on Dec. 4, Motion Picture Daily learned that the 10 per cent provision would be granted exhibitors on an exchange basis. Allied directors, meeting secretly in New York on Jan. 24, 1934, renewed their effort to put on record their comment on their stand. It is believed that they still maintained their 20 per cent provision made on Sept. 21, the year before.

Around Feb. 10, Campi members had an inning on the retroactive phases of cancellation. Rosenblatt contended that, as of Dec. 1, when the code went into operation, Code Authority members thought differently and asked N.R.A. legal department for a decision. On Feb. 16, John C. Film released the legal department order upholding the administrator. Not satisfied with the ruling by the N.R.A., M-G-M, Paramount, RKO, Fox and Warners on March 1 were reported ready to test the ruling. On March 10, the five companies changed their attitude and acquiesced, March 30 found the company codes revalidating letters to local boards advising secretaries to list for hearings complaints on cancellations.

Apparently still divided on the number of renewals for eliminations, distributors were holding out at the end of March when Rosenblatt, at a meeting in Iowa addressed another down. By a vote of eight to two, Warners and Paramount dissenting, they eliminated any cancellation privilege. To top this, the NRA on March 31 ruled that even non-as-"sents could benefit by the 10 per cent provision. On April 12, Code Amendment 14, which allows exhibitors to immediately abdicate by the elimination clause in the code.

At the M.P.T.O.A. convention last week, Warner officials and exhibitors to the elimination figure to 15 per cent. That was on April 14 in Los Angeles. When Campi was asked on April 20 about the matter of the M.P.T.O.A. resolution, no official request was on record as to what was reported in trade journals. On April 21, Nebraska went on record for 15 per cent cancellations, but no further action is reported.

On May 28, Campi reported 215 non-assenors had taken advantage of the power to cancel without payment. The first sign of difficulties with U. A. over the 10 per cent provision came to the attention of code members when, on May 29, William E. Truog, branch head for the company in Kansas City, notified Grace Gann, local code secretary, that the company would not sign the code clause. Supporting this statement was Al Lichtenman, who in Chicago on June 4 on a two-day company convention, stated "It is our understanding when we signed the code and also our agreement with Sol A. Rosenblatt we were not subject to the clause."

Cancellation Clause Facing Fire on Convention Floor

New Orleans, Feb. 24.—The cancellation clause against which the M.P.T.O.A. shall lay down a heavy barrage appears in the code under Article V (Unfair Practices), Subdivision, Part F.

This is the text on which the exhibitor convention will seek amendment to increase the 10 per cent bracket to 20 per cent:

Part F. In any license agreement for the exhibition of feature motion pictures the Exhibitor has contracted to exhibit all of the motion pictures offered at one time by the Distributor to the Exhibitor and the exhibitor's exclusive payment therefor (other than $250,000), the Exhibitor shall have the option of retaining one (1) motion picture or any combination of more than one (1) motion picture at his option, but shall not exceed ten per cent (10%) of the number of such motion pictures so licensed; provided the Exhibitor does not in default under such license agreement:

(1) shall have complied with all of the provisions of such license agreement, including those of such motion pictures at specified intervals;

(2) shall have paid in full all payments due and payable under such license agreement; and

(3) the Exhibitor's theatre is not in default under such license agreement.

(2) If none of the Distributor's feature motion pictures exhibited under such license basis at such theatre during said period, average the license fee of all feature motion pictures exhibited during said period.

(3) The rental of any motion picture excluded is to be computed in whole or in the nearest per cent of the receipts of the Exhibitor's theatre, the sum to be paid to the Exhibitor as provided in paragraph (b) above. The Exhibitor may exclude without payment therefor one (1) motion picture out of each group of ten (10) of the same feature motion pictures at the license rate provided he has payed for the other nine (9) of such group.

(3) If such privilege of exclusion is not exercised as provided in paragraph (b) above, the Exhibitor may nevertheless exclude without payment the license fee of each motion picture excluded with the exception that, in any such case, such payment shall be credited against the Exhibitor's motion picture rental, if applicable, as the case may be, which the Exhibitor has paid the Distributor for the theatre during the said period.

The Optional Standard License Agreement referred to in Part F hereof be and is hereby amended by the following substitution of Article Fifteenth of such contract the provisions of this Part.


cancellation clause facing fire on convention floor

U. A. Was Storm Center

Fred Meyn of the Pershing, Kansas City, said he would file a test case against United Artists. This was the third instance against the company, The Egyptian, Las Kalb, Ill., last second. This theatre filed a complaint on June 11, a week after Meyn. The third instance developed without special significance when, on Aug. 9 last year, H. R. Evans of the Albinon, Albinon, Ind., was granted a Campi version on a film which had showed 26 pictures, or all offered by the company, and was turned down for $10. The Albinon, code authority held that the exhibitor was within his rights, having bought all pictures under the contract, the contracts were on an individual basis and that Campi could not eliminate 10 per cent of one picture. During the with August, U. A., through its attorneys, O'Brien, Driscoll & Raftery, threatened legal action. On Sept. 7, this plan was dropped, the company stating that it would abide by its provisions.

On Oct. 23 the question of substituting pictures for cancellations came up, distributors contending they had the right to take a picture from the lower bracket in any contract and charge an exhibitor the amount of the film canceled in the higher bracket. On Dec. 26, Ed Kuykendall, in a bulletin to exhibitors, contended that an overruling of the code, stated the code cancellation privilege was based on the contracts were on an individual basis and that Campi could not eliminate 10 per cent of one picture. During the with August, U. A., through its attorneys, O'Brien, Driscoll & Raftery, threatened legal action. On Sept. 7, this plan was dropped, the company stating that it would abide by its provisions.

No further complaints against United Artists have been registered with either local boards or Campi. Apparently disappointed in its efforts to get increased cancellations, Allied at its last board meeting in Washington recently did not dip into the subject, but slammed the code at large.
"A triumph!" SAYS MOTION PICTURE DAILY
SAMUEL GOLDWYN presents

GARY COOPER

ANNA STEN

(The)

Wedding Night

in

with

RALPH BELLMAY • HELEN VINSON
SIEGFRIED RUMANN

Directed by KING VIDOR

Released thru

UNITED ARTISTS
Delegates Are Ready with Problems

Territorial Complaints Seek Hearing

(Continued from page 1)

are locals who will attend the convention.

M. V. Manning of Ewotaw, Tenn., Mack Jackson of Alexander City, Ala., and L. J. Duncan of West Point, Ga., are out-of-towners who have made reservations to leave for the convention from this point.

Goldstein from Baltimore

BALTIMORE, Feb. 24.—Norman Goldstein, president of the Globe Poster Co. here, is the only person connected with the industry who is to attend the convention, so far as can be learned. This section is a stronghold for Allied.

Giles from New England

BOSTON, Feb. 24.—George A. Giles, president of Allied Theatres of Massachusetts, Inc., which is an M.P.T.O.A. affiliate, will represent his organization at New Orleans. He is the only one definitely stated to go.

Sam Pinansky of Olympia Theatre, however, by Florida for his health and may take in the proceedings. There is a possibility, too, that John J. Ford of the same circuit and a member of the Giles' association, may sit in.

Michael Only One from Buffalo

BUFFALO, Feb. 24.—Jules H. Michael, zone chairman of the M.P.T.O., is the only one from the Buffalo circuit attending definitely on attending the New Orleans convention. He said he had no special sectional situation in mind to present, but would wait first to see what was brought out on the floor of the convention.

25 from the Carolinas

CHARLOTTE, Feb. 24.—The North and South Carolina M.P.T.O. will have approximately 25 members and their wives at the convention. The problems to be brought up by exhibitors of this district are closely aligned with those of the national association and no local grievances or suggestions are slated for airing.

Those who will attend are: George and Mrs. Parr, Lancaster, S. C.; M. and Mrs. B. P. South, Creston, S. C.; C. E. and Mrs. Massey, Waynesville, N. C.; J. M. and Mrs. Gregg, Charlotte; L. C. Sipes, Charlotte; H. R. Berry, Hartsville, S. C.; Walter Gregg, Charlotte; J. E. Simpson, Gastonia; Roy Smart, Charlotte; H. F. and Mrs. Kinney, Charlotte; Walter and Mrs. Griffith, Charlotte; Ruth Hardin, Charlotte, secretary of the association; J. H. Vickers, Charlotte; C. B. Jago, vice-president of the association, and Al Bert Sottile, Charleston, S. C.

Miller, Balaban Going

CHICAGO, Feb. 24.—Jack Miller of the Chicago Exhibitors’ Ass’n already something better. This is the keynote—buried in the solid day’s problems and devoted to advertising managers of major producers, by experts in equipment and by experts in theatre merchandising.

The “drones” in exhibition ranks are slated for a lashing for their dependence upon an active few in their territory to throttle adverse legislation. “Pay” talk designed to awaken theatremen from their lethargy in this direction will be spotlighted throughout the sessions.

The cancellation issue will be a hot one. It looks like fireworks on this point. M.P.T.O.A. men insist the 10 per cent bracket is not sufficiently generous. They maintain they cannot ward off outside, adverse criticism unless the bars are further let down. They maintain there are too many strings attached to the method by which the current eliminations are granted and they charge some distributors with bad faith in that they either are dodging cancellations or make it difficult to get, code notwithstanding.

Therefore, the convention will hold hard for two things. One is clarification of the “drones’” stand, but the other is the cancellation issue. It now stands with the elimination of all strings attached. Two, a hike in the bracket.

If they get this concession, which, no matter how the convention works out will have to be submitted to Code Authority in New York, it will settle the block booking question will become less acute. The greater the number of pictures cancelled the less the cry about being forced to buy in groups. This is the idea that Ed Kaykendall, national president told Motion Picture Daily on the eve of the confab that this will be no "smothered" convention.

"We have deliberately drawn up our program to include speakers who

belong to any state unit are members of the I.T.O. of Ohio, which is an Allied unit.

Drank Blank in Cleveland

CLEVELAND, Feb. 24.—No Clevelanders will attend the New Orleans convention. Practically all of the local theatremen, aside from affiliated circuits, are members of the Cleveland M. E. Exhibitors’ Ass’n which fails to see problems eye to eye with the M.P.T.O.A.

None from Columbus

COLUMBUS, Feb. 24.—A check of exhibitors and exhibitor organizations here shows that Columbus has closed any exhibitors who will attend the convention in New Orleans.

The reason is obvious. This is an Allied territory and the I.T.O. of Ohio is an affiliate of that organization.

(Continued on page 30)

Code Clauses Slated for a Featured Role

Dallas After 36 Convention


Walthall and a group will ask the convention in 1936 for Dallas, at which time Texas will be holding the Centennial Celebration and Dallas as the principal centennial city. L. C. Griffith of Griffith Amusement Co. will represent the M.P.T.O.A. at Dallas today to entice for New Orleans. Bonnie Long, secretary of the local code board, will attend.

A large delegation of Oklahomans is reported driving to Dallas to join exhibitors from the local group, New Orleans bound.

Huffman Gaming Fight

DALLAS, Feb. 24.—There is a strong possibility that the Rocky Mountain Theater Owners’ Ass’n will be represented at the convention. The president, Harry E. Huffman, Earl P. (Bishop) Briggs and Frank Culp are planning on attending. All are members of the organization.

Huffman is at present engaged in a fight in Federal court to prevent an agreement from carrying out the orders of the grievance board to stop service to his theatres. Ordered to stop autograph giveaways, he persisted, and the stop order was vacated. If Huffman attends he is expected to try to have the code modified to allow giveaways in theatres. He is firm in his conviction that they are needed until business conditions improve.

Draws Des Moines Blank

Des MOINES, Feb. 24.—A check made by Motion Picture Daily shows the local exhibitor fraternity is passing up the M.P.T.O.A. convention completely.

Detroit Sans Delegation

DETROIT, Feb. 24.—Checkup of exhibitors here indicates that Michigan, which has no M.P.T.O.A. unit, will not be represented at the convention in New Orleans.

E. W. Robinson, of Film Truck Service, will, however, attend the sessions of the National Film Carriers, Inc., which will be held during the convention. Robinson, who is vice-president of the carriers’ body, will go to Florida from New Orleans for a vacation of several weeks.

Indiana Won’t Be Present

INDIANAPOLIS, Feb. 24.—This is an Allied territory in which the As-
North, South, East and West

The Officers and the Directors of M.P.T.O.A.

Ben Berinstein
Los Angeles

Joseph Bernhard
New York

A. Julian Brylawski
Washington D. C.

W. S. Butterfield
Detroit

M. E. Comerford
Scranton

E. M. Fay
Providence

George A. Giles
Boston

O. C. Lam
Rome, Ga.

Edward G. Levy
New Haven

M. A. Lightman
Memphis

Sidney B. Lust
Washington, D. C.

Jack Miller
Chicago

C. W. Piequet
Pinehurst, N. C.

Lewen Fizer
Philadelphia

E. A. Schiller
New York

L. E. Thompson
New York

Walter Vincent
New York

Ray L. Walker
Lampasas, Tex.

Morgan A. Walsh
San Francisco

Fred Wehrenberg
St. Louis

C. E. Williams
Omaha

B. X. Williams
Oxford, Miss.
WE TOLD YOU SO!...WEEK-END CROWD!

BY "NIGHT LIFE OF THE GODS," UNIVERSAL!

AND HERE IS THE ROXY AD CAMPAIGN THAT DREW PACKED HOUSES FROM MORN TO MIDNIGHT!
OS AT THE N. Y. ROXY WERE AMAZED

VERSAL’S MASTERPIECE OF NONSENSE!

starts FRIDAY (Washington's Birthday)
HERE'S HOLLYWOOD'S GIDDY SENSATION! MAD, MERRY NONSENSE!
LOWELL SHERMAN'S Upstairs Production of THORNE SMITH'S AMAZING NOVEL!

"NIGHT LIFE of the GODS"
A Universal Picture with Alan Mowbray, Peggy Shannon, Florene McKinney, Henry Armetta.

ROXY
25c ANY DAY
35c ANY SEAT
THE SHOW VALUE OF THE NATION • 7th Ave. & 56th St.

STAGE
BIG HOLIDAY REVUE
PROSKE'S TIGERS
RUFE DAVIS & RADIO RUBES
ARTHUR MURRAY DANCERS
TOWN & KNOTT - ROSALEAN
& SEVILLA - NADINE & GIRALDO - THE GAGE FOSTER GIRLS - FREDDY MACK
ROXY RHYTHM ORCHESTRA

CURTAIN AT 8:30. SEES THE WILD RAMPAGE DOWN THE BROADWAY! YOU'LL HOWL!
SCENES! SIMPLY CRAZY!
DAVID COPPERFIELD
Greatest Extended Run Hit in the history of motion pictures!

CLARK GABLE
CONSTANCE BENNETT
AFTER OFFICE HOURS
Washington, D.C. premiere sensational!
Miami breaks all previous records

SEQUOIA
(SEE-QUO-YAH)
1935's Exploitation Triumph!
Nominated among Year's Ten Best!

JEANETTE MacDONALD
NELSON EDDY
in VICTOR HERBERT'S STAGE HIT
NAUGHTY MARIETTA
Coast advance notices predict greatest musical of all time.

WALLACE BEERY
and Friends Cast in
WEST POINT
OF THE AIR
Frightening successor to "Hell Divers"
and "The Big Sleep"

JEAN HARLOW
WILLIAM POWELL
RECKLESS
Unique musical melodrama.
"I'll see you at the World Premiere of 'NAUGHTY MARIETTA' Loew's State Theatre, New Orleans, starting March 2nd."

HELL BENT!

The eyes of the entire industry are on your pal Leo. Never in the annals of Metro-Goldwyn-Mayer (and what annals!) has Leo hit such a winning stride. Keep your dough on the leaping lion. This is only February of 1935!
Memphis for Death to "Walkathons"

Sees Them As Evil; Wants Some Relief

(Continued from page 14) Associated Theatre Owners of Indiana held a convention in the city, and so it obviously found local exhibitors have no particular interest in the New Orleans convention.

Kansas City Disinterested

Kansas City, Feb. 24.—Neither national exhibitor organization has made an approach to the city, and so it obviously found local exhibitors have no particular interest in the New Orleans convention.

Elmer C. Rhoden, Fox Midwest division manager who was slated to address the parleys, will not attend. Pressure, he said, his attendant upon emergence of his company from bankruptcy is the reason.

Falls City, Neb., Feb. 24.—Oscar Johnson, local and previously a member of the M.P.T.O.A., announces that the M.P.T.O.A. convention in New Orleans beginning tomorrow.

Bernstein Goes Solo

Los Angeles, Feb. 24.—Sid Bernstein, president of the Southern California association which is affiliated with the national M.P.T.O.A., will act as a one-man delegation to the New Orleans convention.

"Death to Walkathons"

MEMPHIS, Feb. 24.—Representatives of M.P.T.O. of Arkansas, Mississippi and Tennessee will go to the national M.P.T.O.A. convention with the proposal that all exhibitors unite in a bar walkathon from their communities.

M. A. Lightman, chairman of the tri-state board of directors, said tax problems will be unimportant to the minds of exhibitors from this territory who attend the convention, but that they will not have any definite recommendations other than the walkathon ban move, according to present indications.

Official representatives of this unit will be Lightman; W. L. Landers, of Batesville, Ark., president; and R. X. Williams, of Oxford, Miss., secretary.

Lightman is scheduled to speak on "Successful Ways of Putting Over the Family Night Idea," but plans to "creak" a bit on his subject, expanding it to include the general theme of goodwill promotion within the community and state. He will contend that the proper handling of this problem by exhibitors will go a long way toward solving all their legislative difficulties.

As chairman of the legislative committee, Lightman went to the convention a day or so ahead.

Exhibitors in this territory are more and more coming to regard the walkathon as a form of competition to which they need not submit, according to the former national president.

Robert, Treasury Dept Official, Will Talk on Taxation Problems

Washington, Feb. 24. — Assistant Secretary of the Treasury, Lawrence Wood Robert, Jr., will address the M.P.T.O.A. convention in New Orleans on the various forms of taxation confronting the exhibitor in the operation of his business.

Robert was born at Monticello, Ga., 45 years ago and received his degree at George Tech, where he was an All-American quarterback, a baseball player of sufficient promise to lead "Ty" Cobb to seek him personally, a fast man on the track and an all-round athlete.

Graduating, he became a consulting engineer and was, prior to his coming to the Treasury as a member of the "Little Cabinet," president of Robert & Co., textile engineers, and later was on the list of exhibitors at the walkathon. He has been associated with the migration of textile plants from New England to the South.

Bearing the family name, Lawrence Wood, borne by his father and grandfather before him, he is naturally known to his friends as "Chip." His official title is Assistant Secretary of the Treasury in Charge of Engraving and Printing and Mint Service.

Robert plans to leave Washington Feb. 25 or 26, stopping over at home in Atlanta to visit his father, Capt. Lawrence Wood Robert, before he departs to take the pass Christian home of Ben Hecht, president of the American Bankers Association.

Sentiment has been developing for some time for a definite move to curb the spread of, and in several instances, theatre owners have succeeded in this type of amusement out of their cities.

"I think it is time all the facts regarding what goes on at a walkathon should be brought before the national body for action," Lightman said. "So far as I know, it is about the only thing of the tri-state group that is determined to secure action."

Wisconsin Sending Observers

Milwaukee, Feb. 24.—The dissolution of the M.P.T.O. of Wisconsin counsel of the Skykendall organization will be in New Orleans. Max Tabackman of Massachusetts Theatres, Inc., will also attend.

Crowd from New York

The New York delegation, made up almost entirely of distributor and accessory representatives, is traveling to the convention on a special which arrives in New Orleans this morning and second section of the Crescent Limited.

The two local exhibitor organizations, the I.T.O.A. and the T.O.C.C., will not be represented unless Harry Brandt, president of the former, and Charles L. O'Reilly, president of the latter, make a last minute decision.

Levy from New Haven

New Haven, Feb. 24.—Edward G. Levy, not as a member of the M.P.T.O. of Connecticut which, despite its name, is not affiliated with the national M.P.T.O.A., but as general counsel of the Skykendall organization, will be in New Orleans. Max Tabackman of Massachusetts Theatres, Inc., will also attend.

Omaha After More "Teeth"

In the Code

National Film Carriers, Inc.; H. H. Pease of the York Ice Machinery Corp.; Edward G. Levy, general counsel M.P.T.O.A., with New Haven as his home town; Helen O'Toole, recording secretary of the exhibitor associations; Sally Kelly; Jack Knight and Jack Diamond of Paramount; L. S. Tobias and Mrs. Tobias; John Halbrook, Edward Johnstone, Sidney Zucker, James P. Clarke and Fred Fischer.

Abie Sabolsky and Charles Segall boarded the train at Philadelphia about midnight Saturday night.

Kansas Spreads Self

Oklahoma City, Feb. 24.—This territory will descend on New Orleans with a real-sized delegation. Headed by Max Tabackman, president of the Oklahoma M.P.T.O.A. and a director of the national M.P.T.O.A., the group will include:

Fred Pickrell, Ponca City; L. C. Griffith, Oklahoma City; "Speedy" and Mrs. Moulder, Sapulpa; Charles Zears, of the local Film Board; Max F. Broch, Lawton; Mrs. C. F. Dooley, Purcell; Phil Isley, Tulsa; and W. F. Morin, Oklahoma City, both identified with Southwestern Theatres, Inc.; L. E. Brewer, Paul's Valley; O. E. Endloe, El Reno; Sot Davis, Monogram Pictures, Oklahoma City; and Wallace Walthall, formerly of Oklahoma City and Dallas.

Most of the delegates are on their way by auto and train. However, Endloe, operating out of Oklahoma City, is flying his own plane. The delegation is traveling via Dallas and Baton Rouge and carries to New Orleans no particular grievances for airing.

The majority of the conventioners from this section will remain for the Mardi Gras.

Nebraska Seeks Changes

OMAHA, Feb. 24.—Charles E. Williams, president of the Nebraska-Western Iowa M.P.T.O., and a member of the national board of directors of the M.P.T.O.A., for more than 10 years, was in Chicago yesterday to join a group of northwestern delegates and exhibitors enroute for the New Orleans convention.

Carl Johnson of Red Oak, Ia., and Oscar Johnson of Falls City, Neb., both exhibitors, together with their wives, will motor to New Orleans for the convention.

Williams told MOTION PICTURE DAILY he would make the same recommendations to the national association as were discussed and in formally agreed to at the M.P.T.O.A. meeting held here in January. The local unit had suggested that the code—if it is to continue—should undergo sufficient changes so as to

(Continued on page 22)
GREETINGS TO THE THEATRE OWNERS OF AMERICA:

We extend to you our sincere thanks for your support during the past year, and wish you success for the ensuing season.

WE DEEM IT OUR DUTY TO WARN YOU

against people who impose upon Theatre Men and Merchants by claiming to be associated with or representing us. Numerous instances, some of which are pure "rackets" and violations of criminal laws, have come to our attention where unauthorized persons have made use of our name and characters in theatre tie-ups.

OUR ONLY AUTHORIZED REPRESENTATIVES ARE:

UNITED ARTISTS CORPORATION

DISTRIBUTORS

KAY KAMEN, Inc.

729 SEVENTH AVENUE, NEW YORK

Special Representative in Other Than Motion Picture Activities

(SIGNED)

Walt Disney Productions, Ltd.
Mickey Mouse and Silly Symphony Cartoons

Walt Disney Enterprises
Move to Aid Independents Looming

Philadelphia Carries Plan To Convenion

(Continued from page 20)

"give it teeth" and that Code Authority speed up action on appeals.

As far as we are concerned, we are generally satisfied with the code," Williams said. "We would like to see some changes made in it, though, I think if the code was simplified and made more understandable for the small exhibitor it would be a popular document."

Wants Independents Supported

PHILADELPHIA, Feb. 24.—The M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Callao carry to the convention this week a definite plea for the independent producer and exchange man, backed by a practical program.

The local body's slogan of "1,000 New Dates for the Independents During the Year" will be brought before the national body and an attempt made to get general M.P.T.O. support for the plan.

The idea may be launched by Lewen Pizor, president of the local group which is the parent of the plan. It is

argued that the buildup of the independent producer will offer a form of insurance for the independent exhibitor, providing him with sufficient product to maintain his programs. Pizor also argues that the definite effort will enable independent producers to better their product.

Pizor, now in Florida, and George F. Aarons, secretary of the local group, will officially represent the M.P.T.O. of this territory. Other local exhibitors will be in attendance, including Charles Segall, Al Fisher and Mike Egel.

Aarons, accompanied by Kline who runs the Strand, Boyertown, Pa., and is head of the Kline Poster Co., left by automobile Thursday. Emanuel, vacationing in Miami, goes directly to the Mardi Gras city.

In addition to the plan for aiding independent production, the local group will be strongly in favor of the movement for a 20 per cent cancellation, or at least a better deal than the present 10 per cent agreement.

Draw Pittsburgh Blank

PITTSBURGH, Feb. 24.—This is an Allied territory and that's sufficient reason to count this territory out where representation at the New Orleans convention is concerned.

None from Oregon

PORTLAND, Ore., Feb. 24. — M. Blumauer of the Capitol is an ardent M.P.T.O. man, but extreme age makes it impossible to attend New Orleans.

Fay from Rhode Island

PROVIDENCE, Feb. 24. — E. M. Fay, first run operator here, will be a one-

man delegation to the convention. He will represent the M. P. T. O. of Rhode Island and is already here.

St. Louis for Code Changes

St. Louis, Feb. 24.—Believing that they will have to continue to operate under the N.R.A. code for another year, the delegation of 16 from the M. P. T. O. of St. Louis, Eastern Missouri and Southern Illinois is coming to the New Orleans meeting with the hope of proposed amendments to the code as it is now written.

The amendments to be proposed include:

- An unconditional 20 per cent cancellation clause to cover each block of pictures without regard to their national release date or availability to the exhibitor personally.
- None of the provisions of out-lawing double feature programs.
- Elimination of score charges, it being contended that the rental for sound pictures should cover the music tax.
- Complete elimination of non-theatrical shows that compete with the theatre.
- Elimination of designated playdates.
- The fixing of a definite date before which the distributors must sell product that could not sell new product. This is to discourage the present tendency to sell the next year's pictures before the present season has fully set in. It was contended that this method of advance selling is an unfair trade practice.
- Fair and equitable method of clearance and zoning.
- No legal action, as stopping at 6 P.M., when the maximum night prices must go into effect.
- A provision that the decisions of local clearance and zoning and grievance board decisions must go into effect within 10 days.

A special delegation will be headed by Fred Wehrenberg of St. Louis, president of the organization, and Louis N. Hall, secretary and treasurer.

C. H. Weeks of Dexter, Mo., and Mrs. Weeks; Sam Komm, Colinsville, Ill., Mrs. Komm and two others; Eddie M crawling of Perryville, Mo., and daughter; S. Laken, Mackland, St. Louis, and son; Louis Ansell, of the Ritz and Midtown, St. Louis; Art Kalbfeld of Puline, St. Louis; Jimmy Zappalia, Columbia Theatre, St. Louis; Leo Hill, St. Louis Amusement Co., 4904 Mrs. Hill; O. P. Johnson, Blytheville, Ark., and N. A. Sanowsky of St. Louis. A special car will run over the Illinois Central at 1 P. M. today.

No. California Sending

SAN FRANCISCO, Feb. 24.—Approximately 20 from this group will attend the convention. Among those definitely in the delegation are H. V. E. Deen, Morgan A. Walsh, Robert Howland, and James Nasser, Joe Blumenfeld and John Di Stasio, the latter from San Francisco. Herman Cohen is also expected to be in the party.

The Independent Theatre Owners Association of Northern California is an affiliate. Morgan Walsh, president, has been appointed by Ed Kuykendall, the chairman of the committee on code trade practices, one of the most important committees which will function at the convention. Walsh has recommended to the convention, Walsh says, that the theatre code be amended to change the 10 per cent. elimination clause to five per cent, and to alter theversial subject within the industry and may become a social problem in the theatre-going public appears to be leaning toward legislative bills opposing block booking and blind buying.

Many legislators have had anti-competitive practices, and speculative bills introduced, efforts will be made by the California delegation to make any bills more workable, equitable and fairer.

A special car carrying the Northern California delegation left here Thursday. Most of the delegates are expected to return home about March 7.

N. W. Won't Attend

SEATTLE, Feb. 24.—Allied Amusements of the Pacific Northwest, including exhibitors in Washington, Montana, Idaho and Alaska, will not be represented at the M.P.T.O. convention this year. Hugh W. Brench, organization president, disclosed that none of this territory's exhibitors, affiliated or independent, plans to attend the meeting.

Committees and Chairmen Who Will Run Convention

New Orleans, Feb. 24.—The convention is pretty much in the hands of these committees:

- General Chairman, Convention Arrangements: H. S. McLeod, St. Charles, New Orleans.
- Reception: Rodney Tups, Loew's State, New Orleans.
- Registration and Housing: Victor Meyer, Orpheum, New Orleans.
- Registration and Housing: Frank Heiderick, Lyric, New Orleans.
- Banquet: Joe Alsimo, Famous Theatres, New Orleans; Meyer and Tups.
- Golf Tournament; Arthur Higginbotham, Baton Rouge.
- Dance Booth: H. S. McLeod.
- Auditing: Philip S. Sluman, Laurel, New Orleans.
- Credentials: M. E. Comerford, Scranton, Pa.
- Resolutions: Edward G. Levy.
- Tar: Lewen Pizor, Phila.
- Public Relations: Fred Wehrenberg, St. Louis.

East and West For a Hike in Cancellations

Want Cancellations Upped

WASHINGTON, Feb. 24.—The M. P. T. O. of Columbia will be well represented when the annual convention of the M. P. T. O. is held here on Monday.

The local delegations will be led by A. Julian Brylawski, president of the local group and head of Warner Bros. local here.

Dr. William F. Herbst, president of the Circle, and Richard Stiefel, operator of the Howard.

Louis Bernhimer, operator of the Jewish Theatre in Broadway, and Sidney B. Lust, operator of three houses in Washington and two in Maryland.

The delegation will lay before the national group a list of matters on which the consensus of opinion here is that there are provisions and practices which must be abolished.

Chaim, according to the report, that there is a sentiment to make the agreement as fair as possible, and that there is a sentiment to make it as fair as possible.

Under the present code set-up, the M. P. T. O. local feel, there are too many provisos attendant on the allowed 10 per cent. cancellation. All theatre operators feel, that the current system, which is in operation, should be abolished. An exhibitor, they hold, should have the right to get the pictures merely upon a request to the exchange without having previously had to comply with any conditions from any source other than that obliged to offer reasons for the action.

Other matters on which the local group feel strongly, and which it will oppose, are the use of the tax, score charges, Western Electric charges for parts and service, and the new system of booking immediately upon availability, the present inadequate supply of prints on a given picture on hand at a given exchange, and the present control of the theatres. Music tax and score charges, the group feels, should be radically revised downward. Charges levied by WE for parts and service are far too exorbitant, they claim.

Playing it by ear seems to be the policy on the pictures and the house, and the local group would make it possible that the exchange would not be able to dictate price time contrary to the interests of the house. Booking on availability and adequacy of the number of prints is not closely tied together, and would prove of advantage to exchange as well as exhibitor and his subsequent runs.

It is the feeling of the Washington organization that theatres should be forever diverted from production and distribution and that no exhibition system should have any connection with the other two, and vice versa.
PLAN now...

FOR EXTENDED RUNS ON THESE FOX HITS!

GLANCE at the details and convince yourself that the exhibitor who doesn't date them in for extra playing time is cheating his bank account. And...while you're at it...slap yourself on the back for being a FOX showman!

JANET GAYNOR in ONE MORE SPRING

SHIRLEY TEMPLE in THE LITTLE COLONEL

GEORGE WHITE'S 1935 SCANDALS
With ALICE FAYE, JAMES DUNN, NED SPARKS Lyda Roberti, Cliff Edwards, Arline Judge, Eleanor Powell, Benny Rubin, Emma Dunn, GEORGE WHITE. Entire production conceived, produced and directed by George White. Screen play by Jack Yellen and Patterson McNutt. Based on a story by Sam Hellman and Gladys Lehman.

WILL ROGERS in LIFE BEGINS AT 40

The GREAT HOTEL MURDER
with EDMUND LOWE VICTOR McLAGLEN
“Another honey for the Shirley Temple fans. Little Miss Temple lives up to everything her fans think of her. She and Bill Robinson do a couple of duets that are wows and worth the price of admission. It can’t miss!”

—Hollywood Reporter
SHIRLEY TEMPLE
LIONEL BARRYMORE
in
The LITTLE COLONEL
A B. G. DeSylva Production with
EVELYN VENABLE • JOHN LODGE
and BILL ROBINSON
Directed by David Butler
Screen play and adaptation by William Conselman
Based on the story by Annie Fellows Johnston
Jerome Kern's Musical Romances

Roberta

Starring the golden girl with the silver song

Irene Dunne

and America's Dancing Stars

Fred Astaire

Ginger Rogers

Randolph Scott

Victor Varconi

HeLEN Westley

Claire Dodd

From the play

"Roberta"

Book and lyrics by Otto Harbach

Directed by William A. Seiter

Production by Pandro S. Berman

RKO-Radio Picture
“RINGS THE GONG WITH HIGH POINT BOX-OFFICE... IT'S RKO-RADIO'S WOW!”
— Motion Picture Daily

“'ROBERTA' A SURE-FIRE SMASH... A KNOCK-OUT, A HONEY AND A WOW!”
— Hollywood Reporter

SMASH MUSICAL... STRONG CAST, STORY, MELODIES, STYLE FLASH... THE WOW YOU WANT!”
— Film Daily
**Monday, Feb. 25**

Registration of delegates, members, friends and guests at the registration desk on the mezzanine floor of the Roosevelt, near the entrance to the Mississippi Gold Room. This will be convention headquarters and information bureau. Register promptly to participate in all convention affairs. Registration cards provided should be filled out completely, giving full name, address, room number and floor and theatre or firm. You will materially assist the committee in making your stay more enjoyable by registering promptly. Registration fee: $10. Registration fee includes all convention affairs as follows:

1. Official convention badge. Identifies and admits you to all business sessions of the convention, to all social and entertainment functions, all motion picture theaters in New Orleans during convention.
2. New Orleans Athletic Club during the convention.
3. M.P.T.O.A. Golf Tournament at Metairie Country Club this afternoon. (Greens Fee, $1.)
5. The Roosevelt, Top Room in the Roosevelt, Tuesday evening.
6. Ticket for the Yellow Line See New Orleans Tour No. 1, Monday or Tuesday only. Buses leave from 9:30 A.M. on. Ask Yellow Line starter at hotel entrance.
7. Tickets to M.P.T.O.A. annual convention banquet, Tuesday evening.
9. Ticket to "Of Man River" party and cruise on the Mississippi River steamer Captiol, Wednesday evening.
10. Official program of the convention.

**Afternoon**

Three diversions arranged by the committee. Take your choice:

3. M.P.T.O.A. Day at the Fair Grounds races. Special M.P.T.O.A. handicap races have been arranged. Your badge admits you to the fair.

**Evening**

No planned affairs this evening. You are free to explore the city. For guides and information about cafes and interesting places ask any member of the reception committee (white badges).

The annual meeting of the board of directors will be held Monday evening at 6 P.M. in The Roosevelt. This is an executive session for the members of the board.

**Tuesday, Feb. 26**

**Forenoon**

Registration of delegates, members, friends and guests at the registration desk. If you have not registered, do it now. Seeing New Orleans. Yellow Line busses leave the Roosevelt from 9:30 A.M. on.

**Afternoon**

Business session in the Gold Room, mezzanine floor, the Roosevelt at 2 P.M. sharp.

Convention called to order by H. S. McLeod, general chairman, convention arrangements committee.

Invocation—Mrs. F. J. Block, Laurel, Miss., vice-president American Federation of Organizations for the Hard of Hearing, Inc.

"Technical Aspects of Theatre Operation"—Herbert Griffin, Society of Motion Picture Engineers.


Adjourn at 11:30 A.M. Luncheon at 12:30 sharp at Young Men's Business Club in honor of M.P.T.O.A. delegates at the Tip Top Inn, the Roosevelt.

**Afternoon**

Business session in Gold Room, 2 P.M. sharp.

"Selling and Selling Motion Picture Entertainment to the Community"—a discussion of new ideas in merchandising new films, use of advertising accessories and how the distributors can help the exhibitor to sell his show to the public. The following convention executives have been invited to talk: Herschel Stuart, Columbus; Gordon S. White, Educational Films; Jack Seidler, M-G-M; Edward Finney, Monogram; S. Charles Einfeld, Warners; Robert M. Gilliam, Paramount; S. Barret McCormick, RKO; Paul Gulick, Universal; and Hal Horne, United Artists.

"How to Market the Literary Type of Picture."—E. C. Rhodes, general manager, Midwest Theatres, Kansas City.


"My Experiences with Family Night Programs"—M. A. Lightman, Malco Theatres, Memphis.


Adjourn at 4:30 P.M.

**Wednesday, Feb. 27**

**Forenoon**

Business session in the Gold Room, mezzanine floor, the Roosevelt at 10:30 A.M. sharp.


**Evening**

"Of Man River" party and cruise on the Mississippi River steamer Captiol, from foot of Canal St. at 7:30 P.M.

Dining, dancing and refreshment facilities on board.

**Thursday, Feb. 28**

**Forenoon**

Business session in the Gold Room at 10 A.M. sharp.

"Film Delivery Problems and Service"—James P. Clarke, Philadelphia, President, National Ass'n. of Film Carriers.

"Our Problems in Local Legislation"—Roy L. Walker, Lampasas, Texas, President, Texas Owners' Protective Ass'n, of Texas.

"Theatre Admission Taxes and Other Taxes Pertaining to Theatre Operation"—Address by John C. Finlin, executive secretary, Code Authority.

Address by Sidney R. Kent, president Fox Film.

Adjourn at 12:30 P.M.

**Afternoon**

Business session in the Gold Room at 2:30 P.M. sharp.


Report of Committee on Non-Theatrical Competition—George A. Giles, chairman.


Report of Committee on Public Relations and Community Affairs—Fred Wehrenberg, chairman.


Report of Committee on Resolutions—Charles G. Lyon, chairman.

Unfinished business.

Convention adjourns sine die.

**Evening**

Annual convention banquet—Tip Top Inn, roof of The Roosevelt at 7 P.M. Informal.

**The Mardi Gras**

The features listed below, while not an official part of the convention are seasonable events of the New Orleans Mardi Gras season and are mentioned in this issue only.

M.P.T.O.A. visitors are invited to stay over for the Carefree Carnival of the Mardi Gras, which reaches its climax on Mardi Gras Day, March 5, with the parade, masque, pageant and ball of the Krewe of Rex, King of the Carnival. Ball and Carnival affairs will be held daily, many of them public, others private and available on special ticket. On the Thursday noon, is the Parade of the Krewe of Nor (Children's Carnival Pageant).

Friday evening you are invited to attend the New Orleans Mardi Gras Ball at the Civic Auditorium. Through the courtesy of the Junior League, those individuals by the convention badge may purchase tickets and attend this affair, one of the largest and most brilliant of the Mardi Gras balls.
A HARD HITTING TEAM

THAT'S WHY THEY'RE ALWAYS OUT IN FRONT

NOW AT BAT...
AND IT'S ANOTHER HOMER...

Buster KEATON
in
"ONE RUN ELMER"
Directed by Charles Lamont

NEXT MAN UP...

ERNEST TRUEX
in
"OBJECT NOT MATRIMONY"
Produced by Al Christie

Presented by E. W. HAMMONS

Joe Cook, Buster Keaton, Ernest Truex... home run kings of comedy.... Sylvia Froos, the Easy Aces, York and King, Tom Howard, Junior Coghlan, Billy Gilbert..... regular Babe Ruths, every one of them, when it comes to socking out the laughs and entertainment in the shorts innings. And they're drawing the paying fans to the stands, too, whenever they play. No wonder that Educational team is walking away with the pennant again.

Distributed in U.S.A. by Fox Film Corporation
New Orleans

In Gay Array
For Visitors

New Orleans-Feb. 24.—If they decide on a busman’s holiday, delegates and visitors to the convention will find a varied assortment of celluloid entertainments at their beck and call. Here is what the local first runs will be showing:

Liberty—"Great Expectations."

Lonesome—"After Office Hours."

Orphans—"Roberta."

Souvenir—"The Little Colonel."

St. Charles—"Carnival."

Victor Meyers, manager of the Orpheum, will run a midnight show during the day, with an aim to be on hand to welcome those who want to take it in. Other theaters are expected to do likewise.

Hotel grills and night clubs around town are lining up special programs. Destined to be popular is The Blue Room of the Roosevelt, in which hostelry convention headquarters are to be maintained. The Eagle Music Hall is own to the "Uncle Tom’s Cabin" and vaudeville.

All of this has nothing at all do with the midnight and early morning forays which conventioners may determine to rig up on their own.

Town Primed for Crowd

Many surprises are scheduled for the visitors, including golf tournaments at Congo Square's golf course, a bridge tournament for women, a tour of the Vieux Carre with experienced guides, where, in the old quarter, a hundred historic squares, the living romances of two colorful centuries have been preserved in settings unchangeable. Beneath balconies embroidered with the iron handiwork of African slaves, under the tall, arching boughs of banana trees in cool patios, as in the Napoleon House and the Absinthe House, visitors may commune with the spirits of Lafayette, Benjamin Franklin, and Antoine, heroes of early days. With Creole chefs they may revel in the culinary marvels created here for them by proud generations of Creole chefs. In secluded patios they may discover genuine gumbo and find out why Thackeray raved of New Orleans’ "bouillabaisse;" why gumbo is Irvin S. Cobb’s favorite; and top a gay day with an abstinence frame or a gin fizz among a people who know.

Then the Racetrack

While numerous night clubs have provided additional entertainments, showers and all that go with an athletic club can be had in the immense structure of the New Orleans Athletic Club just a few doors from Canal Street in the heart of the city. On Monday afternoon while warming up for the strenuous days of the convention proper, the entertainment committee has provided a corking good golf contest on the grounds of the Pebble Beach Country Club, one of the finest greens in the south; the ladies will also be taken care of by a bridge party at the spacious club house.

Those who don’t go in for golf have the privilege of visiting the race track watching the ban-tails go by and the bookmakers making funny noises when they pay off. At night the delegates are to be turned loose and wander where they will. They’ll be primed. Special guides may be hired to show ‘em the sights. No curfew bells will ring out.

The convention arrangements have made arrangements with the Yellow Cabs for side trips and the like to places of interest such as the antique shops, old world places of beauty, cafes and bars without limit.

On Tuesday night after the worries of business sessions and committee meetings, President Kuykendall will hold a reception in the Tip Top Inn in the Hotel Roosevelt.

Wednesday night, the steamer Capital has been engaged for a real old-time southern party with a cruise up and down the Mississippi with vaudeville stunts and dancing the order of the evening. Deck hands will be attired as the roustabouts of the days gone by, the steamer will be decorated with cotton bales as settees and side tables, while genuine (?) yellow girls and boys will carry refreshment trays.

For those that like to gamble—and what showman doesn’t—the Louisiana Jockey Club at the Fair Grounds will make losing money a pleasure. The grounds and clubhouse are most beautiful and the pari-mutuel system prevails.

The Gulf States Theatre Owners will also meet during the M.P.T.O.A. convention.

Success Note

New Orleans, Feb. 24.—The M.P.T.O.A. convention combines with Mardi Gras to give the hotels here their heaviest registration in years. The Roosevelt has been sold out for several weeks past, according to Pat O’Shaughnessy, manager, who said every room in the hotel has been booked solid for Carnival Week.

Drawingl Business of the Jung says all the rooms there are filled and will remain so until after the carnival time. John O’Leary of the St. Charles and Tony Spatorofa of the Monteleone likewise report capacity.

Wilentz Will Take Warner Case to NRA

(Continued from page 1)

MOTION PICTURE DAILY, Monday, February 25, 1935

Wilentz Will Take Warner Case to NRA

Carriers Preparing
For Own N. O. Meet

New Orleans, Feb. 24.—Legislative problems affecting the trucking industry will be discussed tomorrow and Tuesday by the executive committeee of the National Film Carriers, Inc. James Clarke, president of the organization, is chairman of the committee which consists of George F. Callahan, president of Exhibitors Service, Pittsburgh; H. C. Robinson, Film Truck Service, and John Vickers, Carolina Delivery Service, Charlotte; G. M. Blackman, Smith Film Service, Syracuse. Several other members of the executive committee are here for the M.P.T.O.A. session.

Clint Weyer, secretary, recently returned from a trip to Texas and Arizona and reported that there were plenty of jobs for the Truckers. Texas alone has 45 states a total of 850 bills which, if passed, would work undue hardship on the film truckers. Clarke recently attended the policy committee meeting of the American Trucking Ass’n, when the various bills were discussed.
IN a new field, in the space of only a few weeks, THE MARCH OF TIME has made a new impression—fresh—deep—clear cut. More than a thousand motion picture theatres are now showing THE MARCH OF TIME on the screen. Millions of people have thrilled to this new kind of pictorial journalism... The public and critics alike have been quick to recognize in this “newsmagazine of the screen” a mark of distinction for theatres from coast to coast. Second release—March 8th.

Released by FIRST DIVISION—Harry H. Thomas, Pres., Radio City, N. Y.
Gaumont Names 10 For 1935-'36 List


The company plans to distribute in the United States 16 of the 24 to be produced next season. This number is exclusive of films to be made by outside producers and brought over.

Rubin-Roden Hearing

CHICAGO, Feb. 27—The hearing of the suit brought here by Jack Rubin of Public Theatres in the Federal court against James Roden, owner of the Astor, for alleged violation of anti-trust statutes, has been postponed to Feb. 27. Judge Woodward of the U. S. District Court has been sitting on another case.

New Atlantic Pictures

World-Wide Pictures Corp. has changed the company name to Atlantic Pictures Corp. and has taken over the distribution of six Hughes productions. R. M. Sayini, sales manager, leaves today on a tour of southern and midwestern exchanges.

Taxes Fall Off

Washington, Feb. 24—Admission taxes collected by the government during January totaled $1,238,884 compared to $1,399,815 during the same month last year.

Report GSTOA May Merge with MPTOA

NEW ORLEANS, Feb. 24—Reports that the Gulf States Theatre Owners' Ass'n would decide to affiliate with the MPTOA, circulated anew when the resignation of H. S. McLeod was made public. McLeod's resignation may take effect May 28, at which date the G.S.T.O.A. holds its convention.

Since the GSTOA will attend the MPTOA business sessions and banquet, a friendly agreement is thought to exist between part of the G.S.T.O.A. and the MPTOA, though certain members of the Louisiana-Mississippi organization are known to look askance at any thought of a merger.

Joe Barcelona, Baton Rouge exhibitor and rumored next president of the GSTOA, has resigned from the clearing and zoning board.

Warner Club Has Party

Hollywood, Feb. 24—The Warner studio club's first annual formal dinner dance was held over the weekend at the Biltmore with more than 800 attending. The entertainment was under the direction of Benny Rubin, who acted as master of ceremonies. Warner stars and players attended.

Report Another Fox Met Bid in Offing

(Continued from page 1).

...offer to be outlined to Federal Judge Julian W. Mack tomorrow is expected to be made known at the court hearing, or within the next few days thereafter, it was learned on Saturday.

Identity of the new bidder is being closely held. Spokesmen for RKO denied they were interested in making a bid. Walter Reade and Joseph Plunkett were among those who sounded out the Fox Met bondholders' committee in advance of the joint Loew-Warner bid for the circuit last summer, but neither could be reached for comment Saturday on the current report of a new competitive bid.

M-G-M Revives Its Policy Conferences

HOLLYWOOD, Feb. 24—M-G-M is reviving the practice, more or less dormant for the past few years, of holding executive production conferences on major issues such as the hiring of important talent, buying stories and major production policies. The policy board includes Louis B. Mayer, Irving Thalberg, David O. Selznick, Eddie Mannix, Ben Thau and Sam Katz.

Marion Talley Signed

Hollywood, Feb. 24—Preview re-action to "Naughty Marietta" has caused M-G-M to sign Marion Talley to a long-term contract starting immediately. She will start a series of screen operas.

Wall Street

Columbia Gains 3/8 on Big Board

Net

High

Low

Change

Columbia Pictures

vte (c)........... 3865 3864 3864 + %

Consolidated Film

Industries (Gc).... 591 594 594 - 3/8

Consolidated Film

Industries, pfd... 1942 1942 1942 - 3/8

Eastman Kodak

pfd.............. 147 147 147 ....

Fox Film "A"........ 1034 1034 1034 - 3/8

Loew's Inc., pfd... 1045 1045 1045 + 3/8

Metro-Goldwyn Public

Pathé Exchange........ 5 5 5 ....

Pathé Exchange "A"... 1454 1454 1454 - 3/8

RKO............. 17 17 17 ....

Warner Bros........ 354 354 354 - 3/8

No Change on Carb

Net

High

Low

Change

Technicolor........ 1954 1954 1954 ....

Paramount Public Bonds Off 3/8

Net

High

Low

Change

Loew's 6s '41 w.. 1045 1045 1045 ....

Paramount 5% '50... 69 69 69 - 3/8

Warner Bros. 6s /9 wd... 555 555 555 ....

(c) Plus stock extras. (d) Defunded in principal but not in interest.

(Quotations at close of Feb. 23)

Thomson in Code Post

Hollywood, Feb. 24—Kenneth Thomson, executive secretary of the Actors' Guild, has been appointed temporary chairman of the extras' standing committee, Mrs. Mabel Kinney having resigned because of ill health.

Dependable Film Delivery Assured By

Carolina Delivery Service Co., Charlotte, N. C.
Columbus-Cincinnati Trucking Co., Columbus, Ohio
Electric Delivery System, New Orleans, La.
Exhibitors Film Delivery & Service Co., Inc., Denver, Colo.
Exhibitors Film Delivery & Service Co., Inc., Kansas City, Mo.
Film Exchange Transfer Co., Boston, Mass.
Film Express Service, Minneapolis, Minn.
Film. Pick-Up Service, Minneapolis, Minn.
Film Service, Inc., Milwaukee, Wis.
Film Transfer Co., Minneapolis, Minn.
Film Transport Co., Omaha, Neb.
Film Transportation Co., Des Moines, la.
Film Truck Service, Detroit, Mich. and Chicago, Ill.

Gilboy Company, San Francisco, Cal.
Gross & Johnson, Cleveland, Ohio
Howell Trucking Co., Inc., Rochester, N. Y.
Inland Film Express, Des Moines, la.
Inter-Carolina Delivery Service, Charlotte, N. C.
Interstate Film Service, Minneapolis, Minn.
Iowa Film Delivery, Des Moines, la.
Middle West Film Express, Minneapolis, Minn.
Northwest Film Delivery Co., Seattle, Wash.
Smith Film Service, Inc., Syracuse, N. Y.
Theatre Service Co., Minneapolis, Minn.
Theatre Transport Co., Toledo, Ohio

All Members of

NATIONAL FILM CARRIERS, Inc.

1228 Vine Street, Philadelphia
110 William Street, New York
RKO Moves to Get Orpheum in Denver

DENVER, Feb. 24.—Court action is looked for over the efforts of RKO to redeem the Orpheum. RKO lost the house when the bondholders foreclosed. The Colorado Orpheum Co., controlled by RKO, presented a check for $428,000 to the sheriff and demanded possession of the property. Harry Huffman refused to move out.

Huffman claims the payment was made too late. The expiration date for redemption, according to him, was Feb. 10, but the sheriff accepted the check on advice of the city attorney, but not until attorneys for both sides had argued the case for more than two hours, during which William E. Guthner, manager of safety and excise, was called in to preside.

The sheriff issued a redemption certificate which empowered the Colorado Orpheum Co. to take possession of the Orpheum, but Frazer Arnold, attorney for Huffman and the Centennial Theatres, said his clients would resist efforts to take possession.

Issuance of the redemption certificate was also protested by Albert H. Jewell, trust officer for the U. S. National bank, the trustee which had the property sold on foreclosure.

The Orpheum was put under Huffman’s management by RKO because Huffman controlled the first run pictures in Denver. Later Huffman managed when it was taken over by the bondholders, and at present he holds a contract to buy the theatre from the bondholders, subject, of course, to redemption action by RKO.

Cliff Work, manager of the Golden Gate, San Francisco, and a division manager for RKO Radio, is in Denver awaiting developments. His job, he said, was to set up an operating personnel in any theatre to which RKO assigned him.

Report M-G-M Takes "Ziegfeld" from "U"

Hollywood, Feb. 24.—Universal has reached an agreement with M-G-M to transfer the story and production rights on "The Great Ziegfeld" to the latter company, it is said. The price is said to exceed $250,000.

Although the agreement has not actually been signed, it is understood that when it is completed the entire production unit working on the story will transfer to M-G-M, with William Anthony Maguire, who has been both writer and producer on the unit, loaned to M-G-M. The picture was scheduled to have started March 1, after three postponements, due to the fact that William Powell, who was slated for the stellar role, has been unavailable.

While the unit has been waiting for Powell, work on costumes, dance routines and other details has been carried on, and Con Conrad, Walter Donaldson, Gus Kahn and others have delivered the musical numbers.

With the transfer, it is understood, will go options on the services of Fannie Brice, Harriet Hensley, Catherine Hereford, Frankie Masters, Sand Shaw & Lee, Marylin Knowlton and Seymour Felix.

Ann Harding Recalled

Hollywood, Feb. 24.—Ann Harding, who was en route to the Orient on a vacation, has been recalled by M-G-M to report for work on Edmund Goulding’s "The Flame Within."
**British Union Seeks Wages, Hours**

By BRUCE ALLAN

London, Feb. 14.—Failure of the Joint Conciliation Board of the industry to arrive at a satisfactory settlement of outstanding disputes about wages and hours in London and Manchester is the reason alleged for an appeal from the Trade Union Congress and the National Ass’n of Theatrical Employees to the Home Secretary, asking legislative settlement of employment problems.

The union’s suggestion is that the Cinematograph Act shall be amended to impose minimum wage scales and statutory working conditions on all theatres. That the theatre staff shall bear a strike proposer the George patronage is another suggestion.

Since publication of the report of the official Television Committee, big rises have been reported in the shares of the Baird Television Co. and in those of Gaumont British, which has a predominating interest in the Baird company.

Baird Detained is now at 10c against 3/3 on Jan. 29; the preferred is 6/9 against 3/3 and the Preferred “A” 6/ against 3/5. Gaumont British ordinaries, priced at 10c on Jan. 29 are now 12c.

The Baird system is one of two selected by the committee for the daily three-hour television transmissions recommended in the report. The other is owned by Electrical Musical Industries, shares of which have also increased in value, from 32c/4c to 34c/4c.

Charles Laughton has been cast as the Emperor Claudius in a London Film feature to be written from “Clau"dius” and “Claudius the God,” two novels by Robert Graves.

“Whitman Mankind,” “Queen Elizabeth,” “The Conquest of the Air” and “Claudius” are scheduled as the first on the 1935 program. “Sanders of the River” is due for trade shows in early March.

*$288,000 in 5 Weeks*

Garnering $35,000 for the fifth and last week, “David Copperfield” tallied $288,000 for the five-week run at the Capitol. This is $2,000 less than the figure predicted by Motion Picture Daily. “Night of the Gods” opened at the Roxy Friday with a take of $8,860.

**La Hitt’s Tavern**

A chop house of exceptional merit

1568 West 48th St., N. Y. C.
Mayer Gets the New Rialto; Signs Lease

Arthur L. Mayer, as president of the Paramount Pictures Corporation, on Saturday signed a 20-year lease for the 800-seat theatre which is to be built on the site of the present Rialto at an approximate total rental of $1,000,000. Although the current lease on the existing theatre does not expire until September, it is probable that demolition of the structure will be undertaken prior to that date. Reports have indicated April 1 may be the starting date.

Exits from the various subway systems which pass through the Rialto Square district will lead into a roundabout below street level where it is planned to install a box-office, thereby allowing patrons to enter the new Rialto directly from the subway level if they so desire. Shops will be leased on this level, while the balcony and roof garden will be leased to a "nationally known" restaurant, name withheld on Saturday.

Sam Spring acted as Mayer's attorney. The lease was signed through White Louise Wadsworth, who acts as the builders and brokers. Anthony Campagna is president of the Rialto Square Corp., which will build.

Predict Defeat for California 10% Tax

SAN FRANCISCO, Feb. 24.—Defeat of the proposed 10 per cent admission tax is foreseen here by political observers. It is estimated that 45 or 50 votes is opposed to a number of phases of the Governor's tax program.

W. B. Hornblower, chairman of the San Francisco delegation, is quoted as saying that he and his associates would fight for a tax program "based on ability to pay."

Jack Lewis Resigns

Hollywood, Feb. 24.—Jack Lewis, assistant to J. P. Thomas, local Hays in charge of the bureau of information, resigned over the weekend. Lewis has been with the organization for the past three years. He plans a short vacation before returning to Hollywood.

Lewis' successor will probably be appointed by J. J. McCarthy, who arrives here tomorrow.

Samuel H. Herron Dies

NEW PHILADELPHIA, O., Feb. 24.—Samuel Hemming Herron, 73, owner of the old Bijou here from 1911 to 1922, died at the home of a daughter in Dell Roy. He was a leading exhibitor in this section a decade ago. Two daughters and a son survive. Burial was in New Philadelphia.

Get Eucharistic Film

Criteron Films, headed by M. D. Strong, has secured the American and Canadian rights to distribute the one-reeler, "The Eucharistic Congress at Buenos Aires."
Okay, New Orleans!

Okay, M. P. T. O. A. Members!

While you’re having a good time, Columbia is going right ahead with more big-money productions! Get set to break records with

Edward G. Robinson in *The Whole Town's Talking*

Lilian Harvey—Tullio Carminati in *Let's Live Tonight*

Grace Moore in *On Wings of Song* (tentative title)

A New Claudette Colbert Hit!

A New Frank Capra production always "The Best of the Year"!

Columbia Pictures

The Sign of Good Times
Bill Drafted
To Cut Fines
On Copyright

State Department Plan
Is to Make It $100

By BERTRAM F. LINZ
WASHINGTON, Feb. 25.—Reduction from $250 to $100 of the penalty on exhibitors for “innocent” infringement is provided for in the bill proposed by the State Department for amendment of the copyright law preparatory to the entry of the United States into the international copyright convention. This nestles closer to the M.P.T.O.A. idea of how the copyright law should be amended.

In the case of infringement resulting from fraud or imposition upon the infringer by a third person, recovery is to be limited to the fair and reasonable value of a license, but not less than $30 nor more than $2,500.

The State Department’s measure is the result of efforts which have been made for a number of years to secure (Continued on page 7)

Federal Study of
Fox Met Is Begun

Department of Justice investigators were reported yesterday to be probing the Joseph M. Schenck offer for the purchase of Fox Metropolitan Pay- (Continued on page 7)

E. F. Tarbell Dies
Suddenly in Albany

ALBANY, Feb. 25.—Edwin F. Tarbell, executive secretary for the past two years of Allied Theatre Owners (Continued on page 2)

Comerford Stricken

Washington, Feb. 25.—M. E. Comerford, head of the Pennsylva nia circuit bearing his name, was reported resting easily today at Emergency Hospital here, where he was removed after suffering a collapse in a downtown hotel. Comerford, who is 65 years old, was planning to attend the M.P.T.O.A. convention at New Orleans when stricken. Although showing some improvement, hospital attendants described Comerford’s condition as still serious.

Kansas City’s
ITO Discusses
Federal Probe

KANSAS CITY, Feb. 25.—Copied with the anti-trust suit the I. T. O. is preparing for filing in the U. S. District Court here, the organization may request a Government probe of local trade practices, Motion Picture Daily learns.

E. Rolsky, chairman of the independents’ committee empowered to act, said the I. T. O. membership favors a Department of Justice investigation of an asserted conspiracy said to exist between Fox Midwest and the distributors.

Details of the impending moves are being worked out by Leland Hazel, I. T. O. counsel. Papers in the conspiracy suit will be in shape for filing in about two weeks, it was said. Whether a request for an investigation (Continued on page 7)

Grainger Laughs at
Reported “U” Sale

NEW ORLEANS, Feb. 25.—The Hotel Roosevelt lobby today virtually rang with reports of Universal’s sale to a group unnamed. Reaching Universal’s district managers, including William Heineman, Harry Graham and John Ewell, the stories proved disturbing (Continued on page 7)

Cohen Denies Plan
For Producing Unit

Hollywood, Feb. 25.—E. M. Cohen today denied rumors that he is to form an independent company with the backing of John Hertz, using Mae West, Gary Cooper and Bing Crosby as a nucleus of stars for the new unit. Cohen said: “I wish to deny any (Continued on page 7)

TOCC-ITOA
And Circuits
Drop Contact

Lacking support from major circuits, the T.O.C.C. and I.T.O.A. have dropped the policy of friendly cooperation with Loew’s and RKo, severing a working arrangement of long standing on both legislative and union problems.

The schism became marked when the board of directors of the I.T.O.A. group, presided over by Harry Brandt, on Feb. 13, passed a resolution seeking a State investigation of major circuit activities in this territory. The resolution was adopted after several attempts had been made to get Loew’s to relieve independents from a cumulative protection strain. A committee was slated to be appointed last week to present the charges to Governor Lehman and to the Senate. The pro- (Continued on page 12)

Work Keeps Flinn
From M.P.T.O.A. Meet

Pressure of work caused by his recent 10-day trip to the coast prevented John C. Flinn from going to New Orleans to attend the M.P.T.O.A. con- (Continued on page 7)

Managers Converge

New Orleans, Feb. 25.—The proximity of the new season and the desire to get widespread exhibition reaction on product types are the twin reasons behind the presence at the M.P.T.O.A. convention here of John D. Clark, general sales manager of Fox; J. R. Graininger, general sales manager of Universal; Felix Feist, general sales manager of M-G-M; and Jules Levy, general sales manager of Radio.

This makes more sales managers than probably have attended any exhibitor convention in the latter day development of the industry.

Kuykendall Reellected as
MPTOA Meet Is Started

Loew in Move to Build
Eight or Ten at Chicago

Loew’s is completing plans to invade Chicago neighborhoods with a theatre construction program of from eight to 10 houses. This will constitute M-G-M’s answer to the alleged refusal of the Essaness and Schoenstadt circuits, as well as smaller theatres which have been stepping up competition to new facilities and have been operating the latest in equipment.

Saperstein’s buying combine activities are a separate endeavor from his office as president of Allied Theatres of Illinois. Approximately 100 theatres in greater Chicago today are not playing M-G-M product at a cost estimated from $6,000 to $7,600 weekly to the distributor.

Louis K. Sidney has been shuttling back and forth between the Windy City and New York on a site hunting job designated.

(Continued on page 12)

Louwenstein to Be Named
Meyer’s Successor;
Others Renamed

By RED KANN
NEW ORLEANS, Feb. 25.—Ed Kuy kendall of Columbus, Miss., tonight was re-elected president of the M. P. T. O. A., as forecast by Motion Picture Daily today.

Morris Louwenstein, president of the M. P. T. O. of Oklahoma, is slated to succeed Fred S. Meyer, former president of the M. P. T. O. of Wisconsin, as national secretary and member of the M. P. T. O. executive committee. Meyer resigned both offices on becoming an assistant to Carl Laemle some time ago.

In addition to Kuykendall and Louwenstein, all incumbent officers have been nominated for re-election. These include Walter Vincent, New York, treasurer; M. E. Comerford, Scrant on; M. A. Lightman, Memphis; A. Julian Brylawski, Washington; B. N. Bernstein, Los Angeles, and W. S.

Brandt Opens Audubon
Harry Brandt has opened the Audubon with 10 and 20 cent admissions and double feature programs. On the opening program were "Broadway Bill" and "Limehouse Blues."

M. B. Horwitz Laid U.
Cleveland, Feb. 25.—M. B. Horwitz, secretary of the independent Opera House Theatre Owners of Ohio and head of a local circuit, is laid up at his home with sciatica.

Hamrick Signs Rivers
Seattle, Feb. 25.—Edwin B. Rivers, well-known coast theatre executive, has been named head of advertising and publicity of 114 opera houses operated by John Hamrick here and in Portland and Tacoma.

MOTION PICTURE DAILY
(Restricted U. S. Patent Office)
Vol. 37 February 26, 1935 No. 47
MARTIN QUIGLEY
Editor-in-Chief and Publisher
MAURICE KANN
Editor
JAMES A. CRON
Advertising Manager

PUBLISHED IN NEW YORK, LONDON, PARIS, MUNICH, AND TOKYO.

HORTENSE SCHORR has another peeve. Says ever since the "Purely Personal" column reported she was going in for a social whirl—a hike to Switzerland and dinner with friends—she’s accused of being a highbrow.

CAPTAIN RICHARD NORTON, British and Dominions producer, here for a short visit, is busy round town these days trying to clear up his affairs as soon as possible. He says now he won’t be able to return home for at least a fortnight.

HARRY SCHWALBE, Fred DEERE, CHARLES NOLTE, SAM GALANTRY, BEN FEYTL and J. FABIAN are in the "hot climate," writes JAY EMANUEL from Miami, proving thereby that he’s there as well.

GENE TOWNE and GABRIEL BAKER have been signed by WALTER WANGER to do the screenplay for another coming musical, "Every Night at Eight." FRANCES LANGFORD, former NBC singer, will be starred.

Quip of the Day
With Kansas City newspapers full of edd on Scandinavian sales at department stores, K. C. exhibitors are asking:

When will Campi ring up a "clearance" sale for us?

W. C. GEHRING, Chicago Fox branch head, has been named leader of the third S. R. K. representatives from this area starting date of which has not yet been set.

MIKEL KIRKLAND, of food "The Greeks Had a Word for It" memory, will return to Broadway in "No Mind of Her Own." She’s been in Hollywood.

PHIL REIDMAN is stealing a march on the M. P. Club salesmen—veters three days. He gets up to the club early and puts in a half hour of practice before lunch.

SAM MINTZ has been signed by Paramount to work on "The Plot Thickens," which will be the next for George BURNS and GRACE ALLEN.

LOUIS K. SINKY returned from Chicago the other day and leaves again for the Windy City within the next few days.

GUSTAV BROCK is responsible for the color effects in the Ben Hecht-Charles MacArthur film starring JIMMY SAVO, "Once in a Blue Moon."

REGINALD DENNY is being talked about as the role head in "Julie," play long planned by D. A. DORAN, JR. and ARTHUR HANNA.

HELEN GAHAGAN is on her way to the coast by train. She will report to the Radio studios to work in MERIAN C. COOPER’S "She." MITCHELL KLEPT now calls Louis NIZER Attorney General. Heretofore, he’s been calling him Colonel NIZER.

SADA COWN has finished work on the screenplay of "Chocolate," which is a translation from the Russian. Cecil R. DeMILLE is scheduled to produce it after he finishes "The Crusades."

JAN AUGUSTOFF, pianist-xylophonist, has been engaged by the Warwick Hotel here. He will direct his own orchestra.

ADELAIDE HEILBERG’S play "Something in the Air" is slated for fall appearance on Broadway. The Shuberts will do the presenting.

S. BARRET MCCORMICK is so enthused over "Roberta" that the word itself is being used as a password to get into his office these days.

MORT BLUMENTHALL really ought to do something about his weight. You never saw such a picture of health in bloom.

MILTON FELD and DAVID CHATKN have leased new executive offices for their Magazine Bureau on the 25th floor of the RKO Bldg.

ALAN DWAN’s original story, "Kiss and Tell," published by him, has been purchased by Fox, as a vehicle for EDMUND LOWE and CLARE TREVOR.

LOUIS PAUL, the winner of the 1934 O. Henry Memorial Award, has been signed to a long term contract by M-G-M and is awaiting an assignment.

JEAN PARKER leaves for a personal appearance next week at the opening of "Sequoia" in Salt Lake City.

VICTOR KILIAN, Theatre Guild player, has reported to the Columbia studio for a role in "Air Fury."

RICHARD V. GRACE’S "Arctic Wings" has been acquired by Columbia.

PHIL FRIEDMAN, Fox casting director, is in from the coast hunting new faces.

SAM COKALIS is back from Miami, but has been signed next week with JACK SPRINGER, his partner.

WILLIAM COLVIN’s recently published novel has been purchased by Metro for Joan CRAWFORD.

DAVE LOW, now on the coast, will be away for six weeks practicing on his golf.

HOWARD DIETZ gets back from the coast today and WILLIAM FERGUSON rides back from Miami.

NATE SPINGOLD returned yesterday from another Miami vacation.

RYG DOLGER has been signed to a long term contract by M-G-M.

PHILIP WYLIE has sold his "Death on the 8:06" to Paramount.

M-G-M Signs Del Ruth
Hollywood, Feb. 25.—Ray DEL RUTH has been signed by M-G-M to direct "Broadway Melody."

Shapiro Plans for Three Films a Year
William Shapiro plans to produce three pictures a year for major re- lease. He and Franklin Fils, who owns the name of the company he has had for 15 years, Shapiro will star Jackie Gahan, John Nau and Mervyn LeRoy in the trio planned for this season. A seven-year deal with a major company is now pending.

Damon has appeared at the Paramount here and at the B. & K. Chica- go. He also has performed small roles in "Once in a Blue Moon" with Jimmy Savo and in Harry Richman’s show "Say When." M-G-M is making 57 films over seven years, and singer. Shapiro leaves for the coast either the end of the week or the beginning of next week.

E. F. Tarbell Dies
Suddenly in Albany
(Continued from page 1)
of New York, is dead of pneumonia. He passed away Saturday morning at the Albany Hospital after a brief illness, following a recent illness.

Tarbell had been identified with the industry for the past 25 years, having been branch manager for Vitagraph, and later, for Edison.

SIDNEY SAMUELSON, president of Allied, was shocked by the news of Tarbell’s death yesterday when in- formed by Motion Picture Daily. He immediately called Abe Stone at Albany. The funeral will be held at 11 o’clock this morning, but because of an out-of-town engagement, Sam- uelson will not attend.

Samuelson, Yamins Go to Ohio Session

SIDNEY SAMUELSON and Nathan Yamins left last night for Columbus to preside over the annual meeting of the I.T.O. of Ohio, an Allied unit. The sessions start today.

Abraham Myer, general counsel for Allied, left from Washington and H. M. Richey from Detroit. The code problems that have been under- scoring exhibitors of Ohio will be discussed.

Report John Benas Candidate in TIOA
John Benas of the Rosenbalt-Welt circuit is reported being groomed for the presidency of the I.T.O.A. by a number of small exhibitors in the unit. The board of directors meets today to decide on the nominees to succeed Harry Brandt. Nominations will be proposed at a meeting of the membership at the Astor tomorrow, with elections following a week later.

Stahl to Cincinnati
Max Stahl, former Indianapolis manager for United Artists, has been appointed head of the company’s Cin- cinnati exchange. He is en route to the Ohio city to take over his new duties.

F. & M. Takes Another
SPRINGFIELD, Ill., Feb. 25.—Fris- con & Marco have taken over man- age ment of the Art Theatre, formerly known as the Fox Nelson.
RUDY BEATS 'DAMES'!

Vocal Boy Makes Good In Movies

TOPS '20 MILLION SWEETHEARTS' TOO

Amazing New York Premiere of "Sweet Music" Definitely Establishes Vallee as a Money Star

Look!...
N. Y. STRAND'S CANDID CAMERA TELLS THE STORY OF RUDY'S NEW BOX-OFFICE PERSONALITY

PHOTOGRAPHIC PROOF THAT "SWEET MUSIC" IS EVERYTHING FAMOUS SHOWMEN PREDICTED
No wonder Ann's turning handsprings!

Look what New York papers say about her and Rudy in

"SWEET MUSIC"

"'Sweet Music' a hit, Rudy Vallee a star! Three rousing cheers for Warner Bros. and the teamwork which puts Rudy Vallee over with a bang."—N. Y. American

"Rollicking, tuneful, hilarious. A Rudy which should send the Vallee Fan Clubs into ecstasies. Can entertain a wider public than his previous films."—Daily Mirror

"Sparkling addition to the series of musical hits devised by Warner Bros. definitely establishes Rudy as a screen personality. Grand fun."—Eve. Journal

"Will delight Rudy's enthusiasts."—Herald-Tribune

"Rudy's most ambitious and most promising picture."

—Daily News

"A thoroughly diverting song-and-dance entertainment. Vallee is excellent."—World-Telegram

Another "Big Shot" Hit All Set Up and Delivered by

WARNER BROS.
RUDY VALLEE makes
"SWEET MUSIC"
and "Sweet Music" has made Rudy Vallee!

Congratulations from 9,000 happy first-nighters to Rudy and

ANN DVORAK
Ned Sparks • Helen Morgan • Robert Armstrong
Allen Jenkins • Alice White • Joe Cawthorn • Al Shean
The Connecticut Yankees • Frank & Milt Britton Band
The Six Famous Composers • Bobby Connolly and

DIRECTOR AL GREEN

Kuykendall Is Again Head of MPTOA Forces

(Continued from page 1)

Butterfield, Detroit, as vice-president; Edward G. Levy, New York, arms and equipment counsel; and Fred Wehrenberg, St. Louis, chairman of the board.

In the event of the resignation or illness of any member of the executive committee the new committee is composed of Kuykendall, O. C. Lam, Sidney Lust, J. H. Michael, Jack Miller and L. E. Thompson. The latter four are from Miami, where he has been vacationing.

The nominations and election of officers comprised the only order of business today and tonight, with the convention proper not scheduled to get under way until 2 o'clock tomorrow. The convention arrangements committee wisely determined to start the first business session rather than risk a sparsely attended first morning session. Most convention visitors arrived in time to make the rounds of the town, celebrating their first evening in town.

Called to Order Today

The convention will be called to order tomorrow by H. S. McLeod, general chairman of the day, and the convention will be conducted by Rev. D. W. Bickley, rector of the Grace Episcopal Church of this city. The president's annual report will be read by Kuykendall and the secretary's annual report by Levy.

Reports of the committees on convention arrangements, on labor relations, on public relations and entertainment values will also be made and special convention committees will be announced. Adjournment for committee meetings is scheduled for 11:45 P.M. The evening will be given over to the president's reception.

Work Keeps Flinn

From MPTOA Meet

(Continued from page 1)

The convention was attended by approximately 350 conventioners who had checked into the Roosevelt and other hotels by early afternoon today. So great was the volume of business at the Roosevelt, convention headquarters, that the New York contingent, which arrived on time this morning, required fully an hour to get through the registration desks. All visitors, whether distributors or exhibitors, have been busy throughout the day. Many went to the races, while others played golf.

More national sales managers are here for this 15th annual M.P.T.O.A. convention than probably have attended any other in the organization's history. The attendance of Felix Peitz of M-G-M, John D. Clark of Fox, Jules Levy of RKO Radio and James B. Grainger of Universal, each one flanked by one or more district or exchange managers. Kuykendall was in attendance at the convention due to illness. Leaving New York last week and heading straight for New Orleans, an attack of the flu forced him to leave the train at Atlanta where he remained for a few days battling his illness.

Tuesday’s Program

AFTERNOON

Business session in the Gold Room.
It's Cash

on the line when the author is
DAMON RUNYON, who
wrote "Lady for a Day" and "Little
Miss Marker"... and the stars are

Jean PARKER
Chester MORRIS

and the story is his best, from
Collier's Magazine

PRINCESS O'HARA

With LEON ERROL - Henry
Armetta - Vince Barnett...
Presented by Carl Laemmle
... Directed by David Burton...
Leonard Spigelgass, Associate Producer

Watch For Universal's Shivery Sen
UNIVERSAL...WITH A HAND OF BIG MONEY PICTURES!!!

IT'S DOUGH for N. Y. ROXY and RKO MEMORIAL, BOSTON... because both of these important houses are now cleaning up with NIGHT LIFE of the GODS

LINE-UP business when RADIO CITY MUSIC HALL played Universal's "THE GOOD FAIRY!"... It'll be HEAVY GROSSES AGAIN the week of March 14th, when the world's largest theatre opens with "The MYSTERY of EDWIN DROOD"

"BRIDE OF FRANKENSTEIN"
"IT WILL BE ONE OF THE BOX-OFFICE SMASHES OF THE YEAR!"
Says LOUELLA PARSONS in the Hearst Newspapers!

"SUPER-ENTERTAINMENT! FOUR STARS! ★ ★ ★ ★
— EUGENE CHRISMAN, SCREEN PLAY and SCREEN BOOK

"WILL TOP ALL BOX-OFFICE RECORDS FOR MUSICALS!"
— HARRY BURNS, HOLLYWOOD FILMOGRAPH

"SHOULD PROVE A MAGNET AT BOX-OFFICE!"
— HOLLYWOOD VARIETY

"GIRLS GORGEOUS, SONGS GRAND, CHEVALIER AT BEST!"
— RAY LONG, PHOTOPLAY MAGAZINE

"DAZZLES THE EYE AND EAR! GIVES CHEVALIER
THE OPPORTUNITY FOR WHICH HE CAME FROM FRANCE
YEARS AGO . . . AND WAITED TILL NOW TO FIND!"
— EILEEN PERCY, PAUL BLOCK CHAIN OF NEWSPAPERS

JOSEPH M. SCHENCK presents

MAURICE CHEVALIER

with ANN SOTHERN
MERLE OBERON

DARRYL ZANUCK'S PROUDEST ACHIEVEMENT

Millions are listening
to these Songs on the air!
"I WAS LUCKY"
"AU REVOIR L'AMOUR"
"RHYTHM OF THE RAIN"
"SINGING A HAPPY SONG"
"YOU TOOK THE WORDS RIGHT OUT OF MY MOUTH"

Reproduction of the cover of the film "Bergère" featuring the text "20th Century Pictures" and "Released thru United Artists".
Bill Drafted
To Cut Fines
On Copyright

(Continued from page 1)

modernization of the copyright laws and the entry of this country into the international convention. The latter was sought by President Hoover in 1931, and by Senator Frank P. Lanphier of Illinois in 1929, but the Senate failed to ratify the treaty.

The present copyright law was enacted on March 1, 1909. It was amended to protect motion pictures in August, 1912, and additional amendments in 1913, 1914, 1919, 1926 and 1928. The proposed measure was drafted by an interdepartmental committee on which the state and commerce departments and the library of Congress were represented, and is designed to include "a solutely necessary revision which will leave substantially unaltered the general structure of the copyright legislation. While the new draft makes an effort to cover the motion picture situation, it is believed to contain a number of provisions unsatisfactory to either producers or exhibitors, or both, which will possibly lead to changes. The draft is to be reported to the Senate for consideration.

Amendments Proposed

Section 1 is amended to give the copyright owner the exclusive right to make a motion picture photoplay, with or without sound, from a literary work and to perform it, and also provides for radio broadcasting. Section 4 provides that copyright may be secured for a term of 28 years by the author, without regard to the mode or form of their expression. If the defendant proves that he has been guilty of an injury to an instance of a provision of the law, he may be under an obligation to make an amount of damages equivalent to the fair and reasonable value of the injury. Section 41, differentiating between the transfer of copyright and the transfer of the material object on which it is contained, is expanded to provide that independently of the copyright, and even after its assignment, the author may continue to claim an interest in the work. This is understood to mean that there are two cars for every person in Los Angeles. The territory around these cities is another one of the overplus areas and the problem is a serious one with F.W.C. Executives of the circuit believe it is a mistake to test out the first schedule on such an important territory. They hold that a smaller area where the competitive situation is not so ticking should be the first spot for giving a schedule a tryout.

Woman Made Manager

Bozor, Feb. 6.—The first woman office manager in the district is Nellie McGlaughlin, newly appointed to that position by Exchange Manager Joseph McGoldrick of the Western Division. Miss McGlaughlin has been added to the staff to assume Miss McGoldrick’s former duties. The Flute circus comes from the local paramount exchange.

TOCC-ITOA
And Circuits Drop Contact

(Continued from page 1)
cedure was put over for another session. When the cold front is forcing of short run exhibitors developed into an all-afternoon affair.

The next break followed when the T.O. C. meeting was put over by former Senator Henry J. Walters to have a representative on hand at a suggestion of the I.T.O.A. pending bills in Albany. Charles L. O’Reilly forgot there was a meeting and the I.T.O.A. decided it was best to keep away.

As a result, the independents are marshalling their own forces and plan to act on legislative matters by themselves. O’Reilly and Brandt left last night for the Albany hearing this afternoon before the Senate committee on public education.

The McCall Bill is on tap and provides for the following:

1. To establish a standard of morality and decency in the production of motion pictures.

2. To prohibit, with civic and religious organizations in the prohibition of exhibition of pictures that offend morality.

3. To prescribe forms of contract between exhibitors and distributors.

4. To approve a synopsis of the law to be provide and 28 to be exhibited which syntax shall be furnished by the distributor to the exhibitor in preparation of the contract enters into a contract with the distributor.

5. To classify films into three groups: (a) suitable for adults, (b) suitable for family trade, (c) suitable for juveniles.

Would Need Special License

Distributors would be required to get a special license, the fee being set at $1,000 a year, and the license would be required to pay a fee of $1,000.

The breach between the independents and the majors is expected to be extended to negotiations on the basic operators’ scale. The unaffiliated men are planning to pull out of the N.R.A. fact-finding committee and negotiate their own contracts with the I.A.T. S.E., leaving Loew’s and RKO to shift for themselves.

The two major circuits have been members of the T.O.C.C. a number of years, but recently stopped paying dues. The move is said to have been taken because of O’Reilly’s insistence in favor of independents at Campi sessions. The circuits were carried on the books for a time in the hope that they would be reconciled. With Loew’s and RKO out, the independent outfit is willing to go along as it has been.

That the fact-finding committee is a thing of the past is seen in the conferences Louis Krouse, president of the American Theater Operators’ Union, and George Flute, chairman of the board, have been held within the last few days. O’Reilly is understood to have had several conferences with a man who is president of the international, on a pact for members he represents.

Efforts to merge the two independent circuits, and to take the point of consumption. A minority group of the I.T.O.A. is reported ready to force Brandt out, but the merger wing is heavily in favor of his continuing at the helm.
Unaccustomed as I am to public speaking...

I am still going to say these few words...

Welcome * M. P. T. O. A.!

and, modestly, on my fifteenth anniversary, I remind you that I'm the baby who brings to more than 9000 showmen those very necessary vitamins... National Screen Trailers... BEST exploitation ever devised... created and distributed by a coast to coast organization of "trailer-made" experts more than 700 strong...

NATIONAL SCREEN SERVICE

... prize baby of the industry!
Wilentz Will Take Warner Case to NRA

H.A.H. Hauptmann for the murder of the millionaire has hired David F. Wilentz, attorney general of New Jersey, will next concentrate his legal activities on the case of a dispute which has divided New Jersey members pending against Warners.

Wilentz will return from a Miami vacation which he took last week, and will appear before the Industrial Appeals Board of the NRA in Washington on behalf of L. E. W., that the three theatres in question are entitled to labor peace.

All in Leonia Case

The New Jersey attorney general will also play an important role in the Leonia, Leonia controversy, which was decided by the local board on June 4. Julius Charow, operating the Leonia, is vice-president of Allied New Jersey, which has pledged a fund to retain Wilentz for the final action.

Wanted Fox Reported In Dicker for U

Hollywood, Feb. 24.—William Fox’s name enters the Universal situation as a bidder for its purchase with the exception of Schulberg, in charge of production. Reports, also in line, which circulated here following his return from New York were also denied by former Fox Pictures Democratic hopeful. He said he had discussed such a deal with Fox, but nothing concrete has developed as of yet.

A second group, believed to be Philadelphia money, is also reported making bids for Universal, a condition of which is the hiring of Mark Dicker as studio head.

Report Another Fox Met Bid in Offerng

A second bid for Fox Metropolitan Playhouses in competition with the Joseph M. Schenck-Fox Theatres offer, submitted by Federal Judge Julian W. Mack tomorrow is expected to be made known at the court house or within the next few days thereafter, was learned on Saturday.

Identification of the new bidder is being kept cold. Both Mack and RKO denied they were interested in making a bid. Walter Reade and Joseph Pekett are believed to have sounded the Fox Met bondholders’ committee in advance of the joint Learned decision and in view of the bid on last summer, but neither could be reached for comment Saturday on the current report of a new competitive bid.

M-G-M Revives Its Policy Conferences

Hollywood, Feb. 24.—M-G-M is reviving the practice, more or less dormant for the past few years, of holding executive conferences on major issues such as the hiring of important talent, buying stories and the like. The policy board includes Louis B. Mayer, Irving Thalberg, David O. Selznick, Adele Mannix, Ben Thau and Sam Katz.

Rubin-Roden Hearing Delayed to Feb. 27

Chicago, Feb. 24.—The hearing of the suit brought here by Jack Rubin of Public Theatres in the Federal court against James Roden, owner of the Azur, for alleged violation of anti-trust statutes, has been postponed to Feb. 27, Judge Woodward of the U. S. District Court has been sitting on another case.

Hong Kong Nights

(Walter Futter)

Hollywood, Feb. 24.—"Hong Kong Nights," an action film about Chinese gun smugglers. Cornelius Keefe is the bad white man who smuggles guns to the bandit. Tom Keene, unofficiously connected with the American consulate, is set to stop him.

Wera Engels, at first engaged to marry Keefe, leaves him when she learns his business and helps Keene. The pair chase each other up and down the island of Hong Kong, with Keene finally bringing Keefe to justice and winning the girl.

Warren Hayman, as Keene’s assistant, ably contributes the comedy of the picture, and Tetsu Komai, as the bandit, gives a good performance.

The picture is aided by good shots of Hong Kong, obviously taken from a travelogue.

Looks suitable on dual bill program.

No code seal. Running time, 65 minutes. "G."

"The Devil Is a Woman"

(Paramount)

Hollywood, Feb. 24.—Aside from choice photography lensed by Josef Von Sternberg himself, plus a series of beautiful poses of the devastating Marlene Dietrich, little in the way of entertainment projects itself from this last of the Von Sternberg-Dietrich collaborations.

While Von Sternberg’s screen paintings are much above the ordinary, the photographer-director has placed the focus on himself to the detriment of the star’s value and has evolved a screen story minus heart, draggy in spots, symbolically and for so important a star hardly a vehicle for her superb talents.

Production values tumbled over each other in shovelfuls, but stripped of its gorgeous carnival exteriors the film reveals a Spanish tramp toying with men’s affections and wreaking tragedy in her wake. Miss Dietrich, as a cocotte, is as sympathetic as the icy heart of the lass she portrays.

Photographed plentifully, but only once revealing her shapely limbs, Miss Dietrich’s beauty and genuine ability are lost on a yarn so turbid, yet meritorious entertainment. Miss Dietrich sings two songs.

Lorenz Hart, Miss Dietrich’s November lover, is made to appear foolish; seldom tragic, Cesar Romero, her May sweetie, is adequate, and Edward Everett Horton is swell in a small role.

Von Sternberg’s photography stars in this story adapted by John dos Pau from Paul and Albert Puppet. After the clanking of “The Scarlet Empress,” banking on this latest scarlet harlot is questionable.

Production Code Seal No. 538. Running time, 85 minutes. "G."

The Casino Murder Case

(M-G-M)

Hollywood, Feb. 24.—As a dual murder mystery solved by the picturesque Pierre Loupas, this one is well timed for suspense and equally well spaced for laughs. The plot has the usual, methodical Vance solution aided by the well-known mystery build-up hokum which keeps the murder mystery patrons guessing. The film should prove satisfactory entertainment for murder fans.

Paul Lukas capably portrays Vance, making his deductions from a group consisting of Allison Skipworth; her son, Donald Cook; her secretary, Rosalind Russell; her brother, Arthur Byron; her daughter, Isabel Jewell; her butler, Eric Blore, and her doctor, Leslie Fenton. Miss Skipworth, Cook and his wife, Louise Henry, and Miss Russell are poiseed, well acted and the fun starts. As usual, the least suspected party is guilty with the climactic puzzle unravelled by Lukas proving Cook killed his own mother and wife to benefit from his mother’s will. A romantic treat entwines Lukas and Miss Russell at the fadeout.

The situations, well timed by director Edwin L. Marin, hold suspense throughout. Good performances are given by the whole cast. The musical score by Dimitri Tiomkin adds substantially to the film. Charles Clarke’s photography is okay. Florence Ryerson and Edgar Allen Woolf penned the screenplay from S. S. Van Dine’s book.

No production code seal. Running time, 88 minutes. "G."

“Hong Kong Nights” committee, which is trying to break down the 60-day protection. Charnow several weeks ago asked for a hearing before Campi and was turned down. Since then several exchange heads have taken a personal interest in the
Remodelling
Repairs
Replacement
Re-building

There is only one authority,
and the real authorities
write for it.

Better Theatres

A Quigley Publication
1790 Broadway
New York City
**Spring** $18,500 High, Philadelphia

**Colombian** $9,600

Smash in Portland

**Colonel** $9,600

*Motion Daily* Tuesday, February 26, 1935

**Hollywood Personalities**

Hollywood, Feb. 25.—W. S. Van Dyke off on his first vacation in 10 years ... the director is taking in the April Fools’ weekend at Aldine. The Earle topped the mark with $31,500 for *Winner Ticket* and its stage show, while "Devil Dogs of the Air" got a good $14,000 for eight days at the Stanley.

Total first run business was $102,000. Estimated takings for the week ending Feb. 16:

- **THE SCARLET PIMPERNEL** (U. A.)
  - ALDINE—(2,300), 35c-40c-55c, 6 days. Gross: $16,000. (Average, $1,500).
  - **THE GILDLED LILY** (Para.)
  - (Second Run)
  - ARCADIA—(600), 25c-30c-45c, 8 days. Gross: $2,000. (Average, $250).
  - BOYD—(2,300), 45c-50c-55c, 5 days. Gross: $925. (Average, $185).
  - **WINNER TICKET** (M-G-M)
  - EARLE—(2,000), 30c-35c-50c, 6 days. Stage show. Gross: $3,000. (Average, $500).
  - **DAMON AND PYTHIUS** (M-G-M)
  - KEITH’S—(2,000), 30c-40c-50c, 6 days. Gross: $7,500. (Average, $1,250).
  - **THE GOLDEN FISH** (Univ.)
  - ROXY-MYSTA-BRUM—(4,000), 40c-50c-65c, 6 days. Gross: $12,000. (Average, $2,000).
  - **DEVIL DOGS OF THE AIR** (Warners)
  - STANLEY—(6,000), 35c-40c-55c, 8 days. Gross: $27,000. (Average, $3,375).
  - **DEEP SKIES** (Univ.)
  - STANLEY—(2,000), 30c-40c-50c, 4 days. Gross: $4,000. (Average, $1,000).

**Wings** Gets Twin Cities Top, $11,000

**Wings** Wins Big $5,500, Denver High

**Copperfield** Holds Up for 2d Loop Week

**Chicago**, Feb. 25.—Taking $20,000 for its second week at the United Artists, "David Copperfield" was the best straight film draw on the Loop. This week also marked its first 2d Loop week.

Business was generally good. "Wings in the Dark" was up by $12,000 from its first week. Earl Carroll’s "Vanities" on the stage helped. "Charlie Chan in Paris" was strong with a Gross of $17,000. "Devil Dogs of the Air" had a good second week at the Roosevelt with $12,000.

Total first run business was $143,500. Average is $12,760.

Estimated takings:

**Week Ending Feb. 21:**
- **WINGS IN THE DARK** (Para.)
  - CHICAGO—(6,000), 25c-35c-65c, 7 days. Stage show. Gross: $7,600. (Average, $1,086).
- **THE MYSTERY OF EDWIN DROOD** (Univ.)
  - ROYAL—(1,800), 30c-35c-40c, 6 days. Gross: $13,000. (Average, $2,166).

**Week Ending Feb. 22:**
- **THE COUNT CHAIRMAN** (Fox)
  - STANLEY—(2,000), 25c-35c-55c, 7 days. Gross: $25,000. (Average, $3,571).
- **DEEP SKIES** (Univ.)
  - STATE-LAKE—(2,276), 25c-35c-55c, 6 days. Gross: $21,000. (Average, $3,500).

**Week Ending Feb. 25:**
- **DAVID COPPERFIELD** (M-G-M)
  - UNITED ARTISTS—(1,700), 20c-35c-60c, 2 days. Gross: $30,000. (Average, $15,000).

**Band Plays** with Show Big in Omaha

*Omaha*, Feb. 25.—A combination of the "Band Plays On" and a stage show with "The Band on the Air" X X Sisters, Frank Libase and others, pulled the big money here in three days last week, $7,600. 14 Days of the Air" had an average over for a full week.

The only other profitable attraction in town was a dual consisting of "Carlo's" and "Gentlemen Are Born," which was $1,000 up on gross of $4,500 at the Brindisi. Total first run business was $21,700. Average is $9,150.

Estimated takings:

**Week Ending Feb. 17:**
- **THE BAND PLAYS ON** (M-G-M)
  - PARAMOUNT—(2,800), 35c-50c-60c, 3 days. Gross: $15,000. (Average, $5,000).
- **DEEP SKIES** (Univ.)
  - PALACE—(2,100), 25c-35c-60c, 4 days. Gross: $2,200. (Average, $550).

**Week Ending Feb. 21:**
- **THE GENTLEMEN ARE BORN** (Warners)
  - PARAMOUNT—(2,100), 25c-35c-60c, 4 days. Gross: $4,500. (Average, $1,125).
- **THE MIGHTY GREEN** (G. B.)
  - ORPHEUM—(600), 25c-35c-60c, 7 days. Gross: $7,400. (Average, $1,057).
Bill Drafted To Cut Fines On Copyright

State Department Plan Is to Make It $100

By BERTRAM F. LINZ

WASHINGTON, Feb. 25.—Reduction from $250 to $100 of the penalty on exhibitors for “infringement” is provided for in the bill proposed by the State Department for amendment of the copyright law preparatory to the entry of the United States into the international copyright convention. This makes closer to the M.P.T.O.A. idea of how the copyright law should be amended.

In the case of infringement resulting from fraud or imposition upon the infringer by a third person, recovery is to be limited to the fair and reasonable value of a license, but not less than $50 nor more than $2,500.

The State Department’s measure is the result of efforts which have been made for a number of years to secure

(Continued on page 12)

Federal Study of Fox Met Is Begun

Department of Justice investigators were reported yesterday to be probing the Joseph M. Schenck office of the purchase of Fox Metropolitan Playhouse.

E. F. Tarbell Dies Suddenly in Albany

ALBANY, Feb. 25.—Edwin F. Tarbell, executive secretary for the past two years of Allied Theatre Owners

(Continued on page 2)

Comerford Stricken

Washington, Feb. 25.—M. E. Comerford, head of the Pennsylvania circuit bearing his name, was reported resting easily today at Emergency Hospital here, where he was removed after suffering a collapse in a downtown hotel. Comerford, who is 65 years old, was planning to attend the M.P.T.O.A. convention at New Orleans when stricken. Although showing some improvement, hospital attendants described Comerford’s condition as still serious.

Kuykendall Reelected as MPTOA Meet Is Started

Loew in Move to Build Eight or Ten at Chicago

Rumor Code Attack

New Orleans, Feb. 25.—A certain group or groups in the M.P.T.O.A. tonight were reported discussing as an objective a violent attack on the code via a plan not divulged but looking to M.P.T.O.A. and its abolition. This would work out and exactly what the convention could do beyond passing resolutions to this effect if this group or groups have their way, not only were not clear but were un Answered tonight.

TOCC-ITOA and Chains End Contact

Lacking support from major circuits, the T.O.C.C. and I.T.O.A. have dropped the policy of friendly cooperation with Loew’s and RKO, severing a working arrangement of long standing on both legislative and union problems.

The schism became marked when the board of directors of the I.T.O.A. group, presided over by Harry Brandt, on Feb. 13, passed a resolution seeking a state investigation of major circuit activities in this territory. The resolution was adopted after several attempts had been made to get Loew’s to relieve independents from a competitive protection strain. A committee was slated to be appointed last week to present the charges to Governor Lehman and to the Senate. The process

(Continued on page 12)

Cohen Denies Plan For Producing Unit

HOLLYWOOD, Feb. 25.—E manu e Cohen today denied rumors that he is forming an independent company with the backing of John Hertz, using Mae West, Gary Cooper and Bing Crosby as nucleus of stars for the new unit.

Cohen said: “I wish to deny any

(Continued on page 7)

Managers Converge

New Orleans, Feb. 25.—The proximity of the new season and the desire to get widespread exhibitor reaction on product types are the twin reasons behind the presence at the M.P.T.O.A. convention here of John D. Clark, general sales manager of Fox; J. R. Grainger, general sales manager of Universal; Felix Peist, general sales manager of M-G-M, and Jules Levy, general sales manager of Radio.

This makes more sales managers than probably have attended any exhibitor convention in the latter day development of the industry.

Grainger Laughs at Reported “U” Sale

NEW ORLEANS, Feb. 25.—The Hotel Roosevelt lobby today virtually rang with reports of Universal’s sale to a group unnamed. Reaching Universal’s district managers, including William Heineman, Harry Graham and John Exell, the stories proved disturbing

(Continued on page 7)

Work Keeps Flinn From MPTOA Meet

Pressure of work caused by his recent 10-day trip to the coast prevented John C. Flinn from going to New Orleans to attend the M.P.T.O.A. convention.

(Continued on page 1)

Comerford's stricken condition was still serious.
HORTENSE SCHORR has another peer. Says ever since the "Purely Personal" column reported she is to be joined in a re-Union of "Cinderella," the new operatic in Chicago, Kặt, Hume, Nietsche and Daman Runyon, her social activities have slid into a decline. She's accused of being a bighander.

CAPTAIN RICHARD NORTON, British and Dominions producer, here for a short visit, is busy around town these days trying to clear up his affairs as soon as possible. He says now he won't be able to return home for at least a fortnight.

HARRY SCHWALZ, Fred DURKEE, Charles NOLTE, Sam GALANTY, Ben FERTEL and J. FABIAN are in the "hot Miami," writes JAY EMANUEL from Miami, proving thereby that he's there as well.

GEO TOWNE and GRAHAM BAKER have been signed by Walter WANGER to Fresh up in for "Schoen- hauer, Kant, Hume, Nietsche and Daman Runyon, her social activities have slid into a decline. She's accused of being a bighander.

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M. B. Horwitz Lay Up

Cleveland, Feb. 25—M. B. Horwitz, president of the Independent Theatre Owners of Ohio and head of a local circuit, is laid up at home with sciatica.

Hamrick Signs Rivers

Seattle, Feb. 25—Edwin B. Rivers, well known coast theatre executive, has been named head of advertising and publicity for the circuit of 12 houses operated by John Hamrick here and in Portland and Tacoma.

MITCHELL MAY, Jr.
COMPANY INC.

SPECIALISTS IN
FILM and THEATRE INSURANCE
75 Maiden Lane 510 W. 6th St.
New York Los Angeles Cal.
RUDY BEATS ‘DAMES’!

Vocal Boy Makes Good In Movies

TOPS ‘20 MILLION SWEETHEARTS’ TOO

Amazing New York Premiere of “Sweet Music” Definitely Establishes Vallee as a Money Star

Look!...
N. Y. STRAND'S CANDID CAMERA TELLS THE STORY OF RUDY'S NEW BOX-OFFICE PERSONALITY

7 P. M. Wednesday
(One hour before opening!)

9 A. M. Thursday

8 P. M. Wednesday

10 A. M. Thursday

10 P. M. Wednesday

11 A. M. Thursday

PHOTOGRAPHIC PROOF THAT "SWEET MUSIC" IS EVERYTHING FAMOUS SHOWMEN PREDICTED
No wonder Ann’s turning handsprings!

Look what New York papers say about her and Rudy in

"SWEET MUSIC"

"'Sweet Music’ a hit, Rudy Vallee a star! Three rousing cheers for Warner Bros. and the teamwork which puts Rudy Vallee over with a bang."—N. Y. American

"Rollicking, tuneful, hilarious. A Rudy which should send the Vallee Fan Clubs into ecstasies. Can entertain a wider public than his previous films."—Daily Mirror

"Sparkling addition to the series of musical hits devised by Warner Bros. definitely establishes Rudy as a screen personality. Grand fun."—Eve. Journal

"Will delight Rudy’s enthusiasts."—Herald-Tribune

"Rudy’s most ambitious and most promising picture."

—Daily News

"A thoroughly diverting song-and-dance entertainment. Vallee is excellent."—World-Telegram

Another "Big Shot" Hit All Set Up and Delivered by

WARNER BROS.
RUDY VALLEE makes
"SWEET MUSIC"

and "Sweet Music" has made Rudy Vallee!

Congratulations from 9,000 happy first-nighters to Rudy and

ANN DVORAK
Ned Sparks • Helen Morgan • Robert Armstrong
Allen Jenkins • Alice White • Joe Cawthorn • Al Shean
The Connecticut Yankees • Frank & Milt Britton Band
The Six Famous Composers • Bobby Connolly and

DIRECTOR AL GREEN

Kuykendall Is Reelected as MPTOA Head

(Continued from page 1)

Butterfield, Detroit, as vice-presidents—Edward G. Levy, New Haven, general counsel, and Fred Wehrenberg, St. Louis chairman.

These nominations were presented by the executive committee to the board of directors at its meeting in closed session here tonight. The executive committee is composed of Kuykendall, O. C. Lam, Sidney Lust, J. H. Michael, on time this morning, L. E. Thompson. The latter flew here from Miami, where he has been vacationing.

The nominations and election of officers comprised the only order of business today and the convention was concluded. The convention proper is not scheduled to get under way until 2 o'clock tomorrow. The convention arrangements committee tendered its report on the organization of the first business session at that time, rather than risk a sparsely attended first morning session. Convention visitors are making the rounds of the city tonight, celebrating their first evening in town.

Called to Order Today

The convention will be called to order tomorrow by O. S. McLeod, general chairman of the arrangements committee. The invocation will be given by Rev. Donald H. Wateley, rector of the Grace Episcopal Church of this city. The president's annual report will be read by Kuykendall and the secretary's annual report by general counsel and acting secretary. Reports of the committees on convention arrangements, on labor relations, public relations and entertainment values will also be made and special convention committees will be announced. Adjournment of convention committee meetings is scheduled for 4:45 P. M. The evening will be given over to the president's reception.

Approximately 500 conventioners had checked into the Roosevelt and other hotels in the city on convention day. So great was the crush at the Roosevelt, convention headquarters, that the New York contingent, which arrived early, was required fully an hour to clear the registration desks. All visitors, whether distributors or exhibitors, have been on their own throughout the day. Many went to the races, while others played golf.

More national sales managers are here for this 15th annual M.P.T.O.A. convention than probably have attended any other convention in the history. The contingent includes Felix Feist of M-G-M, John D. Crow of Fox, L. B. Redman and James R. Grainger of Universal, each one flanked by one or more district exchange managers.

Kuykendall almost missed the convention due to illness. Leaving New York last week and heading straight for New Orleans, an attack of the flu forced him to leave the train at Atlanta where he remained for a few days having been excused.

Tuesday's Program

APRIL 13

Business session in the Grand Room,

Where the Sazeracs Flow

By RAMOS

Nate Blumberg, whose favorite theatre circuit is RKO, had planned to make the trip, but no could do. His company will be represented by Leslie Thompson, who is ending a Florida sojourn to attend for these parts. You may draw whatever conclusion you like, but the Northern California delegation is here with him.

You are more than clearances. You are more than worries. Jimmie Grainger, who arrived Friday having stepped off at Atlanta early for the golf, The McNelis, the Charles Mulhmans, the Aaron Goldbergs, the Henry Nasser, and the Joseph H. Y. Harveys, the Stuart, the Julian Harveys, the Sam Levins, the Homer Tegmiers, the Bill Heine, the George Manns, and the Mike Naify, are more than worries.

Grainger Laughs at Reported "U" Sale

(Continued from page 1)

but were met only by a laugh from J. R. Grainger, general sales manager, who said: "A lot of applesauce. I am in daily touch with Carl Laemmle and certainly I would know about it." Grainger returns to New York from here and goes on to Hollywood in about two weeks on next year's program.

hollywood, February 25.—"If rumors can be believed Universal has been "sold" not less than once a year for more than a quarter of a century past," Carl Laemmle remarked today in denying new reports of an impending sale of the company.

"I have been asked why I do not deny every fake rumor which is circulated by irresponsible parties regarding Universal," Laemmle said. "The truth is that I haven't the time. If I took time to deny every one of the thousands of rumors I would not have an hour left for picture making and picture selling.

Laemmle returned to the studio today after being kept away four weeks by an eye ailment.

Work Keeps Flinn From MPTOA Meet

(Continued from page 1)

vention. He was slated to address conventioners tomorrow on the code.

Walter Vincent, who was scheduled to talk this afternoon on entertainment values, is another absentee. He was ordered to take a month's vacation by his doctor and is now in Nassau.

Rosenblatt Talk at Convention in Doubt

Washington, February 25.—Division Administrator Sol A. Rosenblatt was undecided here today whether or not he would be able to attend the M.P.T.O.A. Convention in New Orleans which opens tomorrow. If he speaks, it will be on Thursday.

It was explained that there are a number of matters delaying Rosenblatt's immediate attention here and if these are cleared up he will be free to take the southern trip.

Kent Won't Attend Meet

New Orleans, Feb. 25.—Sidney R. Kent will not be at the M.P.T.O.A. Convention, not being able to tear himself away from Florida.

Kansas City's ITO Discusses Federal Probe

(Continued from page 1)

The Kansas City's ITO headquarters will go forward depend on Hazard's conclusions.

Rolsky said the fact Campus is reported unable to get a clear schedule for Kansas City will not deter the I. T. O. legal maneuvers, because, in any event, the suit, in its final form would not be acceptable to the independents.

It is complained, primarily, that Fox Midwest is given prior right to product and that the circuit has set clearances for Kansas City detrimental to other suburban which are forced to accept. The independents are also reported to have made up a statement that the I. T. O. meeting, to the effect he could lower prices at his theatres and still be able to obtain protection over unaffiliated houses charging a higher admission. The independents fear that is just what Fox Midwest may do, and the legal moves are designed to prevent it.

Federal Study of Fox Met Is Begun

(Continued from page 1)

houses. The procedure is similar to that followed in the New York Loew's and Warners made a joint bid for the circuit.

WASHINGTON, February 25.—Investigation of pending negotiations for the purchase of Fox Metropolitan in New York by Joseph M. Schenck today was characterized by the Department of Justice as one of the routine studies which are made of every important acquisition.

Washington officials of the department said that there was nothing known about the matter here, as it was under the control of the field office, each of which has a close eye upon industrial operations in its area.

ITPA of Wisconsin Seeks Federal Help

MILWAUKEE, February 25.—Directors of the Independent Theatres' Protective Association of Wisconsin and Upper Michigan have voted to petition the Department of Justice to continue the investigation made in the summer of 1931 by independent theatres of the state who were seeking relief from competition of producer affiliated circuits through the Department of Agriculture and Markets.

The action started by the State Department at that time enjoined in U. S. District Court and the association is seeking to have the Federal Department take up the investigation where the state was forced to stop.

GSTOA to Meet Thursday

New Orleans, Feb. 25.—Gulf States Theatre Owners' Ass'n will convene at the Jung Hotel here Thursday noon. It is now definite that Harry S. McLeod will not run for the presidency again.
GREETINGS!

IT'S CASH
on the line when the author is
DAMON RUNYON, who
wrote "Lady for a Day" and "Little
Miss Marker"... and the stars are

Jean PARKER
Chester MORRIS

and the story is his best, from
Collier's Magazine

PRINCESS O'HARA

With LEON ERROL • Henry
Armetta • Vince Barnett...
Presented by Carl Laemmle
... Directed by David Burton...
Leonard Spigelgass, Associate Producer

Watch For Universal's Shivery Sens
UNIVERSAL...WITH A HAND OF BIG MONEY PICTURES!!!

IT'S DOUGH
for N. Y. ROXY and RKO MEMORIAL, BOSTON...
because both of these important houses are now cleaning up with

NIGHT LIFE
of the GODS

LINE-UP business when RADIO CITY MUSIC HALL played Universal's "THE GOOD FAIRY!"
...It'll be HEAVY GROSSES AGAIN the week of March 14th, when the world's largest theatre opens with

"The MYSTERY of EDWIN DROOD"

tion, "BRIDE OF FRANKENSTEIN"
"IT WILL BE ONE OF THE BOX-OFFICE SMASHES OF THE YEAR!"

Says LOUELLA PARSONS in the Hearst Newspapers!

"SUPER-ENTERTAINMENT! FOUR STARS! ★ ★ ★ ★
— EUGENE CHRISMAN, SCREEN PLAY and SCREEN BOOK"

"WILL TOP ALL BOX-OFFICE RECORDS FOR MUSICALS!"
— HARRY BURNS, HOLLYWOOD FILMOGRAPH

"SHOULD PROVE A MAGNET AT BOX-OFFICE!"
— HOLLYWOOD VARIETY

"GIRLS GORGEOUS, SONGS GRAND, CHEVALIER AT BEST!"
— RAY LONG, PHOTOPLAY MAGAZINE

"DAZZLES THE EYE AND EAR! GIVES CHEVALIER THE OPPORTUNITY FOR WHICH HE CAME FROM FRANCE YEARS AGO ... AND WAITED TILL NOW TO FIND!"
— EILEEN PERCY, PAUL BLOCK CHAIN OF NEWSPAPERS

JOSEPH M. SCHENCK presents

MAURICE
CHEVALIER

with
ANN SOTHERN
MERLE OBERON

DARRYL ZANUCK'S PROUDEST ACHIEVEMENT
Bill Drafted To Cut Fines On Copyright

(Continued from page 1)

moderation of the copyright laws and the drive to cut them into the international convention. The latter was sought by President Hoover in 1931 and by President Roosevelt, but the Senate failed to ratify the treaty.

Modernization of the copyright law was enacted in March, 1909. It was amended to protect motion pictures in August, 1912, and additional amendments were adopted in 1913, 1914, 1919, 1926 and 1928. The proposed measure was drafted by an interdepartmental committee on which the State and Commerce Departments and the Library of Congress were represented, and is designed to include "absolutely necessary reforms" but to leave substantially unaltered the general structure of the copyright legislation.

While the new draft makes an effort to cover the motion picture situation, it is believed to contain a number of provisions unsatisfactory to either producers or exhibitors, or both, which will possibly lead to changes in the bill when it is reported to the Senate for consideration.

Analysis of the department's bill shows the following changes to be made in the present law:

Amendments Proposed

Section 1 is amended to give the copyright owner the right to make a motion picture photoplay, with or without sound, from a literary work and to perform it, and also provides for radio broadcasting. Section 4 provides that copyright may be secured for all the works of an author, "whether the mode or form of their expression."

Section 5 would add to the classes for which copyright may be claimed works for radio or film broadcasting. Section 8 provides that copyright shall extend without formality to the work of the author in the case of those countries which are parties to the international convention, and that in the case of citizens of other countries the present reciprocal requirements shall be met.

Section 12 contains the copyright of unpublished works, is broadened to cover works prepared expressly for radio broadcasting.

Section 14 makes a copyright term of 28 years, with renewal for a like period. The new period would automatically apply to works registered prior to the date the new act becomes effective.

The penalty provisions for infringement in Section 25 are amended to give the owner the copyright the right to terminate the right to exclusive use or such part of the profits which the infringer shall have made as the court may decree, or to collect, in lieu of actual damages, certain specific sums in certain cases of mutilation or other damages as the court may hold just.

In proving profits in infringement cases the plaintiff is to be required to prove only sales, rentals, license fees or other revenue derived from any

T OCC-ITOA And Circuits Drop Contact

(Continued from page 1)

ceded to the executive session when a discussion of forcing of shorts on exhibitors developed into an all-afternoon affair.

Tuesday, February 26, 1935

FWC to Protest on Los Angeles Zoning

Although Campli has approved the Los Angeles ordinance which Fox West Coast is planning to protest a number of its provisions as unworkable, Motion Picture Daily learns. Unless certain modifications are made, F.W.C. will ask Code Authority to suggest a plan which will be effective today, March 31, the date set last week by Campli. According to Code Authority's plan, the schedule is to be put on for 60 days, but F.W.C. contends this may prove disastrous to the circuit.

Charles Buckley, attorney, and Mike Rosenberg, a partner of F.W.C., are in New York discussing the schedule and it is believed they will request a hearing to be held here before putting the body its impact on the issues involved. Edward Alpers, however, who has been informed of a survey of the coast houses late last week, may attend the meet.

The circuit's contention is that Los Angeles and southern California are two of the most important and competitive situations in the country and that distances mean nothing because there are two cars for every person in Los Angeles. The territory abounds in overlapping areas, and the problem is not the same as F.W.C.

Executives of the circuit believe it a mistake to test out the first schedule in such an important territory. They charge the full contract between the author or owner of a work and an assignee or licensee thereon.

A new section authorizes the President to take steps necessary to make the United States a member of the international protection of the Literary and Artistic Works.

With the exception of this section, which will go into effect upon the passage of the bill, the measure would go into effect July 1, next.

A. C. Scales Quits Board

SAN FRANCISCO, Feb. 25.—A. C. Scales of the local Chamber of Commerce has resigned as an impartial member of the grievance board.

Goldwyn on Way Here

Hollywood, Feb. 25. Samuel Goldwyn is eastbound with his wife to confer with Hal Horne, United Artists head, and George C. Brown, studio chief, on exploitation of "The Wedding Night."

Renamed Saenger Theatre

NEW ORLEANS, Feb. 25.—Saenger Theatres have renamed the Marion Theatre at Clarksdale. The new name is the Paramount.
Unaccustomed as I am to public speaking...

I am still going to say these few words...

Welcome * M. P. T. O. A.!

and, modestly, on my fifteenth anniversary, I remind you that I'm the baby who brings to more than 9000 showmen those very necessary vitamins... National Screen Trailers... BEST exploitation ever devised... created and distributed by a coast to coast organization of "trailer-made" experts more than 700 strong...
Washington's Birthday helped the theatre grosses along the main stem last week. On the second week of "The Gilded Lily," the Paramount gained $28,000. For the current week, with "Rumba" on the screen and Margot Grahame in the cast, the ticket sales are expected to hit $40,000.

"Heaven, But Not Too Heaven" fares nicely during its second stanza at the Strand, tallying $22,000 for the week. "A Notorious Gentleman," at the Mayfair, hit around $80,000, while "Little Men," at the Astor, garnered about $6,000. "Carnival," at the Rialto, got $12,000, and this week's tally on "Car 99" looks to be headed for the same figure. The Rivoli, with "Right to Live," coralled $15,000, which is not good.

"Night Life of the Gods" is aiming for $50,000 or better at the Roxy, where the week-end gross was $25,000.

Sachs-Nelson Case Heard on an Appeal

Max Sachs, operator of the Lexington, Chicago, appeared before a Can- pi appeal committee yesterday complaining vehemently of the decision of the Lawndale, same city. Sachs stated that Nelson is getting a week's protection on the Lexington while the Lexington does not ask for protection on its competitor. Nelson submitted his answer by letter. The committee consisted of F. Thomas Murray, Willard C. McKay and E. L. McEvoy.

Golden's Father Passes

Edgar Golden is mourning the loss of his father, Abraham, who passed away in Boston last Friday at the age of 74. Burial was held Sunday at Malden, Mass. Golden was planning to attend the M.P.T.O.A. convention in New York but changed his plans and proceeded to his trip to Philadelphia, Cleveland and Chicago, but has called off the southern trip.

Jack Jossey, Monogram franchise holder in Cleveland, is in town for a week's conference with W. Ray Johnston.

A. K. Sperdakos Buried

MONTREAL, Feb. 25.—Funeral services have been held here for Athama- sin K. Sperdakos, pioneer Canadian exhibitor, who died last week from a heart attack at Quebec City.

Sperdakos is the originator of the film business here in 1908 when he opened the Fairyland Theatre. He also helped organize the Canadian division of the M.P.T.O.A.

James Coombs Services

Funeral services were held yesterday for James Coombs, 67, well known opera basso and stage and radio singer, who died last Friday at his home in Great Kills, S. J. He was 66 years old.

For the past few years Coombs has been a member of S. L. Rothael's (Roxy) Gang.

Tubman Loses Mother

OTTAWA, Feb. 25.—Funeral services will be held here for Mrs. W. J. Tub- man who died here over the week-end. She is the mother of Fay Tubman, manager of the Capitol theatre.

HOLIDAY IS A HELP; ‘LILY’ DRAWS $28,000

MOTION PICTURE DAILY

HOLLYWOOD PREVIEW

"Laddie" (Radio)

HOLLYWOOD, Feb. 25.— Were Gene Stratton Porter alive today she would thrill to Radio's picturization of the famous novel in which her characters are recreated. Being a simple tale penetrating the sym pathetic emotions, "Laddie" is wholesome, Grade A entertainment which should send box-office grosses zooming. The direction, performances and photography, will harmonize whole, achieving the utmost in production responsiveness.

The story deals with simple country folk centering on the romance between Laddie, portrayed by John Beal, and Gloria Stuart. The lad is a heartwarming son of the soil and the girl is a tender lass of aristocratic English lineage. The dramatic conflict features the social clash of the two families and the harmful opposition of Miss Stuart's father (Donald Crisp) to her marriage with Beal. Playing a featured role in the lives of the two families is Virginia Weidler, the little sister, whose innocent, childish contrivings finally weld a bond of understanding between Miss Stuart's family and her own, and also resulting in the latter's forgiving his possessed son (William Bakewell) involved in espionage trouble in England.

The picture uncovers little Miss Weidler as one of the finest child performers on the screen. The portrayals of Beal, Miss Stuart, Crisp, Dorothy Peterson and Willard Robertson are human and of the highest order. (George Stevens' direction is splendid from every angle. Ray Harris' and Dorothy Yost's screen writing, and Hal Kern's music score, are no less than recommended.

Being mass entertainment, this should gross plenty in all spots. No Production Seal. Running time, 70 minutes. "G".

MOTION PICTURE DAILY

HOLLYWOOD, Feb. 25.—Universal has formally confirmed reports of the sale of "The Great Ziegfeld" to M-G-M. It was explained that disagreements over policy in the production and the cost, which was estimated at $1,250,000, plus the fact that three key members of the cast were necessary, had caused the sale. The producers were due the fact that M-G-M could not arrange for release of the film, but was forced to loan it to Universal for another film.

M-G-M agrees to take over William Powell, who will star in "The Wicked," and to arrange for Universal's expenditures to date and to take care of the company's exhibitor contracts.

Fox Exchange Has Fire

A small fire broke out in the boiler room of the Fox exchange at 5 P. M. yesterday. Due to presence of mind of the telephone operator, who informed everyone in the two-story structure of the danger, no one was injured. Harry Burkhart, sales manager, also aided in clearing the building of its employees and visiting exhibitors.

At 5:30 the firemen quit the building and employees were discharged for the day. The damage was slight.

Bernhard Denies Loss

A report published in New York Sunday newspapers that the closing of the Roxy-Mastbaum, Philadelphia, and the probable operating loss of $200,000 to $250,000 was characterized yesterday by Joseph Bernhard, general manager of War ner, Theatre, as "absolutely incor rect" and "absurdly out of line with the facts."

TRUSTEES OF ALLIED APPROVE PARA. DEAL

Allied Owners’ trustees yesterday approved the deal by which Sir Fabian will take over the Brooklyn Paramount Bldg., exclusive of the theatre, for a reported consideration of $1,300,000. The transaction removes obligations of Allied to the form of settlement of its $5,000,000 claim against Paramount in the latter’s reorganization.

The settlement of Allied’s claim against Paramount is in part for a new 20-year lease on the Brook lyn Paramount between the two. Allied is now operating the house under an arrangement with Paramount which terminates Sept. 1, at which time the temporary lease on the theatre which Paramount holds also expires and the new 20-year lease becomes effective. Fabian may negotiate the telephonic agreement on the theatre with Paramount at that time.

DISCUSS SETTLEMENT OF SUIT IN CHICAGO

CHICAGO, Feb. 25.—Discussions of a settlement of the anti-trust suit brought by Paramount Pictures and its sister companies and James Roden, owner of the Astor, against virtually all large distributors, are continuing with both sides having expressed willingness to settle.

An agreement on terms, however, is not expected at once and may result in the postponement of the scheduled hearing before Federal Judge Woodward, Wednesday, unless the settlement discussions are abandoned by then.

WALL STREET

Eastman Up 2% on Big Board Net

Columbia vre (42) 50-51 50-
Consolidated Film 53 53 53
Consolidated Film (42) 53 53 53
File (50) 19 19 19
Eastman pfd (60) 145 145 145
Fox Film (72) 4 4 4
G-M-M pfd (60) 145 145 145
Loew's, Inc. (100) 1040 1040 1040
M-G-M pfd (4.80) 28 28 28
Paramount Public 33 33 33
Pathe Exchange 1 1 1
Pathe "A" 11 11 11
RK0 1 1 1
Werner Bros. 34 34 34
Werner Bros. pfd 195 195 195

Technicolor Rises 8 1/4 on Curb Net

Technicolor color 15 15 15
Trans-Lux (404) 3 3 3

Keight Bonds Off 2 3/4

General Theatre Equities 60 60 60

Loew's net 66 66 66

deb rights 105 105 105
Paramount M. 50 50 50
Paramount M. Equities 60 60 60
Paramount pfd 60 60 60
Pathe 74 74 74
Werner Bros. 60 60 60

(1) Plus stock extras, (4) Paid this year. (2) Defaulted in principal but not in interest.

(Quotations close of Feb. 25)
Remodelling
Repairs
Replacement
Re-building

There Is Only One Authority,
And The Real Authorities
Write For It.

Better Theatres
A QUIGLEY PUBLICATION
1790 BROADWAY
NEW YORK CITY
“Spring” Hits $18,500 High, Philadelphia

PHILADELPHIA, Feb. 25.—“One More Spring,” with $15,500 for seven days at the Fox, did the best business here last week, though it couldn’t negotiate the anticipated second week.

One of the most interesting figures was the $9,500 scored by “The Scarlet Pimpernel” in its second week at the Alhine. The film topped the mark with $14,500 for “Winning Ticket” and its stage show, while “Devil Dogs of the Air” got a good $8,500 for eight days at the Stanley.

Total first run business was $105,000. Average was $10,600.

Estimated takings for the week ending Feb. 21:

“THE SCARLET PIMPERNEL” (U. A.)—ALDINE—$1,300, 2nd week. Gross: $2,000. (Average, $1,000.)

“THE GILDED LILY” (Para.)—ARCADIA—$600, 21st week. Gross: $900. (Average, $700.)

“NIGHT IS TIME” (M-G-M)—BOYD—$1,400, 3rd-5th week. Gross: $1,500. (Average, $500.)

“WINNING TICKET” (M-G-M)—EARLY—$1,400, 6th week. Stage: Salced Varieties, Hal Menken’s grave. Gross: $1,500. (Average, $250.)

“ONE MORE SPRING” (Fox)—FOX—$1,200, 10th-15th week. Gross: $1,200. (Average, $240.)

“ENCHANTED APRIL” (Radio)—KALEIDOSCOPE—$1,000, 6th week. Gross: $1,000. (Average, $166.)

“DAVID” (M-G-M)—KEITH’S—$1,000, 3rd-5th week. Gross: $1,000. (Average, $200.)

“GOLD FAIRY” (Univ.)—ROXY MATHEW—$1,000, 6th week. Stage: Roxy Revue. Gross: $2,200. (Average, $360.)


“MILLS OF THE GODS” (Col.)—UNIVERSAL—$300, 4th week. Gross: $300. (Average, $75.)

“Wings” Gets Twin Cities’ Top, $11,000

MINNEAPOLIS, Feb. 25.—“Wings in the Dark” proved a good draw on both sides of the river. It went $1,000 over its first week for a gross of $5,000 at the Century here, and took $6,000, up by $500, at the St. Paul Paramount.

“Kid Millions” was strong at $5,000 in the State here. It had to hold up to $3,000 in its second week at the World. “I Sell Anything,” helped by Olsen and Johnson at the St. Paul Orpheum, reached $5,000, up by $1,000.

Total first run business in Minneapolis $24,800. Average is $2,200. Total for St. Paul was $19,000. Average is $16,500.

Estimated takings:

MINNEAPOLIS: Week Ending Feb. 20:

“WINGS IN THE DARK” (Para.)—CENDEL—$2,500, 7th week. Gross: $2,500. (Average, $357.)

“I’VE BEEN AROUND” (Univ.)—PALLACE—$300, 2nd week. Gross: $300. (Average, $150.)

“THE FIRST WORLD WAR” (FOX)—UNIVERSAL—$1,500, 5th week. Gross: $1,500. (Average, $300.)

“TUPILAN IN BOSTON Job

Boston, Feb. 25.—Here from New York, Iris Tupilan has been installed as manager of the Majestic. Vincent Grater is assistant. The downtown house has been operated for foreign product by Rad, The Majestic, recently renamed, is now a union house.

Daily Back on Coast

Hollywood, Feb. 25.—Tom Baily, head of the Paramount publicity de-

partment, returned to the studio after a trip in which he visited 15 key cities west of the Mississippi. He was away for two weeks.

Fox, Signs June Knight

Hollywood, Feb. 25.—June Knight has been definitely set by Fox for the

lead in “Red Heads on Parade.” She will have her hair dyed red for the role opposite John Boles.

“Copperfield” Holds Up for 2d Loop Week

CHICAGO, Feb. 25.—Taking $20,000 for its second week at the United Artists’ “Copperfield” was the best straight film of the week. This is $3,000 over normal for a first week.

Business was generally good,”Wings” in the dark,” with $25,500 on a $47,500 gross at the Chicago. Earl Carroll’s “Vanity”s” on the stage helped. “Charlie Chan in Paris” is strong at the Oriental with a gross of $17,000. “Devil Dogs of the Air” had a good second week at the Roosevelt with $12,000.

Total first run business was $143,500. Average is $12,700.

Estimated takings:

Week Ending Feb. 21, “WINGS IN THE DARK” (Para.)—CHICAGO—$4,000, 25-30c-60c, 7 days. Stage: Carroll Carolyn with Ken Murray. Gross: $4,000. (Average, $571.)

“CHARLIE CHAN IN PARIS” (Fox)—ORIENTAL—$4,800, 25-30c-40c, 7 days. Stage: Sherry Young. Gross: $4,800. (Average, $686.)

“THE MYSTERY OF THE CHINA DOOD” (Universal)—PALLACE—$5,500, 25-30c-40c, 7 days. Stage: James Melton, Stepin Fetchit, Tom Brown. Gross: $5,500. (Average, $786.)

“BABOONA” (Fox)—THANOS—$300, 25-30c-40c, 7 days. Gross: $300. (Average, $43.)

“DEVIL DOGS OF THE AIR” (WARNERS)—STATE-LEAK—$2,700, 25-30c-40c, 7 days. Stage: Frank Lise and others. Gross: $2,700. (Average, $386.)

“STRANGE WAVES” (Univ.)—STATE-LEAK—$500, 25-30c-40c, 7 days. Stage: Warren Miller, Milton Boyer and others. Gross: $500. (Average, $71.)

Week Ending Feb. 21:

“THE BAND PLAYS ON” (Fox)—APOLLO—$4,000, 25c-30c-60c, 2nd week. Gross: $4,000. (Average, $2,000.)

“THE BAND PLAYS ON” (Fox)—REX: $4,000, 25c-30c-60c, 2nd week. Gross: $4,000. (Average, $2,000.)

“BAND PLAYS” with Show Big in Omaha

OMAHA, Feb. 25.—A combination of “The Band Plays On,” a stage show which included the Three X Sisters, Frank Lise and others, pulled the big money here in the last week, $7,600. This is $3,100 over average for a full week.

The only other possible attraction in town was a dual consisting of “Carnival” and “Gentlemen Are Born,” which pulled down on a gross of $4,500 for the Brands.

Total first run business was $21,700. Average is $195. Estimated takings:

Week Ending Feb. 17:

“THE BAND PLAYS ON” (M-G-M)—UNITED ARTISTS—$2,000, 25c-30c-60c, 7 days. Stage: Three X Sisters, Frank Lise, Bob Keen and others. Gross: $2,000. (Average, $286.)

Week Ending Feb. 21:

“THE IRON DUK” (B. G.)—KENTUCKY—$500, 25c-30c-60c, 4 days. Gross: $500. (Average, $125.)

Week Ending Feb. 20:

“CARNIVAL” (Col.)—BEAUDREANIS—$1,000, 25c-30c-60c, 4 days. Gross: $1,000. (Average, $250.)

Week Ending Feb. 21:

“BORDERWINT” (UNIVERSAL)—ORPHEUM—$2,000, 25c-30c-60c, 7 days. Gross: $2,000. (Average, $286.)
Kuykendall Takes Stand on Industry’s Problems

Problems of Operation Up To Sessions

By GEORGE SCHUTZ
Editor of Better Theatres
New Orleans, Feb. 26.—The attention given the physical phases of theatre operation is probably the most distinctive feature of the 1935 M. P. T. O. A. convention, principally because the theatre has been previously overwhelmed by those less tangible and more easily ignored aspects. The presence of the code among the current deliberations, the theatre, its appearance, its efficiency as a mechanism, has been at last remembered and is down on the schedule as important business.

The necessity of widespread remodelling, partly to overcome obsolescence and of a return to normal maintenance of theatres accounts for the notable position of the physical theatre at the convention agenda.

The morning meeting on Wednesday was entirely given over to the theatre building and its mechanical facilities and no previous M. P. T. O. A. convention has gone so far in acknowledging the essential participation of the engineer in the business of selling motion picture entertainment.

New Tennessee Tax Is Now Threatened
Memphis, Feb. 26.—The threat of additional amusement taxes in Tennessee reared its head in the State Legislature yesterday.
Senator Moss, chairman of the

Aid from Outside Industry Is Reported by Wehrenberg
New Orleans, Feb. 26.—That films have been found by community leaders to be “not in general filthy and vile and an offense to the community,” was the statement made in the report of the committee on public relations and social affairs of the M. P. T. O. A., presented to the convention today by Fred Wehrenberg, chairman of the group. The report added:

“...the community leaders who were familiar, through long close association, with the exhibitors’ problems and with something of industry problems in general were inclined to be sympathetic, to defend us and to refuse to view the motion picture landscape with pessimism. Many of these groups had made actual surveys of product.

For 20% Cancellations, Copyright Revision, Code Changes

New Orleans, Feb. 26.—Warning his hearers that the convention would be no “petting party” and that criticism would be welcomed, Ed Kuykendall, in his annual report as president, dove vigorously into a discussion of industry problems.

“Let’s try to find ways and means of getting them to the box-office,” he admonished; “it cannot be done by merely cussing the fellow.”

Revision Started On Copyright Bill
Washington, Feb. 26.—General revision of the State Department’s copyright measure is being worked out in the light of the conferences held last week with representatives of the film and other interested industries.

The new draft of the bill will be submitted to those who participated in the conferences for comment before being sent to the Capitol. Officials who attended the meetings last week expressed themselves satisfied that definite progress had been made and that

Big Booking Merger Stirs British Move
London, Feb. 26.—All distributors, including every British company except Gaumont British, have agreed through Kinematograph Renters’ Society, under the chairmanship of John Maxwell of British International, to invoke the existing resolution against booking combines.
It was reported last week that a

Praises Hays
New Orleans, Feb. 26.—In his annual report Ed Kuykendall came to the defense of William H. Hays.

“At the risk of hearing the old worn out cry of subsidy,” he said, “I want to pay my respects to Will H. Hays. There are a few exhibitors and others in this industry who think any exhibitor who is speaking terms with the Hays office is damned.

“It has been my pleasure to meet with Hays on many occasions about problems confronting the entire industry. I have yet to find a single occasion wherein he has assumed anything but a fair attitude. His word is law; you can depend on that.

“Of course, I may have been out of accord with him on a few occasions, but I find him ready to go along with us on things that pertain to the best interests of the industry.”

New Censoring Bill Attacked At a Hearing

Industry’s Leaders and Others Join Forces
Albany, Feb. 26.—A censorship bill imposing license fees and revised censorship was assailed today at a public hearing. A message to the committee on education written by the National Council on Freedom from Censorship, a unit of the American Civil Liberties Union, termed the bill “an outrageous piece of legislation.” Speaking for this national organization of writers, editors, publishers and critics the council said: “We urge the committee to report the bill verbatim. The bill would give us censorship in its most agrivated form.”

“The measure provides for annual license fees on exhibitors and distributors, for advertising matter and

Reports Persist on Deals for “U” Sale
Reports persist as to possible deals for the purchase of a controlling interest in Universal Pictures Corp., in spite of an emphatic denial issued yesterday in Hollywood by Carl Laemmle.
In his denial Laemmle said: “Twenty years ago on March we (Continued on page 2)

Local Independents Releasing 100 Films
Approximately 100 features are released this season by independent exchanges in this territory, it was computed yesterday by the local grievance board during the hearing of Leon Rosenblatt’s complaint against studios.

The matter was also stated that the numbers announced by the various exchanges average about 150, but every company fails to deliver the quotas promised.

Marcus to Seek New Extra Listing Plan
Hollywood, Feb. 26.—Eugene Marcus, counsel for local actors, is now en route to Washington for conferences with the Motion Picture Director A. Rosenblatt on behalf of the extras. It is believed he will demand a new plan for determining eligibility to the proposed re-registration list that has eliminated more than 5,000 extras.
SAM LIEBOWITZ, lawyer; ALEXANDER KAMINSKY, assistant district attorney, and JACK LAIR of King Features announced the next M. P. Club Forum on Tuesday.

LOUIS GELLER leaves for Miami shores next week. His annual vacation trek.

LOUIS PHILLIPS of Paramount is conferring in St. Louis.

EDWARD H. PEPEL has sold his play, "The Little Rebel," to M-G-M.

MYRON SATTLE of Paramount has had a molar yanked. The rain yesterday didn't help any.

WILLARD McCAY returned from a week-end vacation. He has a tan to show for his trek.


JOHN S. TAPERNOT will be at a host screening of a new French film, "Itto," on board the Isle of France tomorrow night.

PHILIP WYLIE and KATHRYN Scola have been signed by Paramount to work on the screenplay of "Guns," an original by L. E. PARAMORE, Jr.

New Tennessee Tax Is Now Threatened

(Continued from page 1)

joint legislative committee of both the Tennessee houses on finance, ways and means, publicly announced: "We are putting under consideration a series of special taxes on chain stores, bank checks, soft drinks, cosmetics and the like, among other things." The hearings are due to start on Thursday morning and continue throughout the week. The sub-committee delegated to investigate the new revenues is composed of Senator Davies of Nashville, chairman; Speaker Haynes, Senator Mosby of Somerville and Representatives Brown, Candler, Gilbert and Pope.

With many exhibitor leaders away at the convention and the need for immediate action here to avert the added tax burden, it is apparently imperative that much concern will be evident in show circles generally.

New Censoring Bill Attacked at Hearing

(Continued from page 1)

for reviewing the films. It also provides for stricter censorship of pictures and for such supervision of advertising and publicity material for all films which would be classified for adults, families or children.

Industry leaders were well represented at the hearing.

M-G-M Signs Oberon

Hollywood, Feb. 26.—Merle Oberon has been signed by M-G-M to appear with Ann Harding in "Flame Within." Karl Freund has been signed by the company. He is a German director.

GEORGE SKOURAS is planning to vacation in Miami shortly, but not before he bests Louis Weiser, circuit owner, in a game of handball. So far no luck.

CHARLES KORENS, RKO theatre head in Boston, is in town for two days for home office conferences.

LOUIS WEINBERG of Columbia has returned from a Miami vacation. Ditto BILLY FERGUSON of M-G-M.

KATHRYN BroBY, authoress, has joined Columbia as a feature writer. She succeeds LEO FREEMAN, who was discharged, in the Columbia subsidiary's department at the studio.

IRENE DUNNE and her husband, DR. FRANCIS GRIFFIN, are aboard the Santa Rosa on a cruise that will take them to New York via South America and the Panama Canal. 

Quip of the Day

Caddie Currie says: "I prefer the British-made picture, "Dark," to the Perifield "and Little Minister." "You can always get in to see British pictures."

FRANK BUCK has been invited by the SULTAN OF JEBHOBE to aid in riding the jumbo of a man-eating tiger reported to be lurking within 30 miles of his present camp.

Reports Persist on Deals for "U" Sale

(Continued from page 1)

opened the largest studios in the world at Universal City. We have been far too successful and have learned far too much by our experience to dispose of this property on our anniversary or any other time."

At the present time, it is learned, home yesterday from a home bought one year ago, the first having been an offer extended by a group headed by John Hay Whitney. It is understood that this represents the largest cash offer thus far advanced. David Selznick is associated with the deal.

The second is one presently headed by Albert M. Greenfield of Philadelphia, with whom R. B. Schwartz is associated. The appearance of Greenfield in this negotiation lends credence to the rumor that William Fox is interested in the Universal deal because on many occasions and for many years Fox and Greenfield have been on intimate terms and have participated jointly in many deals.

The identity of the third group said to be interested in the Fox property is not known at this time, however.
GET USED TO SEEING IT IN THE HEADLINES!
You'll see it often from now on!

EXTRA!
AS WE GO TO PRESS!
"After Office Hours" beats "Copperfield" in 16 out of 20 opening engagements!
Convention Settles Down to Business

Criticize, Is Kuykendall's Keynote Talk

Aid from Outside Industry
Is Reported by Wehrenberg

(Continued from page 1)

They had been encouraged by exhibitors to express their judgment about pictures, and they had been taken by the family. Their cooperating community leaders knew that even at the so-called worst period in pictures at least 75 per cent of all contact was entirely unobtainable from anybody's standpoint, and that much of the criticism of the remaining 25 per cent was a matter of opinion.

On the other hand, they knew by actual contact with the exhibitor that Kuykendall was anxious as they to eliminate types of mistakes in pictures that were definitely offensive to reasonable and moderate-minded people.

They predicted that the effort of the industry to avoid offending against good taste had created a product which we can all agree is worthy of every one's support, adding that "it has great appeal to many in the community who have not previously been great goers in the theatre.

The exhibitor was advised not to sit back now that the popularity of pictures has improved and expect patrons to sit back in the theatre of their cord, but to "take definite steps to see that the full appreciation of the quality of our product is understood by all elements in the community."

"It is a very short-sighted exhibitor indeed who merely says, 'Well, I hope that all the criticism has died down and that things will just rock along,'" the report continued. "What happens when the exhibitors' confidence in their own pictures is put to the test by the wide-spread praise of motion pictures, is that more Americans began to talk and then realize the pictures they had ever done so before. People, starting without any understanding of pictures at all and with no original idea except criticism, became theatre-conscious. We do not just want these people to let us alone. We want to cement and crystallize their aroused interest in motion pictures. The same energy and enthusiasm which thousands have devoted in the past to brickbats at motion pictures can be utilized in friendship for our business and gain those ecstasy to attend the theatre regularly and become deeply acquainted with the splendid service the motion picture today is rendering in the field of entertainment."

"More than ever before in the history of the motion picture industry, public relations and community relations are vital and indispensable to-day," according to the report, which went on to say that some of the best of the new pictures make money in those spots where realema cuts pictures that fail to make money where they are simply run through the projector with no support except routine advertising.

"We have organizations in this industry that do this. They are continually encouraging the exhibitors. The Washington at us: they continue to aid and abet those professional reformers who for years have used the power and selectivity of the motion picture as the one method of attack to get notoriety. They are today working in Washington on the issue of the Congress. They depend on their future by keeping dissension, hatred, and misunderstanding prevalent among us that they may be able to continue their demands upon misinformation that the film industry and the many clubs officials are being and abetting the drawing of various and sundry bills in Washington to beget government interference in the business. They are advising with well meaning, but misguided club leaders, men and women, trying to use their influence against us; they are deliberately misleading the actual theatre owners, or speaking for their so-called organization is pitifully small in actual theatre owner membership; yet they say they represent a large number of independent theatre owners."

"How this word independent has been abused! A theatre owner is not and cannot be independent of the producer in the production of the picture. A colleague is in the same boat.

Kuykendall sharply criticized non-theatrical competition. He said it was "partly the fault of theatre management, because the theatre as an average is not properly encouraging friendly relations between the various organizations, particularly the aggressive ones like the American Legion."

He advised members to use discretion in attacking forms of non-theatrical competition.

In turning to block booking, Kuykendall described it as a method of "wholesale selling" and expressed the opinion that selling of individual pictures "would be of no help whatever to the exhibitors who are now plaining because of inability to get product, because the distributor would continue to fill the prepaid customer, just as he now does.

"All of us who are informed also know that the pictures are now being sold, not by the producer or the exhibitor determined by buying power of the exhibitor, in many instances in groups of 20 or 30, this is not the choice of the distributor, but through the strength of the exhibitor."

In expressing his views on cancellations, Kuykendall said: "There are many who disagree with me on this, I know, but I am giving you my frank opinion, based on close contact with thousands of exhibitors along the line; the thing that is really needed is a reasonable and fair business and reform."

Edward G. Levy

Levy Says All Groups Should Work Together

NEW ORLEANS, Feb. 26.—Regional associations must work together to achieve national purposes, declared Edward G. Levy, acting assistant secretary of the Motion Picture Theatre Owners of America. Reporting in behalf of Fred S. Meyer, who resigned some time ago.

"By all pulling in the same direction and by a reasonable willingness to work with others," he said, "genuine progress can be made toward curing the wrongs and abuses of the business through increased attendance and toward erecting an impregnable defense against unjustified and malicious attacks on motion pictures by professional and other outsiders who have no understanding of our problems."

"No organization can take the place of energetic and aggressive individual effort in the management of your theatre," said Levy, "In buying, booking and merchandising motion picture attractions, M.P.T.O.A. does not attempt to do those things for you. But M.P.T.O.A. has succeeded (where others have failed) in making substantial progress towards bringing about fair trade practices, fairer exhibitions, the home rule for the determination of controversies by local boards and sensible self-control within the industry."

"We ask all of the honest, representative local associations to band together with organizations like our own, and with representatives of their own choosing as a qualified director of the M.P.T.O.A., particularly those with a willingness to work with others for the good of the exhibitor and of the motion picture industry. We hereby state that the reputable and responsible theatre owners, both large and small, throughout the country are entitled to such an association not dominated by self-seeking professional exhibition organizers nor controlled by the chronically unsuccessful, irresponsible and unscrupulous exhibitors. There is much work to be done that can only be accomplished by the organized effort of really representative exhibitors.

Dinner for Kuykendall

NEW ORLEANS, Feb. 26.—Members of the council of the local association of Commerce will give a luncheon Thursday for Ed Kuykendall, president of the M. P. T. O. A.; Julian Braylawski, vice-president of the organization; Fred Wehrenberg and Ed Levy, M. P. T. O. A. general counsel.

Leaves for Opening

HOLLYWOOD, Feb. 26.—Jeanette McDonald leaves here tonight for New Orleans to attend opening of "Naughty Marietta" there March 2.
"Top-notch direction — no, make it masterful — lifts this one easily and gracefully into the front rank of cash register clangers ... every situation carrying a big label 'sure fire,' 'can't miss,' ... done with such adroitness, speed and distinction that it can be heartily recommended in all directions without reservation."

—Hollywood Reporter

The
GREAT
HOTEL
MURDER

EDMUND LOWE
VICTOR McLAGLEN
ROSEMARY AMES
MARY CARLISLE
HENRY O'NEILL
C. HENRY GORDON

Produced by John Stone
Kuykendall Frank on Industry Issues

Where the Sazeracs Flow

By RAMOS

New Orleans, Feb. 26.—The gang out of New York tumbled out of its special train early yesterday morning largelyôme because the accommodations weren't so de luxe.

The commissary department of the Southern Railway would have done a sizable business Saturday night and convention hotel, it didn't have been attacked. There was (1) little or no ice, (2) no food, (3) no White Rock, (4) no ginger ale until Sunday. The result of the precautions—in perfect order.

Yeoman's service was contributed by ’Hal Younglove’ from without much egging necessary by HERMAN ROBBINS and SAM DEBROW, Jr. From one of the red points of Manhattan Transfer and Wilmington, telephone calls were made. The results included White Rock and, later, the south last week with sandwiches. JULY LEVY thought the service was paludicious; he wanted cocoas.

Felix F. Furst, whose decision to make the trek was last minute, brought his cold with him to make certain he wouldn't be lonesome. Someone said the real reason for his going was to see that "Roberta," which plays the Orpheum here during convention week, didn't run away with "Naughty Marietta."

LEVY, sales manager to the bitter end, needed no persuasion at all to go into "Smoke Gets in Your Eyes," his number from "Roberta." JOHN D. CLARK, CHARLIE McCARTHY, GEORGE H. MORGAN, HARRY ROBBINS, and DEMBOW went atmospheric and cluttered their own dressing room with smoking, as in billows, all for the sake of putting JULY in the proper singing frame of mind. It turned so contagious later and that portion of the going-on generated so completely to a point where it ended in a quartet: LEVY, ROBBINS, MEZZO SOPRANO, DEMBOW, tenor, and RED KANN, plain lousy.

CLARK, incidentally, made the train with a bruise on his forehead and a chub on his cranium. His story: "I met the M.P.T.O.A. sporting club in Park Friday night when my man hit a bump in the road; I hit the top of my car and the results are what you see." McCARTHY, solemnly and officially, confirmed the details. Earlier reports that CLARK had left New York long after the others went on and up one error against Motion Picture Daily reporting.

Latest social organization formulat

AFTERNOON

2:00 P.M. Business Session in the Gold Room, 2:00 P.M. sharp.

2:05 P.M. Advertising and Selling Motion Picture Entertainment to the Community.

A discussion of new ideas in merchandising, new moving, use of advertising accessories and how the distributor can help the exhibitor to sell his pictures. The following advertising executives have been invited to talk: HENRY E. SHULL, Columbia Gordon S. White, . . . . Educational Charles E. McCarthy, . . . . Fox Si Seidler, Metro-Goldwyn-Mayer Edward Finney . . . . Monogram S. Charles Einfield.


3:10 P.M. How to Market the Literary Type of Picture—E. C. Rhode, general manager, Midwest Theatre Co.


4:00 P.M. How to Sell the Finer Pictures—Lupin A. Wilkinson, advertising advisory council, New York, N. Y.

4:30 P.M. Adjourn.

EVENING

7:30 P.M. "Ole Man River" Party and Cruise—On the Mississippi River Steamers "Capitol," foot of Canal St., Dinning—refreshment facilities on board. Present tickets at gang plank. Tickets available at the registration desk.

Rosenblatt Leaves For MPTOA Session

WASHINGTON, Feb. 26.—Compliance Director Sol A. Rosenblatt tonight left for New Orleans, scheduled to arrive there Thursday morning in time to deliver an address before the M. P. T. O. A. convention.

Wilkinson to Visit L. A.

New Orleans, Feb. 26.—Lupin Wilkinson of the advertising advisory council of the Hays office, who is here, leaves for Los Angeles on Wednesday night following his address on "How to Sell the Better Pictures" at a business session of the M. P. T. O. A. convention in the afternoon. He will spend the remainder of the week at council's many clubs with museum and studio publicity heads.

"Dictator" Seen in N. O.

New Orleans, Feb. 26.—Gaumont British screened "The Dictator" at the Orpheum here this morning with about 150 present. RKO-Radio will preview "Roberta" at 11:30 P. M. Wednesday at the same theatre.
GRAD SEARS
WARNER BROS PICTURES INC NY

WAS GREATLY DISAPPOINTED TO LEARN FROM YOUR LOCAL EXCHANGE THAT YOUR COMPANY PLANS TO SET BACK RELEASE DATE OF GOLD Diggers OF 1935 WHICH IS NOW SCHEDULED FOR MARCH SIXTEENTH STOP GOLD Diggers PRODUCTIONS EACH YEAR HAVE ALWAYS BEEN OUTSTANDING BOX OFFICE ATTRACTIONS WHICH INDUSTRY GREATLY NEEDS AT THIS TIME AND I URGE YOU TO USE YOUR INFLUENCE TO DO EVERYTHING POSSIBLE TO RELEASE GOLD Diggers MARCH SIXTEENTH AS PLANNED OR EARLIER PLEASE ADVISE

JOHN BALABAN
Send the following Message, subject to the terms on back hereof, which are hereby agreed to

322CH KFV 137DL

NEW YORK NY FEB 25 1935

JOHN BALABAN

BALABAN & KATZ CHICAGO

AGREE WITH YOU THAT INDUSTRY NEEDS GOLD Diggers OF 1935 AT PRESENT TIME BUT FOR PROTECTION OF THEATRES PLANNING TREMENDOUS ADVANCE CAMPAIGNS WE MUST HOLD TO PREVIOUS ANNOUNCEMENT OF INDEFINITE RELEASE DATE STOP WARNER BROS MUST AND WILL KEEP FAITH WITH THE HUNDREDS OF EXHIBITORS DEPENDING ON THIS PICTURE FOR THEIR CASH CLEANUP OF THE SEASON AND WE KNOW YOU WILL BE FIRST TO COMMEND SUCH A STAND STOP PLEASE ADVISE WHAT DATES YOU PREFER AND FURNISH OUTLINE OF CAMPAIGN PLANS AS THE SURVEY DETERMINING WHAT THEATRES CAN BEST SET UP GOLD Diggers NATIONALLY IN PRE-RELEASE RUNS WILL BE COMPLETED BY SMITH AND MYSELF IN A FEW DAYS AND FINAL ANNOUNCEMENT OF SELECTIONS WILL BE MADE THEN STOP THANKS FOR YOUR IMPATIENCE WE KNOW WHAT KIND OF AN ATTRACTION WEVE GOT WHEN A SHOWMAN LIKE JOHN BALABAN CANT WAIT

GRAD SEARS
“Copperfield” Big Holdover
In Washington

WASHINGTON, Feb. 26.—“David Copperfield” continued its capti-
vant smash hit, taking in its second full week at Loew’s Palace, $18,000—$3,500 above first week’s part.

Foreign films were featured at the Radin and Levine’s “Chapayev,” which played to a special audience on Feb. 21 for one screening. The grist policy started Feb. 22.

New films

“Takes for Mid-February
Higher Than in January

During the second week of January grosses of Columbia films slipped slightly below the February slump into which they fell early in January. The take for 136 theaters in 22 key cities for the week ending Feb. 14-15 was $1,381,960. This was $49,545 better than the previous week.

The low point of the recent slump was during the week ending Jan. 24-25 when the total take in 138 theaters reporting went down to $1,251,130.

Comparative grosses for the latest available periods:

<table>
<thead>
<tr>
<th>Week Ending</th>
<th>Theatres</th>
<th>Gross</th>
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<tbody>
<tr>
<td>Feb. 27-28</td>
<td>132</td>
<td>$1,419,815</td>
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<tr>
<td>Oct. 4-10</td>
<td>132</td>
<td>1,412,845</td>
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<td>Oct. 11-17</td>
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<td>Oct. 18-24</td>
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<td>Oct. 25-31</td>
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<td>Nov. 1-7</td>
<td>135</td>
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<td>Nov. 8-14</td>
<td>133</td>
<td>1,398,775</td>
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<tr>
<td>Nov. 15-21</td>
<td>133</td>
<td>1,305,450</td>
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<tr>
<td>Nov. 22-28</td>
<td>136</td>
<td>1,389,540</td>
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<td>Dec. 6-12</td>
<td>135</td>
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<td>Dec. 13-19</td>
<td>135</td>
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<td>Dec. 20-26</td>
<td>135</td>
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<tr>
<td>Dec. 27-31</td>
<td>139</td>
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<td>Jan. 3-9</td>
<td>141</td>
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<tr>
<td>Jan. 10-16</td>
<td>138</td>
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<td>Jan. 17-23</td>
<td>138</td>
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<tr>
<td>Jan. 24-30</td>
<td>137</td>
<td>1,332,415</td>
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<tr>
<td>Jan. 31-Feb. 1</td>
<td>135</td>
<td>1,381,960</td>
</tr>
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</table>

Monogram Signs Foster

Hollywood, Feb. 26.—Monogram was unable to borrow Richard Crompton from Columbia for the lead in “The Hoosier Schoolmaster” and Norman Foster was signed up for the role. Charlotte Henry has the feminine lead, the balance of the cast consisting of Dorothy Libaire, Otilia Harlan, Sarah Maddern, Russell Simpson, William V. Mong, Wallace Reid, Jr., Fred Kohler, Jr., and Tommy Bupp.

Protest Russian Films

DREX MOWES, Feb. 26.—Protests have been sent to producers and the local board council on the showing of Russian films at the First Unitarian Church here. The protests have been taken, but the films are being shown regularly in evening programs at the church.

Youngclauss Gets House

LINCOLN, Feb. 26.—William Youngclauss, who became famous as the Neb., theatre operator who outlawed protection through the courts, has picked up the Empress. Grand Island, Neb. Action came after his deal for the Rex, Albion, Neb., fell through and the house was dropped by vaudeville at Island City. This is one of A. H. Blank’s key towns. Opening has been set for March 1.

Montreal Dubs Spread

MONTREAL, Feb. 26.—Following the dropping of vaudeville at Island City, Manager J. C. Adams has gone to double features. Only one single feature is new, that is left. This was the city this started the double feature idea in the Dominion back in the slumberland.

Reopens, Closes Quickly

COLUMBUS, Feb. 26.—Neth’s Hotel.

“Carnival” Is Detroit High
With $15,900

Detroit, Feb. 26.—There was little to get excited about among the down-
town first run houses Thursday, helped by Mr. and Mrs. Dione at the Fox, took $15,900, but this was only $200 over normal.

The only other bright spot was the United Artists with “David Copper-
field” held up to $10,100 in its second week.

Total first-run business was $7,200. Average is $650.

Estimated takings for the week ending Feb. 22:

“I’VE BEEN AROUND” (Univ.)

ABADDON—(Loew’s) 10c-40c, 7 days. Gross: $1,900. (Average, $262.50.)

“CARNIVAL” (Fox)

FOX—(Fox) 15c-55c, 7 days. Stage: Mr. and Mrs. Dione and five acts vaudeville. Gross: $2,900. (Average, $414.28.)

“BIODILOGY OF A BACHELOR GIRL” (M-G-M)

“THE BAND PLAYS ON” (M-G-M)

(Secound run) 15c-55c, 7 days. FISHER—(Loew’s) 10c-40c, 7 days. Gross: $1,900. (Average, $262.50.)

“DEVIL DOGS OF THE AIR” (Warner’s)

MICHIGAN—(5,100), 25c-55c, 7 days. Stage: Six acts vaudeville. Gross: $750. (Average, $100.)

“MAYBE IT’S LOVE” (F. N.)

“RED HOT TIRES” (F. N.)

STATES—(Fox) 25c-55c, 7 days. Average: $1,285.00

“THE VAMPIRE” (Fox)

BUFFALO—(M-G-M) UNITED ARTISTS—(2,000), 25c-55c, 7 days, 3rd week. Gross: $10,000. (Average, $1,428.57)

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NEW TONIGHT AT

YOUR EYES...YOUR EARS...
AND YOUR APPLAUSE

ROBE

WORLD PREMIERE SHOWING
M. P. T. O. A. CONVENTION AT
RKO-RADIO'S PRESENTATION OF THE QU
STARRING IRENE DUNNE, FRED AS

“Will do sensational business,” says Spyro
proud of,” says Jerome Kern... “It’s in th
wires M. A. Lightman... “It deserves th
R. E. Griffith, of the Griffith Circuit, to Bo
YOUR HEART... WILL BELONG TO

TO MEMBERS OF THE ORPHEUM THEATRE
OF MUSICAL ROMANCES, IRE, GINGER ROGERS

JEROME KERN'S miracle musical stage success... screened in a sunburst of song!

with RANDOLPH SCOTT HELEN WESTLEY VICTOR VARCONI CLAIRE DODD

From the play "Roberta." Book and lyrics by Otto Harbach. Directed by WILLIAM A. SEITER. A PANDRO S. BERMAN PRODUCTION.

RKO-RADIO PICTURE
"Honeymoon,"
Show $25,000
Boston Smash

Boston, Feb. 26.—Warm weather interrupted by occasional snow and rain, forced many winter films over the last week. They were good all along the line, with Keith's Memorial grabbing $9,500 over a par of $10,200 at Loew's. "Devil Dogs of the Air," helped by Polly Moran and a revue, was $6,000 up on a total of $28,000 at the Metropolitan.

Total first run business was $78,500. Average is $6,500.

Estimated takings for the week ending Feb. 21:

**THE WOMAN IN RED** (Warners) 
**CHARLIE CHAN IN PARIS** (Fox) 
**THE BROADWAY BILL** (Col.) 
**MURDER ON A HONEYMOON** (Radio) 
**BACHELOR** (Col.) 
**MILLS OF THE GODS** (Col.) 
**LOEWS'S STATE** (3,137) 
**DEVIL DOGS OF THE AIR** (Warners) 
**THE OLD COPPERFIELD** (M-G-M) 
**THE WOMAN IN RED** (Warners) 
**CHARLIE CHAN IN PARIS** (Fox) 
**RKO BOSTON** (3,266) 
**RKO BABIES** (RKO) 
**ORPHEUM** (3,050) 
**PARAMOUNT** (3,050) 
**CHANCE CHARLIE CHAN** (RKO) 
**ONE MORE SPRING** (Fox) 
**RKO PALACE** (3,050) 
**THE PRESIDENT VANSISH** (Para) 
**GAMBLING** (Fox) 

RKO: Hobrew Mutual Polies. Gross: $1,100. (Average, $1,000)

"Copperfield"
Seattle High
For 2nd Week

Seattle, Feb. 26.—"David Copperfield" was such a strong draw during its second week that it took third place at the Fifth Avenue. The $40,000 it took topped a normal first week by $1,600.

At the "Broadway Bill" stood the strain in a big way for its third week at the Liberty, going to $6,800, and it was held for a fourth stanza. All others were normal.

Total first run business was $39,450. Average is $3,700.

Estimated takings for the week ending Feb. 22:

**DEVIL DOGS OF THE AIR** (Warners) 
**BLUE HOUSE** (Col.) 
**THE OLD COPPERFIELD** (M-G-M) 
**CLIVE OF INDIA** (Univ.) 
**THE GOOD FAIRY** (Univ.) 
**MYSTERY OF EDWIN DROOD** 
**WARNER'S HIPPODROME** (Col.) 
**WARNER'S HIPPODROME** (Col.) 
**ONE MORE SPRING** (Fox) 
**THE GILDED LILY** (Para) 
**THE PRESIDENT VANSISH** (Para) 
**GAMBLING** (Fox) 

RKO: Sunshine. Hwy. Gross: $9,500. (Average, $6,000)

"Pressure," Show
Top in Providence

PROVIDENCE, Feb. 26.—Best gross for the week was chalked up by Fay's which caught $9,900. The regular show on the screen and a seqva revue, "Harlem Express," with the engaging radio star, Jimmie Lince- ford, along with the RKO Albee and Majestic were well over their average quotas.

Yet, despite the excellence of the bill, found "Sequoya" and "Society Doctor" good only for $9,300 under par by $3,000. The Strand went out over $500 with "Wings in the Dark" and "Evergreen."

Total first run business was $42,800. Average is $6,300.

Estimated takings for the week ending Feb. 21:

**SEQUOIA** (M-G-M) 
**SOCIETY DOCTOR** (M-G-M) 
**LOEWS'S STATE** (3,100) 
**DEVIL DOGS OF THE AIR** (Warners) 
**THE OLD COPPERFIELD** (M-G-M) 
**UNDER PRESSURE** (Fox) 
**WINGS IN THE DARK** (Para) 
**EVERGREEN** (Gaumont-British) 
**THE GALLET PETREL** (Univ.) 
**I'VE BEEN AROUND** (Univ.) 

RKO: Sunshine. Hwy. Gross: $7,500. (Average, $6,000)

"Woman in Red" Is
Oklahoma City Hit

OKLAHOMA CITY, Feb. 26.—"Woman in Red" was the big attraction of the week here. It ran $800 over par for a take of $2,800 at the Capitol. "Red Hot Tires," helped by a stage show, grabbed $2,500 in four days at the Liberty. This is normal for a full week. The only other par attraction in town was "Devil Dogs of the Air," which reached a normal $4,000 at the Midwest.

Total first run business was $13,100. Average is $3,150.

Estimated takings for the week ending Feb. 21:

**LITTLE MINISTER** (RKO) 
**LIVE OF INDIA** (U. A.) 
**MIDWAY** (Para) 
**RED HOT TIRES** (Warners) 
**SECRET OF THE CHATEAU** (Univ.) 


"Channing," Show
Pull $16,000
In Pittsburgh

PITTSBURGH, Feb. 26.—The price war continued to dip grosses here last week, with the best business going to the Alvin, other than Molasses 'n January and Mary Small, was responsible for a big $16,000. The box office picture at "Channing in Parts," This was the biggest take the Alvin has had since the first of the year.

At the Penn, "The Gilded Lily" and Jimmy Durante in person proved a disappointing combination, gathering only around $1,000, while the second week of "Devil Dogs of the Air" was pretty weak at the Stanley, getting about $14,000. The aviation picture, along with other strong plays in town also headed by Phil Harris and Leah Ray. Things were pretty brutal in the business, many of the operators with the Warner doing only $3,900 with "Great Expectations" and "Red Hot Tires," and "Devil Dogs of the Air" with a week $3,200 with "Society Doctor."

Total grosses in five first runs were $175,000. Average is $35,000.

Estimated takings for the week ending Feb. 21:

**CHARLIE CHAN IN PARIS** (Fox) 
**CHRISTOPHER COLUMBUS** (Fox) 
**MARY SMALL** (Par.) 
**STREAMLINE ALVINNITES** (Para) 
**SOCIETY DOCTOR** (M-G-M) 
**THE GILDED LILY** (Para) 
**RED HOT TIDES** (Warners) 
**THE OLD COPPERFIELD** (M-G-M) 

RKO: Sunshine. Hwy. Gross: $3,900. (Average, $1,500)

"Spring," $7,500,
Indianapolis Wow

INDIANAPOLIS, Feb. 26.—"One More Spring" went into the smash hit class at the Apollo on a take of $7,500 at the Apollo. This is three times the average for the house.

"Devil Dogs of the Air" was the only other strong play in town. The take at the Lyric, with the help of a stage show headed by Eddie Peabody, came in at $3,100.

Total first run business was $29,500. Average is $2,500.

Estimated takings for the week ending Feb. 21:

**ONE MORE SPRING** (Fox) 
**รถที่ติดไฟ** (Second Run) 
**SECOND RUN** (Fox) 

RKO: Sunshine. Hwy. Gross: $2,500. (Average, $4,000)
FIRST 3 DAYS' BUSINESS SMASHES ALL RECORDS AT N.Y. ROXY SINCE "THE INVISIBLE MAN"!
FIRST 3 DAYS' BUSINESS EVEN BIGGER THAN "IMITATION OF LIFE"!

UNIVERSAL'S "NIGHT LIFE OF THE GODS"!
Production Drops;
38 Features Going

HOLLYWOOD, Feb. 26—Production receded to normal last week with a total of 38 features and five shorts being released by the cameramen as compared to the previous week’s 43 features and six shorts. During the three past weeks, the cameramen have been above normal for this time of the year. Twenty-one features and 12 shorts are in the final stages of preparation with 40 features and 20 shorts in the cutting rooms.

Writers have taken the lead away from Paramount with seven features before the cameras, two preparing and 10 editing; Radio has six, three and two; Fox, five, five and two; Paramount, four, one and six; M-G-M, three, four and nine; Century, three, zero and one; Columbia, two and four; Universal, two, zero and two. The independent group shows five, four and six.

The subject of division Roach reports one before the cameras, one preparing and three editing. Radio has one, and two and one; M-G-M, zero, five and six; Universal, zero, one and one; Columbia, zero, three and three; while the independents have three, two and five.

[Mayer Gets Rialto Without Paramount]

When Arthur Mayer reopens the remodeled Rialto, which closes some time next week for the purpose of reconstruction, Paramount will not have an interest in the operation. This will mark the first time in 17 years that the company has not had a hand in the management of the theatre. Under the new plan the house will seat from 600 to 800.

Paramount has operated the Rialto since 1918 when the Gertie Eddy theatre bought the structure from Kahn, Loeb & Co., and leased it to the company. Oscar Hammerstein originally built the theatre in 1909, when it was known as the Victoria. In 1915 Crawford Livingston and Felix Kahn of 1920 Montgomery Street purchased the property and installed Samuel L. (Roxy) Rothafel as operator.

Chapel Lease Row Ended

NEW HAVEN, Feb. 26—Harry Shaw, manager of the Chapel, has settled the controversy over the Colleville St. entrance to the house by signing a new 10-year lease with the owner of the property.

The Colleville St. entrance was closed Feb. 20 after Shaw contested the new lease on the grounds that the chapel was a place of worship. He had violently opposed the ordination of Bernard Gough, Democrat, as chairman of the Maryland censor board by Gov. Harry Nice.

He will visit the censors’ offices before he takes up his duties early May.

Getts Poulton House

FITZGERALD, N. H., Feb. 26—W. Whitton has acquired the Star and is operating it on a film policy.

MOTION PICTURE DAILY PREVIEW

Laddie

(Stage)

HOLLYWOOD, Feb. 25.—Gene Stratton Porter alive today she would thrill to Radio’s picturization of the famous novel in which her characters are recreated. Being a simple tale penetrating the synthetic emotions, “Laddie” is wholesome, Grade A entertainment which should send box-office grosses zooming. The direction, performances and photography blend into a harmonizing whole, achieving the utmost in production responsiveness.

The story deals with simple country folk centralizing on the romance between Laddie, portrayed by John Beal, and Gloria Stuart. The lad is a heartwarming son of the soil and the girl is a tender lass of aristocratic English lineage. The dramatic conflict features the social clash of the two families and the harsh opposition of Miss Stuart’s father (Donald Crisp) to her marriage with Beal. Playing a featured role is Miss Virginia Weidler, the little sister, whose innocent, childish contrivings finally weld a bond of understanding between Miss Stuart’s family and her own, and also resulting in Crisp’s forgiving his disowned son (William Bakewell) involved in notorious thefts in the city.

The picture uncovers little Miss Weidler as one of the finest child performers on the screen. The portrayals of Beal, Miss Stuart, Crisp, Dorothy Peterson and Willard Robertson are human and of the highest caliber. George Stevens’ direction is splendid from every angle. Ray Harris’ and Dorothy Yost’s screenplay is a finish piece, retaining all the Porter flavor. Harold Wenstrom’s photography is superb.

Being mass entertainment, this would gross plenty in all spots. No Production Sale. Running time, 70 minutes. “G”.

In-Yeath

(See Attractions, Inc.)

HOLLYWOOD, Feb. 26.—“In-Yeath” is an imaginative tale of the Borneo jungle, filmed in the Sarawak region of North Western Borneo.

The fantastic story revolves around In-Yeath, a white woman and teresting shots of jungle reptiles and animals in action, plus intriguing native dances all containing a certain element of suspense, production and performances are hardly of highest grade.

The entire cast was selected at the locale of filming.

The fantastic story revolves around In-Yeath, a white woman and ruler of a tribe of Dyaks. Through Gayne Whitman’s narration, she tells her story to the house. She was kidnapped by a drunken planter and his native boys and her father freed. Her mother finally goes mad and fies to the jungle, where she enlists the aid of wild animals and reptiles to wreak vengeance on the planter, not content until her victims are all dead. This brings the mother and daughter to the Dyaks where In-Yeath becomes the white queen. The subsequent romance of one of the adventurers In-Yeath fails to be convincing.

The amount of business this one does will depend entirely on heavy exploitation. C. Sharpe Minor did the musical score and dialogue.

No code seal. Running time, 76 minutes. No code certificate. “G”.

Bank Nights Help, Says FWC Official

Fox West Coast is in favor of bank nights, but has been forced by code decisions to stop the practice in about 25 of its branches west of the Mississippi. In all instances where bank nights have prevailed, the houses have made more money.

In defending an overbilling complaint against the American and Ventura, Ventura, Cal., Charles Buckley, attorney for the defendants, said:

“The bank night is the most constructive thing that has hit the industry in years. It brings a lot of money for us in individual houses and after a check it has been found to be a money maker for the circuit, a lot of houses which were in the red changed colors on the books after we adopted this policy.

“The bank night increased its discontinuance,” Buckley said. “There is a test suit in the Federal courts and we hope to have a ruling that bank night is a lottery.”

Mrs. Jenne Dodge of the Mission, Ventura, Cal., has filed a bank night complaint and won a decision against the American and Ventura, F.W.C. was trying to get her to return the product. Mrs. Dodge declared that with the exception of one or two companies she could not name, the product brought from the major companies. F.W.C. having tired it up with all companies except Fox and Paramount, which nearly refused to sell her, said, because of prior rate percentage contracts. Buckley denied F.W.C. had conspired with the ex-senator to drive the Mission.

He also laughed off the charge of retaliation, claiming that the picture was bought before the bank night case had been filed.

The appeal committee, comprising F. Thomas Murray, A. W. Smith, Jr. and Henry Sussman, has met to recommend a decision to Campi, which meets tomorrow to hand down a number of appeal determinations.

Stars’ Absence Irks Convention Leaders

NEW ORLEANS, Feb. 26.—M. P. T. O. A. leaders here are disappointed over the absence of the M-G-M’s refusal to allow Bing Crosby and Wallace Beery to appear at their convention now in session here. Declaring that they believe the orders along the above lines, leaders say they know of no other reason for this move on the part of the studios.

Sale of “Ziegfeld” Is Confirmed by “U”

HOLLYWOOD, Feb. 25.—Universal has formally confirmed reports of the sale of “The Great Ziegfeld” to M-G-M. It was explained that disagreements over the production of the film were estimated at $1,250,000, plus the fact that three postponements had been necessary. Production costs of the film were due to the fact that M-G-M could not arrange for release of William Powell, who will be leased Universal for several weeks. M-G-M agrees to take over William Anthony McGuire’s staff, to pay for Universal’s expenditures to date and to take care of the company’s exhibitor contracts.

Stop Free Car Rides At Alton, Illinois

ST. LOUIS, Feb. 26.—The grievance board has ordered a stop to free transportation furnished by the Grand and Princess theatres at Alton, Ill., under an arrangement with the Illinois Terminal Transportation Co.

The complaint was made by Joe Preschberger, operator of the Upper Fulton, on the ground that this was a reduced admission.

Advertising by S. E. Perlé of Jerseyville, Ill., in the Jerseyville newspapers on coming attractions has been ordered stopped by the clearance department. The complaint was brought by Public Great States, Altonville, on the ground that the Jerseyville papers circulate in Altonville. Perlé was told to advertise after the runs at Altonville.

Boston Vaudeville Cut

BOSTON, Feb. 26.—The Globe, managed by Ben Stein, has halved it recently adopted vaudeville policy by using straight pictures the last of the week.
Kuykendall Takes Stand On Industry’s Problems

New Censoring Bill Attacked At a Hearing

ALBANY, Feb. 26.—A censorship bill imposing license fees and revised censorship was assailed today at a public hearing. A message to the committee on education written by the National Council on Freedom from Censorship, a unit of the American Civil Liberties Union, termed the bill “an outrageous piece of legislation.” Speaking for this national organization of writers, editors, publishers and critics the council said: “We urge the committee to report the bill unfavorably. The bill would give us censorship in its most aggravated form.”

The measure provides for annual license fees on exhibitors and distributors, for advertising matter and (Continued on page 2)

Big Booking Merger Stirs British Move

LONDON, Feb. 26.—All distributors including every British company except Gaumont British, have agreed through Kinematograph Renters’ Society, under the chairmanship of John Maxwell of British International, to invoke the existing resolution against booking combinations.

It was reported last week that a (Continued on page 2)

Van Dyke Scores Hit

NEW ORLEANS, Feb. 26.—W. S. Van Dyke, ace M-G-M director made a hit at the opening session of the M. P. T. O. A. convention today when he said Hollywood owed much to exhibitors.

“If it weren’t for you,” he said, “I would be back driving a truck. How you sell some of the trips we give you, I don’t know. I would have loved to have seen the faces of the men who had to sell ‘Laughing Boy.”

For 20% Cancellations, Copyright Revision, Code Changes

By RED KANN

NEW ORLEANS, Feb. 26.—Warning his hearers that the convention would be no “getting party,” and that criticism would be welcomed, Ed Kuykendall, in his annual report as president, dove vigorously into a discussion of industry problems.

“Let’s try to find ways and means of getting them to the booking office.” (Continued on page 4)

Revision Started On Copyright Bill

WASHINGTON, Feb. 26.—General revision of the State Department’s copyright measure is being worked out in the light of the conferences held last week with representatives of the film and other interested industries.

The new draft of the bill will be submitted to those who participated in the conferences for comment before being sent to the Capitol. Officials who attended the meetings last week expressed themselves satisfied that definite progress had been made and that (Continued on page 2)

Explanation

NEW ORLEANS, Feb. 26.—“What comes out of those Campi meetings in New York anybody,” inquired a convention delegate.

“The executives who go in,” replied one who’s been at them.
Purely Personal

ISABEL DAWN'S and Boyce De- 
gaw's original story "Leave It To 
Us" has been acquired by Warners 
as a possible vehicle for Joan 
BOND.

LOUIS GELLER leaves for Miami 
shores next week. His annual vacation 
trek.

LOUIS PHILLIPS of Paramount is 
conferencing in St. Louis.

EDWARD H. PEPPLE has sold his play, 
"The Little Rebel", to M-G-M.

MYRON SATTLER of Paramount has 
had a molar yanked. The rain yest- 
erday didn't help any.

WILLARD MCKAY returned from a 
week-end Miami vacation. He has 
a tan to show for his trek.

WILLIAM M. L. FISKE, 3rd, and 
REGINALD BAKER A.T.F., London, 
leave for the Coast for a two-week 
trip.

JOHN S. TAPEISOU will be host at 
a private screening of a new French 
movie, "J'tou", on board the Ile 
France tomorrow night.

PHILIP WYLIE and KATHRYN 
SCOALE have been signed by Paramount 
to work on the screenplay of "Guns", 
an original by E. E. PARIMORE, Jr.

New Censorship Bill 
Attacked at Hearing

For reviewing the films. It also 
provides for stricter censorship of 
pictures and for state supervision of 
advertising and publicity material for 
all films which would be classified for 
adults, families or children.

Industry leaders were well rep- 
resented in the hearing.

The industry's delegation opposing 
the bill was headed by Charles L. 
SIRIVICH, president of the Associ- 
ated Motion Picture Organizations, 
and Charles I. New York, who 
were joined by Samuel N. Shapero, 
manager, Chicago Bureau; 407 
State Street; Eddie S. Cif- 
ford, manager, London Bureau; 
Remo House, New York; George S., 
Blackstone, London, W. 1; 
Edward Allen, Representative, 
Cable address: "Quipop, London"; Berlin 
Bureau; 39, Mangerstrasse, Berne, 
28, Joachim K. Katsenberg, Representa- 
tive; Paris, Boulevard Haussmann, 
France; 5, H. Brown, Representative; 
Rome Bureau; Viale Gorizia; Vittorio 
Malapazio, Representative; Sydney Bureau; 
600 George Street; Dunblane, Repre- 
sentative; Robert S. Stearns, 
Cinematograph Weekly; Chicago, 
Bureau City Bureau; Apartado 
269, James D., Warner Bros. Ltd., 
London, E. 1; 66 Dundurn Road, G. Holmes, 
Representative; 160 Kapellenstraat, 
Hamburg, N. 1, Hendle Hess, Representa- 
tive.

Entered as second class matter, January 4, 
1926, at the Post Office at New 
York City, N. Y., under Act of March 3, 1925.

Subscription rates per year: $6 in 
the United States, Canada, and 
$12, single copies: 10 cents.

Revisions Started 
On Copyright Bill

(Continued from page 1)
the conflicting views on the legislation 
have been largely reconciled.

Reid, through O'Donnell, says the 
measure is seen in the House of Repre- 
sentatives where Congressman William 
I. Sirivich of New York, chair- 
man of the Appropriations Committee, 
told him he wanted to "know more 
about it" before his group approved 
the legislation. Representative Sir- 
vich was not among those with whom 
department officials conferred prior to 
submitting their original bill to the 
Senate Foreign Relations Committee, 
apparently preferring to wait in the 
hope that passage by the House because 
approval of the Senate is necessary for 
approval of the United States to the 
International Convention.

Goldwyn Signs Niten

HOLLYWOOD, Feb. 26.—Before 
leaving here for New York yesterday, 
Samuel Goldwyn signed David Niven, 
English actor, to a seven-year con- 
tract.

Seymour Quits Warners

HOLLYWOOD, Feb. 26.—James 
Seymour, associate producer for Warners 
for the past year, has been 
signed. Seymour only recently returned 
here from a honeymoon trip.

"Wings" $10,000 at Palace

"Wings in the Dark" rallied 
toward $10,000 at the Palace last week.

Big Booking Merger 
Stills Bruised Move

(Continued from page 1)
wave of circuit buying was imminent 
when it was revealed that G. B., 
had acquired an interest in United 
Arts, a rival of United Artists. Cinema 
Co., Ltd., and that Arthur Jarratt, 
booking head for G. B., had 
joined the board to do the booking. 
It also was revealed that new 
towns were being purchased. 
Several companies were said to have 
been interested in Hyamsons H. & G. 
houses in the Jarrett pact. H. G. 
houses will be sold to the company 
that owns the circuit circuit and Gaumont and H. & G. 
will jointly build the 4,700-seat Kilburn 
at a cost of $2,000,000.

It now seems, however, that the 
recent Gaumont theatre acquisitions 
are booking arrangements with little or 
no financial investment as the company 
is understood to have no money for 
investments available, but rather 
very large amounts of money which will 
prevent any policy of expansion where 
investment capital is necessary.

Gaumont British production is prac- 
tically in a dormant condition and 
and it appears that Jarrett has the 
burden of attempting to make extra profits 
from circuits. It is said that Jarrett's 
strategy is to attempt to drive the 
mediocre films, and obviously this can be only done by 
reducing selling price and for that purpose an attempt will be 

Reports Persist on 
Deals for "U" Sale

(Continued from page 1)
opened the largest studios in the world 
at Universal City. We have been far too successful and have learned far 
more by experience there to dispos- 
se of this property on our arma- 
ments.

At the present time, it is learned, 
three propositions have been made, 
the first having been an offer extended 
by a group headed by John Hay Whitney. 
It is understood that this represented 
the largest cash offer thus far ad- 
vanced, but that the deal has fallen 
through.

The second is one presently headed 
by Albert M. Greenfield of Philadel- 
phia, with whom B. P. Schulberg is 
associated. The appearance of Green- 
field in this negotiation tends to lend 
credibility to reports that William Fox 
is interested in a possible Universal 
deal because on many occasions and for many years Fox and Greenfield 
have been on intimate terms and have 
participated jointly in many deals.

The identity of the third group said 
there is no indication of a possible 
Universal deal because on many occasions and for many years Fox and 
Greenfield have been on intimate terms and have 
participated jointly in many deals. 

R. Schroeder Buried

BALTIMORE, Feb. 26.—Funeral 
ser- 
sery for Raphael 
Schroeder, 51, secretary of the Asso- 
ciated Theatres here. He died at his 
home yesterday from a heart attack. 
He is a German director.
GET USED TO SEEING IT IN THE HEADLINES!

You'll see it often from now on!

EXTRA!
AS WE GO TO PRESS!

"After Office Hours" beats "Copperfield" in 16 out of 20 openings!
Convention Settles Down to Business

**Criticize, Is Kuykendall’s Keynote Talk**

(Continued from page 1)

a new deal on copyright fees; discussed block booking; came out for at least a 20 per cent cancellation privilege; who for years have used theatricals and zoning”; took up the problem of family nights; hit on fan magazines and analyzed code problems.

“Taxes, legislation, unfair and discriminatory regulation are perhaps the biggest enemies of the industry,” he declared. “Those of you who have not been watching the activities of the various city, state and national law making bodies cannot in your wildest imagination appreciate what we are up against. They have one or more bills aimed at our industry; many cities are contemplating additional levies upon us, and there are a large number of bills detrimental to us either already in committee or being held in abeyance by their sponsors at Washington. We must unite against the common enemy.”

Turning to the need of organization activity, Kuykendall said that there is no other industry that I can recall that has so completely muffled opportunities to efficiently defend itself by coordinated effort as the motion picture industry.

And the one thing that disturbs me most is the attitude of those who live among us, de- live a livelihood out of the industry, and depend on it to protect their investments. They are today working in Washington to bring attacks upon us by members of Congress. They depend on their future by keeping dissension, hatred, and misunderstanding prevalent among us that they may be able to continue their demands upon misin- formed theatre owners for funds to pay lawyers who are notoriously known for misinforma- tion and have no actual interest in theatres. These lawyers are at this moment aiding and abetting in the burning of various and sundry bills in Washington to bring government interference with our business. They are advising with well meaning but misguided club leaders, men and women, trying to use their influence against us; they are even informing the actual theatre owners whom they say represent a large number of independent theatre owners; yet they say they rep- resent a large number of independent theatres.

“How this word independent has been abused! A theatre owner is not independent because he can’t be the distributor, nor can the producer be independent of the theatre owner; we need each other. On both sides we have been violators of every rule of fair business and reason.”

Kuykendall sharply criticized non- cooperative exhibitors. It is “partly the fault of theatre manage- ment, because the theatre as an average is not properly appreciating friendly relations between the various organizations, particularly the American Legion.” He advised members to “use discretion” in attacking forms of non-theatrical competition.

In turning to a comment on the extent of code enforcement, Kuykendall described it as a method of “wholesale selling” and expressed the opinion that selling of individual pictures “would be of no help whatever to the exhibitor who is now complaining because of inability to get product, because the distributor would continue to sell the preferred cus- tomer, just as he now does.”

“Of all who are informed also know that the pictures are now being sold on selective contracts in spots by buying power of the exhibitor, in some instances in groups of 10, 15 or 20. This is not through choice of the distributor, but through policy of the producer.”

In expressing his views on cancellations Kuykendall said: “There are many who disagree with me on this. I know, but I am giving you my frank opinion, based on close contact with the producers along the line, and I am convinced that the real answer is a reasonable cancellation privilege. If you want a rule for the determination of cancellation, it is the real answer. It would relieve many exhibitors and producers, and people get a fairer profit, where as it stands now they are bound to take a loss on many objections pictures; and I say it is a fact. Remember what is objectionable in one community, may be acceptable in an- other. The present 10 per cent can- cellation clause such as we now have has proven a dud. It would have been helpful had the distributor played fair, but to use every subtlety to evade it.”

After reviewing the recent Ascap agitation and the efforts to ward off increased fees, Kuykendall asked: “What is there to prevent their demand- ing a percentage of your daily receipts? How far will the present copyright laws permit them to go in charging us for the use of their music? Then the copyright laws were written by Congress we had a silent screen. It was not a complete monopoly; now it is.”

“What we are interested in now is having the proper authorities give us a reasonable royalty. We are not seeking such a per seat they can charge us, similar to the so much-per-record the graphophone company is charging for reproduction; also an amendment to the copyright laws which will protect innocent infringers against the arbitrary $250 per penalty. This

**Attacks on Code Feature Opening Session of MPTOA**

(Continued on page 11)

Levy Says All Groups Should Work Together

New Orleans, Feb. 26.—Regional associations must work together to achieve national progress. declared Edward G. Levy, as secretary, re- porting in be- half of Fred S. Meyer, who re- signed some time ago.

"By pulling in the same direction and by a reasonable willingness to work with others," he said, "genuine prog- ress can be made toward curing the wrongs and abuses of the business, toward increasing attendance and toward erecting an impregnable defense against unjustified and malicious attacks on motion pictures by professional reformers and others who have no understanding of our problems.

"No organization can take the place of energetic and aggressive individual effort in the management of the theatre, in buying, booking and merchandising motion picture attractions. M.P.T.O.A. does not attempt to do those things for you. But M.P.T.O.A. has succeeded (where others have failed) in making substantial progress towards bringing about fair trade prac- tices, fairer exhibition contracts, home loan, and in every way helping and protecting you and me. But you must work with us, and must work with the exhibitors in the local constituency, and with the local boards and sensible self-control within the industry.

"We ask all of the honest, repre- sentative local associations to work to- gether on national matters, with a repre- sentative of their own choosing as a qualified director of M.P.T.O.A. to present particularly those with a willingness to work with others for the good of the exhibitor and of the motion pic- ture industry. We believe that the reputable and responsible theatre owner- ers, both large and small, throughout the country are entitled to such an association not dominated by self-seeking professional exhibitor organizers nor controlled by the clique of so-called un- successful, irresponsible and unscrupu- lous exhibitors. There is much work to be done that can only be accomplished by the organized effort of really representative exhibitors.”

**Dinner for Kuykendall**


**Leaves for Opening**

Hollywood, Feb. 26.—Jeanette McD-onald leaves here tonight for New Orleans to attend the opening of "Naughty Marietta" there March 2.
“Top-notch direction — no, make it masterful — lifts this one easily and gracefully into the front rank of cash register clangers . . . every situation carrying a big label ‘sure fire,’ ‘can’t miss,’ . . . done with such adroitness, speed and distinction that it can be heartily recommended in all directions without reservation.”

—Hollywood Reporter

The

GREAT HOTEL MURDER

EDMUND LOWE
VICTOR McLAGLEN
ROSEMARY AMES
MARY CARLISLE
HENRY O’NEILL
C. HENRY GORDON

Produced by John Stone
Kuykendall Frank on Industry Issues

Where the Sazeracs Flow

By RAMOS

New Orleans, Feb. 26.—The gang out of New York tumbled out of its special train early yesterday morning largely peeved because the accommodations weren’t more de luxe.

The commissary department of the Southern Railway was apparently having a sizable business Saturday night and thereafter if a club car had been attached. There was (1) little (or no) (2) no food, (3) to White Rock, (4) no ginger ale until Sunday. The rest of the prerequisites—in perfect order.

Yeoman’s service was contributed by Hal Young, egged on without much urging necessary by Herman Robbins and Sam Dembow, Jr., from some undetermined point between Manhattan Transfer and Wilmington. The results included White Rock and, later, ham and cheese sandwiches, plus one egg to which Levy gave the service was pediculous; he wanted cocoa.

Felix F. Feist, whose decision to make the trek was last minute, brought his cold with him to make certain he wouldn’t be lonesome. Someone said the real reason for his policy was to see that “Robert’s” which plays the Orpheum here during convention week, didn’t run away with Naughty Mary.

Levy, sales manager to the bitter end, needed no persuasion at all to go into “Smoke Gets In Your Eyes,” hit yesterday by “Robbie.” Larry D. Clark, Charlie McCarthy, George Weeks, Fred Jackson, Reg Wilson, Elmer Roberts and others changed the air and went atmospheric and cluttered their own drawing room with smoke, in billows, all for the sake of putting things together quickly, confirmed the details. Starting out with the same air, it turned so contiguous later and that portion of the goings-on degenerated so completely to a point where it ended in a quartet: Levy, basso; Robbins, mezzo soprano; Dembow, tenor, and Red Kane, plain lousy.

Clark, incidentally, made the train with a bruise on his forehead and a cherub on his cranium. His story: “I was traveling home from Ashbury Park Friday night when my man hit the road and I had to hit the top of the car and the results are what you see.” McCarthy, solemnly and officially confirmed the details. Earlier reports that Clark had left New York for the south late last week chalked up an error against Motion Picture Daily reporting.

Latest social organization formulated at a Southern wayside point between Charlotte and Concord, N. C., was The Non-Shavers’ Club. Its only obligation was not to shave between New York on Saturday night and New Orleans. This morning Charlie charter members included Clark, Feist, Nizer, Levy, Robbins and Dembow. John said he couldn’t be bothered, he was that jubilant over the $19,000 garnered by “One More Spring” at the Music Hall on Washing- ton’s Birthday. Reasons for others to join were identical: To give their maps a 35-hour rest from Gillettes and Gilettes.

Bill Benton, only representative from Upper New York State, attended with fresh foot of snow under foot. Added to the three that carried over from earlier storms, the total of four prestaged anything but healthy growths at his Congress Theatre.

Scandal note, heard along the line: That, while Mor Silver may have transferred to Albany Special district theatre manager there, Mrs. Mor would not go along; ditto on Mrs. Schlanger whose Ted will now headquarter in Philadelphia for the same circuit. Not so with Mrs. Ike Hoffman, however. Fact he’s back in New Haven is a cinch. They have always maintained their home there, anyway.

Trade press contingent aboard the New York special included Roy Cutter of Variety and Jack Al- coate, Charles of the same family name and Arthur Eneey of the Film Daily.

Actual business: Edye to Alcoate: “Any message for New York I can deliver.” Alcoate to Edye: “Just tell Don Merereau to keep busy. That’s the way I got my start.”

Charles Segal, Philadelphia exhibitor, may go over to Miami from here. Robbins and Dembow, already committed to join their families there, are busy trying to get three more. That’s give them a special plane on a direct route.

Discussion on ARA Probe

Washington, Feb. 26.—Possibilities of merging the two proposed NRA investigations were under consideration today in Senate.

Expense funds of $5,000 each have been approved for inquiries by both the Finance Committee and the King sub-committee. Saratoga representatives of the Senate are anxious to block the King group, if possible, because one of its members is Senator Borah of Idaho, enemy of the NRA and its counsel is Lowell Mason, who conducted the interrogations for the Dunn Review Board.

Suggestions have been made that but one inquiry be conducted. If the Finance Committee makes the investigation it will be less productive of fireworks and more favorable to the Recovery Administration. However, tentative suggestions that the investigation be left to the Finance Committee were opposed by Senator Me- rican of Nevada, co-author of the Nye-McCarran resolution. Later de- velopments indicate that Senators Nye and McCarran had formed a coalition with Senator King of Utah to conduct a view to having the investiga- tion conducted by a select committee of which, probably, either Nye or Borah would be a member.

Wall Street

Small Losses on Big Board

Philadelphia, Feb. 26—Compliance Director Sol A. Rosenblatt tonight left New Orleans, scheduled to arrive there Thursday morning in time to deliver an address before the M. P. T. O. A. convention.

Wilkinson to Visit L. A.

New Orleans, Feb. 26.—Lapin Wilkinson of the advertising advisory council of the Hays office, who is here, leaves for Los Angeles on Wednesday night to attend the “How to Sell the Finer Pictures” at a busi- ness session of the M. P. T. O. A. convention to be held in the city.

He will succeed Jack Lewis as di- rector of public relations for the Hays office on the coast.

MPTO Will Brave Chill

New Orleans, Feb. 26.—Despite a drastic drop in temperature, the M. P. T. O. A. will go through with a boat ride tomorrow night on the Mississippi.

Set ‘Diggers’ Dates

Following the setting of the world record of “Gold Diggers of 1933” for the Saenger, New Orleans, coinci- dent with the M. P. T. O. A. con- vention there, Warners are following it with two other special engagements in the south; one at the Community, Miami, March 1, and the other at the Florida, St. Petersburg, March 2.
GRAD SEARS

WARNER BROS PICTURES INC NY

WAS GREATLY DISAPPOINTED TO LEARN FROM YOUR LOCAL EXCHANGE THAT YOUR COMPANY PLANS TO SET BACK RELEASE DATE OF GOLD DIGGERS OF 1935 WHICH IS NOW SCHEDULED FOR MARCH SIXTEENTH.

STOP GOLD DIGGERS PRODUCTIONS EACH YEAR HAVE ALWAYS BEEN OUTSTANDING BOX OFFICE ATTRACTIONS WHICH INDUSTRY GREATLY NEEDS AT THIS TIME AND I URGE YOU TO USE YOUR INFLUENCE TO DO EVERYTHING POSSIBLE TO RELEASE GOLD DIGGERS MARCH SIXTEENTH AS PLANNED OR EARLIER PLEASE ADVISE

JOHN BALaban
Send the following Message, subject to the terms on back hereof, which are hereby agreed to

322CH KFV 137DL

NEW YORK NY FEB 25 1935

JOHN BALABAN

BALABAN & KATZ CHICAGO

AGREE WITH YOU THAT INDUSTRY NEEDS GOLD DIGGERS OF 1935 AT PRESENT TIME BUT FOR PROTECTION OF THEATRES PLANNING TREMENDOUS ADVANCE CAMPAIGNS WE MUST HOLD TO PREVIOUS ANNOUNCEMENT OF INDEFINITE RELEASE DATE STOP WARNER BROS MUST AND WILL KEEP FAITH WITH THE HUNDREDS OF EXHIBITORS DEPENDING ON THIS PICTURE FOR THEIR CASH CLEANUP OF THE SEASON AND WE KNOW YOU WILL BE FIRST TO COMMEND SUCH A STAND STOP PLEASE ADVISE WHAT DATES YOU PREFER AND FURNISH OUTLINE OF CAMPAIGN PLANS AS THE SURVEY DETERMINING WHAT THEATRES CAN BEST SET UP GOLD DIGGERS NATIONALLY IN PRE-RELEASE RUNS WILL BE COMPLETED BY SMITH AND MYSELF IN A FEW DAYS AND FINAL ANNOUNCEMENT OF SELECTIONS WILL BE MADE THEN STOP THANKS FOR YOUR IMPATIENCE WE KNOW WHAT KIND OF AN ATTRACTION WEVE GOT WHEN A SHOWMAN LIKE JOHN BALABAN CANT WAIT

GRAD SEARS
MOTION PICTURE DAILY

ITO Attacks Campi; Gives Approval Opening Session of MPTOA

(Continued from page 4)

cisco charged the 10 per cent cancellation clause is a producer trick pulled out of the bag" and asserted it had broken down to a point where 30 antievading booking has been given no consideration in various state legislatures. "Yet, when it comes out of the 10 per cent cancellation clause," he said. "Los Angeles convention hammers called for clean pictures, he went on, but the threat that the picture was to be shown was the threat that the matter and nothing came of it, yet one church later launched a Legion of Decency campaign and got results." Setup Called "Phony" The cancellation setup, he said, was "phony" because it was predicated on an exhibitor's right to eliminate when public protest had been launched in his town. "An exhibitor would invite censorship in his own town," he said, "and distributors knew it." Maintaining that just as the public took charge of the clean films situation, "There is nothing we can do," the National Theatre Owners of America has called anti-blocking legislation unless something is done from within. He cited the fact that he had received an indirect invitation to attend the M.P.T.O.A. New Orleans convention, but came here instead. He offered an apology to the meeting for having been a member of the board and the executive committee of M.P.T.O.A. when it was organized here in 1927, and for again serving in 1928, when, he said, control of the rival organization passed from independents to affiliated theatres.

Samuelson a Speaker

Sidney Samuelson, Allied president, pointed out that the organization's national convention at Atlanta in May would find exhibitor units in all 48 states and that there was a need for an affiliation of an Allied character. He said that plans would be perfected within the next few weeks for the draining of Atlanta into the Allied's national convention and that the recognition of Allied jurisdiction, letters of credit and roving遍及。The Ohio adjournment to the convention of Allied distributors and assistant representatives. He predicted that if the Ohio organization maintained its present aggressive policies, state exhibitors would eventually be relieved of the admission tax in its entirety. The basement floor of the theatres were, represented, voted to place Allied on the state organization's payroll for "past and future services. The annual banquet is being held tonight.

Problems of Operation Up To Sessions

By GEORGE SCHUTZ

Editor of Better Theatres

New Orleans, Feb. 26.—Ed Kuykendall, Chicago, has announced the opening session of the M.P. T. O. A, called on the following basis:

"Jay Emanuel, Felix Feist, Louis Nizer, James Clarke, president of National Film Owners, who incidentally postponed a scheduled meeting of his own today until tomorrow, to present Schley publisher and editor of Box-Office; Charles E. Lewis, editor of Shoemaker's Trade Review; Arthur Eddy, Film Daily, who was jocularly described as "noblest of the state" in his reporting, and Red Kean, editor of Motion Picture Daily, who was "more or less favorably known, but mostly less." Code Authority, his point being that high executives now on Campi had never planned to attend more than the first couple of sessions, anyway. "We're going to put the parade on in Campi in favor of real local autonomy we ought to throw out the code." Western New York, as represented by Jules Michael of Buffalo, was another territory dissatisfied with the code regime. He declared his section had been making for seven years for reasonable cancellation privileges and reasonable clearances. "We want the code and are paying our share with the idea that we would get relief, which we are not. I'm telling you now I propose legislation later asking President Roosevelt to permit us to return to our own business methods when the code runs out June 30," he concluded.

Michigan, as represented by the Butterfield chain, through Joe son of Monroe, continued in the same brand. "We are much dissatisfied with the code," he began. "We want changes or we want it kicked out." McLeod Next to Speak

Harry S. McLeod, president of Gulf States Theatre Owners Ass'n with headquarters in New Orleans, followed. Expressing his dissatisfaction, he asserted the code had done nothing for him except to stop his weekly payroll at the St. Charles Theatres. Declared that he considered himself as "another of the suckers who sweated in Washington," Robert B. Wilby of Valatanga Theatres, one of the southeast's most powerful, declared himself as not for an end of the code, because, he said, all should work for better conditions. He said whether a code of fair competition could be worked out for the industry. He spoke on dissatisfaction rampant in exhibitors' back to the original conception of the problem of operation up to sessions.

Visitors Take Bows

New Orleans, Feb. 26.—Ed Kuykendall, Chicago, has announced the opening session of the M.P.T.O.A., on the following basis: Jay Emanuel, Felix Feist, Louis Nizer, James Clarke, president of National Film Owners, who incidentally postponed a scheduled meeting of his own today until tomorrow, to present Schley publisher and editor of Box-Office; Charles E. Lewis, editor of Shoemaker's Trade Review; Arthur Eddy, Film Daily, who was jocularly described as "noblest of the state" in his reporting, and Red Kean, editor of Motion Picture Daily, who was "more or less favorably known, but mostly less."
YOUR EYES...YOUR EARS...
AND YOUR APPLAUSE

ROBE

WORLD PREMIERE SHOWING
M. P. T. O. A. CONVENTION AT
RKO-RADIO'S PRESENTATION OF THE QUI
STARRING IRENE DUNNE, FRED AST

“Will do sensational business,” says Spyro.
“proud of,” says Jerome Kern . . . . “It’s in the
wires M. A. Lightman . . . . “It deserves the
R. E. Griffith, of the Griffith Circuit, to Boh
YOUR HEART... 
WILL BELONG TO

TO MEMBERS OF THE ORPHEUM THEATRE
IN OF MUSICAL ROMANCES,
AIRE, GINGER ROGERS

★ ★

Skouras... "Something to be bag — left them yelling for more," works — women will rave," wires O'Donnell, of the Interstate Circuit

JEROME KERN'S miracle musical stage success ... screened in a sunburst of song!

with
RANDOLPH SCOTT
HELEN WESTLEY
VICTOR VARCONI
CLAIRE DODD

From the play "Roberta." Book and lyrics by Otto Harbach. Directed by WILLIAM A. SEITER. A PANDRO S. BERMAN PRODUCTION.

RKO-RADIO PICTURE
**Boston Smash**

Boston, Feb. 26.—Warmer weather, intermittent occasional snow and rain, failed to interfere with gross last week. They were good all along the line, with Loew’s Memorial giving $22,500, and the $13,000, on “Murther on a Honeymoon” and a stage revue, “Casino de Parée.”

“Biography of a Bachelor Girl” and “Mills of the Gods” ran $2,000 over par for a total of $12,000 at Loew’s State, “Devil Dogs of the Air,” helped by Molly Moran and a revue, was $6,000 up on a total of $28,000 at the Metropolitan.

Total first run business was $87,500. Average is $59,500.

Estimated takings for the week ending Feb. 22:

- **THE WOMAN IN RED** (Warner’s) $14,000
- **DEVIL DOGS OF THE AIR** (Warners) $12,000
- **THE GREAT GILDED LILY** (Paramount) $12,000
- **MILLS OF THE GODS** (Col.) $12,000
- **STRANGE WOMEN** (Univ.) $10,000

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**Copperfield**

Seattle High

For 2nd Week

Seattle, Feb. 26.—“David Copperfield” was such a strong draw during the second week that it was third at the Fifth Avenue. The $8,600 take topped a normal first week by $3,600.

“Broadway Bill” stood the strain in a big way for its third week at the Liberty, going to $6,800, and it was held for a fourth stanza. All others were below par.

Total first run business was $39,450. Average is $37,900.

Estimated takings for the week ending Feb. 22:

- **DEVIL DOGS OF THE AIR** (Warners) $12,000
- **DAVID COPPERFIELD** (Col.) $12,000
- **BROADWAY BILL** (Col.) $12,000
- **CLEVE OF INDIA** (U. A.) $4,000
- **THE GREAT FAIRY** (Univ.) $4,000
- **MYSTERY OF THE DROODY** (Universal) $3,000
- **TWO LUCKY LADIES** (RKO) $3,000
- **BAROON** (Fox) $3,000
- **THE PRESIDENT VANISHES** (Para.) $3,000
- **GAMBLING** (Fox) $3,000

**Bachelors Pulls**

$10,000, Montreal

Montreal, Feb. 26.—Local first runs from February 26th to the weekend last state week. The Palace continued closed for overhauling and the Imperial was dark for the week, pending reopening with the new policy. Loew’s was inaugurating an exclusive film fare, vaudeville having been dropped. The lead-off for the week was the Capitol with $10,000 for “Biography of a Bachelor Girl” and “Maybe It’s Love,” while, with a new scale of prices, Loew’s made $8,500 with “Wings in the Dark” and “One Hour Late.” The repeat of “Broadway Bill” brought $6,500 to the Princess.

His Majesty’s roadshow “The Shepherd of the Seven Hills” for a take of $33,000 was seen.

Total first run business was $30,500. Average is $31,000.

Estimated takings for the week ending Feb. 23:

- **BIOGRAPHY OF A BACHELOR GIRL**
- **MAYBE IT’S LOVE** (F. N.)
- **CAPITOL**—(2,500), 25c-35c-40c-60c, 7 days.
- **SHEPHERD OF THE SEVEN HILLS**

**Honeymoon,” Show $25,000, Boston Smash**

**Pressure,” Show Top in Providence**

Providence, Feb. 26.—Best gross for the week was chalked up by Fay’s with $9,000 for “Pressure.” Under “Pressure” on the screen and a sepa revue, “Harlem Express,” with the Red Cross stage as a backdrop. Both the RKO Albee and Majestic were well over their average quotas.

Loew’s, despite the excellence of the bill, found “Sequoia” and “Society Doctor” good only for $9,300, under par by $3,000. The Strand went over by $500 “Wings in the Dark” and “Evergreen.”

Total first run business was $42,800. Average is $40,500.

Estimated takings for the week ending Feb. 21:

- **SEQUOIA** (M-G-M)
- **SOCIETY DOCTOR** (M-G-M)
- **SPEECHLESS** (Par.)
- **WINGS IN THE DARK** (Para.)
- **ONE MORE SPRING** (Para.)

**“Gambling” Is Draw, $5,600, In Cleveland**

Cleveland, Feb. 26.—“Gambling” did the best competitive business of the week by topping normal $1,500 for a gross of $5,600 at the Circle.

Grosses took a tumble all along the line.

“Sweet Music” was $1,500 up on a take of $7,500 at Warner’s Hippodrome. “Under Pressure” and “The Gilded Lily” was slightly better than par.

Total first run business was $39,000. Average is $36,000.

Estimated takings for the week ending Feb. 22:

- **UNDER PRESSURE** (Fox) $15,000
- **THE GREAT FAIRY** (Univ.) $15,000
- **SWEET MUSIC** (Warner’s Hippodrome) $15,000
- **WARNER’S HIPPODROME**—(300), 15c-25c-35c-40c-50c, 7 days
- **ONE MORE SPRING** (Fox) $10,000
- **THE GILDED LILY** (Para.) $10,000
- **SOCIETY DOCTOR** (M-G-M)
- **RED HOT TIRES** (Warner’s) $7,500
- **ONE MORE SPRING** (Fox) $10,000

**“Woman in Red” Is Oklahoma City Hit**

Oklahoma City, Feb. 26.—“Woman in Red” was the big attraction of the week here. It ran $800 over par for a take of $2,800 at the Capitol.

“Red Tires,” helped by a stage show, grabbed $2,500 in four days at the Liberty. This is normal for a full week with one attraction only. The extra attraction in town was “Clive of India” which reached a normal $4,000 at the Mid-Valley.

Total first run business was $13,100. Average is $13,500.

Estimated takings for the week ending Feb. 22:

- **LITTLE MINISTER** (Radio) $7,500
- **WINGS IN THE DARK** (Para.) $7,500
- **SURF STRAND**—(3,000), 15c-25c-35c-40c-50c, $7,500
- **WOMAN IN RED** (F. N.) $3,000
- **RED HOT TIRES** (Warner’s) $3,000

**“Spring,” $7,500, Indianapolis Wow**

Indianapolis, Feb. 26.—“One More Spring” went into the smash hit class at the Apollo, a take of $7,500 at the Apollo. This is three times the average for the house.

“Devil Dogs of the Air” was the only other strong draw in town. The rate at the Lyric, with the help of a stage show headed by Eddie Peabody, hit $6,500, a normal. Total first run business was $29,500.

Average is $25,500.

Estimated takings for the week ending Feb. 23:

- **ONE MORE SPRING** (Fox) $5,000
- **RED HANG-AROUND** (Univ.) $3,000
- **GILDED LILY** (Para.) $3,000
- **LILY** (Col.) $3,000
- **RED HOT TIRES** (Warner’s) $3,000
- **BACHELOR GIRL** (U. A.) $3,000
- **SEQUOIA** (M-G-M) $3,000

**“Chant,” Show Pull $16,000, In Pittsburgh**

Pittsburgh, Feb. 26.—The price war continued to dip grosses here last week, with the best business going to the Capitol. The battle with Molasses ‘n January and Mary Small, was responsible for a big $16,000, rather than the good $16,000 “Sadie the Chant in Paris.” This was the biggest take the Alvin had since the first of the month.

At the Penn, “The Gilded Lily” and Jimmy Durante in person proved a disappointing combination, gathering only $3,500, while the second week of “Devil Dogs of the Air” was pretty weak at the Stanley, getting about $19,000. The “Chant in Paris,” however, had a new stage show headed by Phil Harris and Leah Ray.

This was pretty brutal in the two straight away houses, with the Warner doing only $3,500 with “Great Expectations” and “Red Hot Tires,” and the Paramount pulling in a week $3,200 with “Society Doctor.”

Total grosses in five first runs were $40,400. Estimated takings $50,000.

Estimated takings for the week ending Feb. 21:

- **CHARLIE CHAN IN PARIS** (Fox) $20,000
- **SOCIETY DOCTOR** (M-G-M)
- **RED HOT TIRES** (Warner’s)
- **ONE MORE SPRING** (Fox) $8,500
- **THE GILDED LILY** (Para.) $2,500

**“Wings in the Dark”**

Overall Average Weekly Grosses: $25,500.
FIRST 3 DAYS' BUSINESS SMASHES ALL RECORDS AT N.Y. ROXY SINCE "THE INVISIBLE MAN"!
FIRST 3 DAYS' BUSINESS EVEN BIGGER THAN "IMITATION OF LIFE"

UNIVERSAL'S "NIGHT LIFE OF THE GODS!"
Production Drops; 38 Features Going

Hollywood, Feb. 26.—Production receded to normal last week with a total of 38 features and five shorts before the cameras as compared to the 40 features and 16 shorts during the preceding week. Twenty-one features and 12 shorts are in the final stages of preparation with 40 features and 20 shorts in the cutting rooms.

Warner’s have taken the lead away from Paramount with seven features before the cameras, two preparing and 10 editing; Radio has six, three and two; Fox, five, five and two; Paramount, four, one and six; M-G-M, three, four and nine; Century, three, zero and zero; Columbia, three, one and four; Universal, two, zero and two. The independent group shows five, four and six.

In the short subject division Roach reports one before the cameras, one preparing and three editing. Radio has one, zero and two; M-G-M, zero, five and six; Universal, zero, one and one; Columbia, zero, three and three; while the independents have three, two and five.

M. P. Club Listens To Hauptmann Tales

Legal and newspaper angles on the Bruno Hauptmann trial were narrated yesterday at the M. P. Club Forum by Sam Liebowitz, criminal lawyer; Alexander Kaminsky, assistant district attorney; and Jack Lait, writer and editor of King Features.

George Poul, acting as master of ceremonies and the session was broadcast over WMCA with A. L. Alexander announcing.

Chapel Lease Row Ended

New Haven, Feb. 26.—Harry Shaw, manager of the Chapel, has settled the controversy over the College St. entrance by signing a new 10-year lease with the owners of the property.

The College St. entrance was closed Feb. 9 following the opening of a Chapel St. promenade. For the present the Chapel St. side will again be used for exit.

Dentist Is Made Censor

Baltimore, Feb. 26.—Dr. Ben Paul Sandy, Republican dentist here, has been appointed by Governor Gough, Democrat, as chairman of the Maryland censor board by Gov. Harry S. Cregger.

He will visit the censors’ offices before he takes up his duties May 1.

Justin In Sick Bay

Sidney Justin of Paramount, Max Fellerman of RKO and Eugene Pickler of Loew’s all are in the sick bay yesterday, all three being confined to their homes with colds.

Van Pragg Returns

Morton Van Pragg has returned from a three-week trip to the coast where he closed a deal with Fox West Coast and subsidiary units for National Screen’s trailers.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

“Love in Bloom” (Paramount)

Hollywood, Feb. 26.—Seemingly produced as average entertainment with the characters hardly characterly and the situations outmoded, this seems slated for dual bills.

Dixie Lee, daughter of J. C. Nugent, a carnival owner, has left the show and gone to the city to earn an honest living. In a boarding house run by Joe Morton and his native composer. Both are flat broke. After she struggle the pair land jobs in a music store at $10 per week for the two.

The carnival meanwhile goes bankrupt with Nugent in jail. So Burns and Allen set out for the city in a calliope to get Miss Lee back. Nugent also arrives as the girl is about to marry Morrison and the romance is broken by the drunken pater, who humiliates the daughter. Eventually everything is straightened out but not until the audience has been carried through much familiar territory.

Several musical sequences are effective, particularly one in the music store, where Morrison sings. Several comedy sequences by Burns and Allen are good. Benny plays a bit gags for laughs, and a particular number by Gordon and Reel is played throughout the picture. That also helps.

Miss Lee, giving real promise in personality and song, is retarded by the general situations. The supporting casts are carried well, with the Kohns, the music store proprietor, and Jack Mulhall, as a beggar, outstanding.


“In-Yeath” (Ace Attractions, Inc.)

Hollywood, Feb. 26.—“In-Yeath” is an imaginative tale of the Borneo jungle, filmed in the Sarawak region of North Western Borneo. The fantastic story revolves around In-Yaah, a white woman and teresting shots of jungle reptiles and animals in action, plus intriguing native dances all containing a certain element of suspense, production and performances are hardly of highest grade.

The entire cast was selected at the locale of filming.

The fantastic story revolves around In-Yaah, a white woman and ruler of a tribe of Dyakas. Through Gayne Whitman’s narration, she tells her story to a couple of adventurers. Her mother was kidnapped ten years ago and since that time her mother finally goes mad and flies to the jungle, where she enlists the aid of wild animals and reptiles to wreak vengeance on the planter, not content until her victims are all dead. This brings the mother and daughter to the Dyak tribe, where In-Yaah becomes the white queen, the subsequent romance of one of the adventurers and In-Yahah fails to be convincing.

The amount of business this one does will depend entirely on heavy exploitation. C. Sharpe Minor did the musical score and dialogue.

No code seal. Running time, 76 minutes. No code certificate. “G.”

Government Amends RCA Trust Action

Wilmington, Feb. 26.—A new amendment to the government’s anti-trust action against RCA which calls for the court to sit aside certain international radio communication contracts that had been made by RCA, or its subsidiaries, RCA Communications, Inc., was filed here today.

The amended petition for a decision either that the contracting parties involved are not fully bound by the contracts or that the contracts are invalid. The trial will probably be held in June.

Capitol Sets Five Films

“Biography of a Bachelor Girl” goes into the Capitol Friday, following “Sensations,” “The East Point of the Air,” “Vanessa” and “The Casino Murder Case” follow in the order named.

To Examine Extra List

W. Ray Johnston, Harold S. Bareford and J. Robert Rubin, the Capitol production committee, will meet this morning to examine the registration of extra affidavits. The list contains 1,004 names. S. R. Kent, a member of the committee, is in Florida on a vacation.

Leo, the Lion, Passes

After 15 years of service for M-G-M, Leo has been laid to rest. Due to the fact that he became sick about a week ago, he was taken away Monday at the Philadelphia Zoo at the age of 20, succumbing to heart disease.

Leo has toured the U. S., Canada and Mexico for M-G-M. Arrange- ments for disposition of the animal have not yet been completed. The company is now on the hunt for a successor.

Bank Nights Help, Says FWC Official

Fox West Coast is in favor of bank nights, but has been forced by code decisions to stop the practice in about 25 of its city's along the west coast.

In all instances where bank nights have prevailed, the houses have made money, F.W.C. officials say.

But Defender claims by prevailing complaint against the American and Ventura, Ventura, Calif., Charles Buckley, district manager of the latter lot, recently said:

“The bank night is the most constructive thing that has hit the industry. In years here we are down a lot of money for us in individual houses after a check has been found to be a money maker for the circuit. A lot of money was kept in the red changed colors on the books after we adopted this policy.

“Then again, there’s much discontinuance,” Buckley said. “There is a test suit in the Federal courts and we hope the courts will uphold the ruling that bank night is a lottery.”

Mrs. Jenne Dodge of the Mission, Ventura, charged that because she had closed the bank night zero, and won a decision against the American and Ventura, F.W.C. was trying to deprive her of the profit. Mrs. Dodge declared that with the exception of one or two companies she could not make second run profit from other companies. F.W.C. has laid it up with all companies except Fox and Paramount, which flitfully refused to make a decision on prior run percentage contracts. Buckley denied that F.W.C. had conspired with the executives of Miss Dodge.

He also laughed off the charge of retaliation, claiming that the pictures were bought before the bank night case had been filed.

The appeal committee, comprising F. Thomas Murray, A. W. Smith, Jr., and Henry Spayns has met to recommend a decision to Camp, which meets tomorrow to hand down a number of appeal determinations.

Stars’ Absence Irks Convention Leaders

New Orleans, Feb. 26.—M. P. T. O. members who were disappointed over Paramount’s and M-G-M’s refusal to allow Bing Crosby and Wallace Beery to appear at their convention now have had their fill. Delegates believe studios issued orders along the above lines, leaders say they know of no other reason for this move on the part of the studios.

Hollywood, Feb. 26.—W. C. Fields and Bing Crosby, who were scheduled for personal appearances at the M. P. T. O. convention in New Orleans, have been dropped by both over their Paramount picture “Mississippi,” were recalled at the last minute due to the intention of Crosby to arrange for his broadcasting plus immediate preparation on his next film, according to studio officials. M-G-M officials stated that they have no intention of attending the meet and is busy now working on “China Seas.”

“Naughty” Premiere Off

New Orleans, Feb. 26.—World premiere of “Naughty Marietta” at the State has been cancelled by M-G-M.
Ohio Governor Assures Probes Into Industry

Promises Action on Any Complaints by MTOA

COLUMBUS, Feb. 27.—Threats of a state investigation of the industry were made by Gov. Martin L. Duve last night at the banquet which marked the end of the first day's session of the Independent Theatre Owners of Ohio.

"If the present New York and Hollywood practices continue," he said, "and the I. T. O. brings them to my attention, I will personally appoint a Senatorial or a special legislative committee to make a thorough investigation of the situation in Ohio,"

John W. Bricker, state attorney general, also one of the speakers, echoed the Governor's sentiments.

"Monopolistic practices are crushing the small business man," he declared, "and are destroying state and national liberty. This must cease. Small business contributes proportionately to the

(Continued on page 3)

Allied Code Policy

Awaits Convention

WASHINGTON, Feb. 27.—In outlining the policy to be adopted at the Allied convention in Atlanta in May, the organization's board of directors asserted decision as to what course to follow regarding the code will be left wholly up to each member. Its latest bulletin makes it emphatic that the

(Continued on page 3)

St. Louis Cases to Come Up on March 4

ST. LOUIS, Feb. 27.—U. S. District Judge Charles B. Davis has set March 4 as the date for arraignment of major companies and their officers under indictment on charges of violating the

(Continued on page 3)

NIRA Defense Issue

In Suit at Chicago

CHICAGO, Feb. 27.—Whether the code and the N.I.R.A. offer sources of remedy which outlaw equity action under the Sherman anti-trust laws and Clayton Act formed the basis of opening arguments as the first day's hearing in the suits filed by James Kodak of the Actor and Jack Rubin of Public

(Continued on page 12)

MPTOA Code Discussion

Believed Strategic Move

It Happened Last Night for Columbia at Academy Show

HOLLYWOOD, Feb. 27.—Columbia stole the Academy show tonight by taking five different honors in the annual awards with "It Happened One Night." Claudette Colbert was declared the best actress of the year and Clark Gable the best actor, both taking the spotlight for their work in the Columbia picture, which, incidentally, was also voted the best film of the year.

Frank Capra took the plumb for best direction, with "It Happened One Night," the picture which brought him the award. Robert Riskin, who adapted the same film, took the honors for the best adaptation.

Oliver H. P. Garrett and Joseph L. Mankiewicz walked off with the prize for the best original with "Manhattan Melodrama," an M-G-M release. John Waters, who assisted in the direction of "Viva Villa," won the title of the best assistant director. This also is an M-G-M picture.

Not satisfied with the five awards, Columbia came through with a

(Continued on page 12)

U. A. Circuit

Will Get Fox Met-Goldwyn

KANSAS CITY, Feb. 27.—Although the impression has been that Joseph M. Schenck was negotiating for Fox Met as an individual, Samuel Goldwyn, during a train stopover here tonight on his way east, told Missouri Picture Daily that United Artists Theatres Corp. is planning to take over the circuit and operate the theatres itself.

Both Goldwyn and Herbert Bayard Swope, the latter chairman of the board of K-A-O, who is accompanying the U.A. producer, scouted reports that a deal is being made by Schenck individually and that eventually Fox

(Continued on page 3)

Loew Chicago

Plan Seen as Serious Move

NEW ORLEANS, Feb. 27.—Indicating that plans by Loew to invade Chicago with a number of its own theatres are more than threats by the circuit to get into line exhibitors who refuse to do business with M-G-M in the Windy City because of the company's percentage demands, M. P. T. O. A. leaders last night held a secret conclave with Felix Feist, general sales manager of M-G-M, in an attempt to stave off the Chicago program.

Attending the surreptitious session, in addition to Feist, were Ed Kuykendall, Jack Miller, Fred Wehrenberg, Lewen Pizor and Jay Emanuel. The exhibitor leaders are understood

(Continued on page 3)

Thought Intended to Get More Cancellations, Playdate Deal

By RED KANN

NEW ORLEANS, Feb. 27.—M. P.T.O.A. leaders know they can walk out on the code and are using speeches about scrapping the NRA document as a trading leverage to sweeten their own situation either through complete elimination of those code clauses found objectionable, or wholesale revision.

The strategy, such as it is, traces back to widespread disgruntlement with which the code and its operations are met on all sides here. Verbal execution of it developed Monday when Jack Miller, Robert B. Wilby, Morgan Walsh, Jules H. Michael and others said their names.

The mere fact that the M.P.T.O.A. may determine it wants to return to the own handling methods without benefit of the NRA is seen as carrying no weight in Washington. Even if the association should vote for codeless operation, which is remote, the expected extension of the NRA for two additional years, as requested of Congress by the President, regarded as stamping with complete improb-

(Continued on page 4)

Fireworks Expected To Feature Closing

NEW ORLEANS, Feb. 27.—The closing session of the convention tomorrow is expected to witness whatever fireworks the M.P.T.O.A. cohorts are prepared to set off.

Compliance Director Sol A. Rosenblatt is due here in the morning to deliver his address on the code. Tonight's indications are he will be told plenty from the convention floor. The resolutions committee, among others, will report, as well, with indications that a crescendo of open discussion will flare across the convention hall.

Huffman-RKO Bury Hatchet in Denver

DENVER, Feb. 27.—RKO and Harry Huffman have buried the hatchet and RKO will get possession of the Orpheum on March 15. Following
General exodus of home office employees of the Warner theater department starts this week with the shifting of operations to the field. About 100 will be affected by the transfer.

Lester Kreiger, formerly buyer for New York state, Ohio and Wisconsin, has been appointed who will work under James Coston, in charge of the Windy City group. Nat Fellman, assistant to Mr. Silver, continues in that capacity at the Albany division.

Closing of the Martha Regina, Philadelphia, is definitely set for tonight. Warner home office executives stated yesterday. Reports earlier in the week had the cessation of operations down for March 2.

Harry Hoyt to Produce

Hollywood, Feb. 27—Harry Hoyt has ended his independent production field and will enter the theater field as features for the state right market. The new company will be known as Hoyt Productions of Hollywood. Harry Hoyt is associated with Hoyt and will have charge of distribution.

Open New Spanish Office

Phil Reisman, vice-president of RKO Theatres Corp., announced today that the company has opened a branch sales office in Seville, Spain. This makes the fourth office being operated by the company in that country. Robert Trillo is in charge.

Loew Chicago Plan Seen as Serious Move

(Continued from page 1)

to have urged Feist to use his influence with Loew officials in New York to call off the contemplated theatre building program.

Feist is understood to have told the conferees that the matter was out of his hands and a decision to withdraw or proceed rests with the theatre department in New York.

Possibility that some kind of an agreement might be reached that would end the threat of Loew's building in Chicago disappeared this morning when a proposed meeting between Felix Feist for M-G-M and Jack Miller, Lewen Pizor and Jay Behan, announced yesterday, was called off. It is understood that the next move will be in Chicago when Miller returns there shortly.

It was Louis Nauck who first approached Emanuel with a suggestion that the latter attempt to get Miller together with Feist.

Efforts to reach Joe Vogel yesterday were unsuccessful. He was in connection with the matter of the meeting with Loew officials from Cleveland. However, it was learned that Vogel had not communicated with Vogel on the Chicago matter before.

Loew's plans to build from eight to 10 houses in this city, as stated to the press in answer to refusal by Easamess and Schoenud电路 to accept M-G-M's percentage terms. These circuits buy through booking combined maintained by Aaron Saperstein.

Approximately 100 important Chicago theatre owners have turned down M-G-M because of the percentage and preferred playing time demands, it is stated, ranging the distributor the City are from $600 to $7,000 weekly.

Five representatives, including Louis K. Kessel, have seen Cities and Windy City on the venture during the past few weeks. Harry Moskowitz, in charge of construction for the circuit, has been looking over the Chicago sites. He left for Atlanta last night on a swing of several cities in which Chicago is believed to be included. He shortly leaves for South America, where Loew's will continue its theatre expansion program.

New Saenger Units Formed in Delaware

Dover, Del., Feb. 27—Three theatre chains, including companies, Saenger Theatres Corp., Saenger Realty Corp., and E. E. Rose, Inc., have been incorporating.

Saenger Theatres has handled stock of 148,000 shares, no par value. Saenger Realty has sold to conduct licensed operated theatres in Delaware and E. E. Rose, Inc., filed to operate theatres, plays, houses, amusement parks and dancing pavilions, listing 500 shares, no par Chicago.

Apleyworth Due Today

M. H. Ayleworth, RKO president, is due in New York today. He left the coast by plane yesterday.

HAROLD S. CULLMAN, trustee for the Roxy, finds that his tobacco business is comparable with the theatre. During the last year, the Tobacco & Allied Stocks, Inc., of which he is vice-president and secretary, showed a profit per cent increase in business.

Sid Wissan is walking around town with his head up in the clouds these days. Last Wednesday he and Lucille Engle, who last appeared on Broadway in "Fool and Dandy," were married. They celebrated at the Gotham Hotel.

RUDOLPH SANDERS, operator of the Sanders and Globe in Brooklyn, sailed yesterday for an extended vacation in Palestine. His son will be in charge of the two theatres while Sanders is away.

Quip of the Day

Lester criticised: "I have a notion that sea's Columbus' jam of the ocean."

AL MERTZ, Radio short subject sales manager, now in Chicago on the last lap of a trip to several of the company's midwest exchanges, is due back within a few days.

ROYER, the Fox studio fashion expert, left the coast by plane last night and is due here today. He is coming here to lecture at the Metropolitan Museum of Fine Arts.

JOHN HAY WHITNEY is back in town enthusing over "Becky Sharp"—new Technicolor production for Radio release.


HOMER DIETZ is back from the coast where that New Orleans convention is off.

ROBERT BENCHEL has been signed by M-G-M. He will appear in "China Seas."

TOD LEWIS and his band have been signed by M-G-M for "Rise and Shine."

MORT SPRING is enroute to Jamaica. He returns March 7.

35 Appeals Up Today

In addition to passing on the registration list of extras in Hollywood, California, which was completed yesterday, the production committee yesterday discussed the extras' list, which contains 1,904 names.

The Los Angeles clearance and zoning board will meet within the next few days to set a date when the approved schedule goes into effect.

A. M. P. A. Meets Today

A regular luncheon meeting of the A. M. P. A. will be held at M. P. Club, beginning at 12:45 P. M. Committees in charge of the Naked Truth Dinner, to be held April 27, will report on their work to date.
Ohio Governor Assures Probe Into Industry

(Continued from page 1) liberty and happiness of all and we must and will protect the small operator for the good of all concerned." Art Linkletter, special legal counsel for Allied, complimented the unit for its cohesion. In discussing the NRA, Myers said:

"I consider President Roosevelt's recommendations as to the NRA to be conflicting in many particulars. It may interest you to know there is not a draft in Washington, although rough, making it mandatory for Campi to conform to Allied recommendations. Allied will be called upon for recommendations as well as experience. There is a big battle ahead of us."

All incumbent officers were re-elected for another year at the closing session today of the organization's second annual convention.

The officers are: Martin G. Smith, Toledo, president; Sam E. Ling, Zanesville and Elmer Shard, Cincinnati, vice-presidents; Moe Horwitz, Cleveland, treasurer, and F. W. W. McGaughey, secretary. Officers re-elected are Henry Greenberger and John Kalafat, Cleveland; J. Real Neth and Max Sterling, Columbus; F. W. Whitey, Jr., Cincinnati; John A. Schwall, Hamilton; R. Earl Mysche, Chillicothe; L. F. Erick, Marion; F. R. Perry, Columbus; and Henry Biebloer, Delaware. New directors elected are John Perkas, Elyria, and Harold Bernstein, Cincinnati.

Allied Code Policy Awaits Convention

(Continued from page 1) Allied will make no effort to advise its various groups as to whether they should at this time openly renounce the code and refuse to continue payment of assessments.

The bulletin says the board of directors is "unanimous" in demanding a new code setup as suggested in a resolution adopted by it at the New Orleans meeting in December, which called for an "evenly balanced Code Authority and evenly balanced local boards and a new code to be formulated by the new Code Authority."

Allied will also ask for support of the board of directors' plans to "sponsor an investigation of the negotiation, writing and administration of the code.

In line with its demand for "a code which squares with American ideals of fair play," the board, according to the bulletin, is bent on getting the whole Allied membership to support legislation to put an end to compulsory block tie-ins.

A proposal to increase this year's budget will also be laid before the convention.

Product deals and tieups as well will be before the convention for consideration, the attitude of the board here being that national and regional organizations stand to profit by greater use of these means of exploitation.

Hollywood Personalities


Tom Cushing finishes "Rose of the Rancho" script for Paramount, which is being directed by Sam El Re." . Production of "Secret Lives" delayed at Fox by fear of Herbert Mundin and Gilbert Roland.

Paul Sloane and Victor Young will sell "Rise and Shine" to M-G-M. . An original by Robert Harris and Abe Kandel, "Murder on 42nd St.", goes to Universal.

Control Corp. Files Chrysler Corp. Suit

Charging Chrysler Corp. with failure to supply in accordance with an asserted agreement as its distribution agent, Control Corp. of America has begun a $62,000 suit against Chrysler, F. B. Warren, president of Control Corp., reports.

The suit also alleges that Control Corp. expended $26,000 in the promotion of Chrysler equipment and, after contacting a "great number" of them, had been unable to obtain installation and the necessary data for installations. Warren stated that, as a result, he had been enabled to draw back his company from active participation in theatre air conditioning. The suit was filed, he said, after weeks of unsuccessful attempts on the part of control "officials in an effort to obtain reimbursement for damages said to be in excess of $125,000." . Arthur S. Friend, attorney, is representing Control Corp.

Legion to Classify Short Subjects Soon

KANSAS CITY, Feb. 27—Short subjects are to be classified by the Legion of Decency in a manner similar to the rating system now used in feature films, revealed in a letter from the Rev. George McDonald, S. J., of St. Louis at a meeting of the Leavenworth-Douglas Council of the Kansas State Soda Union.

Father McDonald is an associate of Father D. J. Lorenz, St. Louis priest, who is nationally active in the "decency" campaign.

Production of objectionable films has declined from 15 per cent to four and a half per cent, according to a report by Emmet Blaes of Wichita, Kan., state chairman of the Knights of Columbus committee cooperating with the clergy in the film movement.

Campi Men Dismiss Burr-Maynard Case

HOLLYWOOD, Feb. 27.—A special committee appointed by Campi on the Burr-Maynard case has dismissed the suit against C. D. Burr and former associate Ken Maynard and the Small, Landau Agency charging violation of optional licensing agreement and withdrawing the suit made against the two by Burr and Maynard. The suit was dismissed by the committee on the grounds that Burr did not furnish a certificate of good standing with the company that the option expired. Two days later Small sold Maynard to Darmour for a series of pictures he is now producing for Columbia.

The attorney for Burr will appeal the case to Rosenblatt.

Utah Gets Proposal For 10% Ticket Tax

SALT LAKE CITY, Feb. 27.—A proposal to increase the state amusement tax to 10 per cent from the present two per cent is contained in a bill calling for raising the license of the Utah Fair, which was introduced in the House by Rep. Joseph W. Jensen.

In addition to the amusement tax increase, the bill also would be applied to additional items, with the revenue derived in excess of the $2,000,000 per year now allotted to emergency relief, being applied to a teachers’ retirement and disability benefit fund.

Huffman-RKO Buy Hatchet in Denver

(Continued from page 1) presentation of a redemption check to the sheriff for $427,311, Huffman refused to vacate and threatened to force RKO to court action.

Cliff Work division manager for RKO, left for San Francisco after the settlement with Huffman. Floyd Maxwell, former manager of the RKO Theatre at Portland, Ore., will manage the RKO, when RKO takes it over.

Exhibitors Believe McCall Bill Doomed

Local exhibitors, returning yesterday from Denver where they opposed the McCall Bill before the Committee on Public Education on Tuesday, believe the bill will be killed in committee.


The bill provides for censorship on all advertising and a license fee from distributors and exhibitors.

To Detroit on "Time"

Fred McConnell, Charles Stillman, Daniel Longwell and Amos Hiatt leave for Detroit over the week-end for booking engagements on "The March of Time." . The latter vice-president in charge of advertising and promotion, will attend the annual conference of the Michigan Daily sales managers on "The March of Time." . Thomas and Rolan are in New Orleans attending the M. P. T. O. A. convention and from there they will go to the automobile city.

U. A. Circuit Will Get Fox Met—Goldwyn

Met would come under the Loew banner.

"It would not be to the best interests either of the industry or Loew's to have it so," commented Swope on the report of the Anglo-Indian deal. Goldwyn denied that Music Hall interests in New York were to take over the New York Rivoli and operate it. He said the deal involving the two houses merely calls for U. A. product and a split between the Rivoli and the Music Hall, with final details as to product allocation yet to be worked out between the two, presumably in the course of the deal.

Goldwyn said that he had not yet decided whether he would go to Europe on this trip.

Hal Horne Going to Coast for 6 Weeks

Hal Horne next week will temporarily shift his activities to the coast where he will remain for about six weeks. Accompanied by his wife and Herbert Jaekler and his wife, Horne leaves tomorrow for the west to make his headquarters at the U. A. studio in Hollywood.

While on the coast Horne will look out advertising campaigns on a number of the current season’s products, including “Les Miserables.”

St. Louis Cases to Come Up on March 4

Sherman anti-trust law and Clayton antitrust law.


It is expected a trial date will be set, although there may be some delay due to the recent advancement of U. S. District Judge C. B. Faris to the U. S. Circuit Court of Appeals bench. Unless another district judge is confirmed soon by the U. S. Senate, the calendar may be disturbed.

Academy at Fox Plant

HOLLYWOOD, Feb. 27.—The Academy of M. P. Arts and Sciences will sponsor a special meet at Fox Hills studios tomorrow for the purpose of familiarizing all studio executives, business and unit managers, and theatrical press directors with detailed contents of the new actor-studio basic contract, which has five years to run starting March 1.

Topeka Best Closed

TOPEKA, Feb. 27.—The Best here is closed for repairs following a fire originating in the booth.
Code Discussion Seen Strategic Move

MPTOA Code Talk Is Seen As Strategy

(Continued from page 1)
ability the granting of exemptions merely to one branch of one industry. What the M.P.T.O.A. leaders, led principally by Mr. Miller, are doing is to whip up the issue, back it by resolutions, and erect a foundation on which it will stand later in order to get plan to get increased cancellations and perhaps curtailment of distributor insistence on point-of-sale playing houses. Little doubt exists about the burn-up which prevails over the latter situation. Expositors assert Saturday and Sunday are better days and they see no reason why they should be compelled to play what distributor designate, in reasonable terms. The distributor attitude is, of course, the reverse, the stand being their better production should have an advantage of playing percentage on these days when it has the best chance of getting the biggest gross.

Robert Boller, Kansas City architect, aided by drawings, gave an interesting talk on the complete architecture and cited the relative merits of various types of buildings as well as decorative and furnishing materials.

Another speaker was Mrs. F. J. Block, vice-president of the American Federation in organizing for the Hard of Hearing, who spoke on "Special Facilities in Theatres for the Hard of Hearing."

Vincent Expresses Views

In the absence of Walter Vincent, national treasurer, Edward G. Levy, acting secretary, read a communication from Mr. Vincent, who commented Kuykendall on his administration, again voiced his opposition to all calls. Mrs. Block also hit score charges. He also took a stand in favor of a 25 per cent cancellation privilege.

The morning session was followed by a luncheon tendered by the Young Men's Business Club with all conventioneers invited. The afternoon session got going with an address abetted by models and slides from W. C. Brown, chief illuminating engineer of General Electric, who made the trip especially from Nela Park, Cleveland, to address the delegates. He traced the growth of luminous fronts and said he did not view as remote the gradual adoption of luminous fleet booths for theaters. He warned exhibitors of pitfalls in air conditioning.

J. T. Knight, Jr., of the Paramount Theatre Service Corp., gave an interesting talk on how to utilize the mechanical facilities in existing theaters as discussed with the idea for organization of a Motion Picture Institute of Engineering so that the industry would not be so completely dependent on outside technical skill to furnish its mechanical progress.

Charles E. McCarthy, S. Charles

MOTION PICTURE DAILY
Thursday, February 28, 1935

Where the Sazeracs Flow

Follow Up

New Orleans, Feb. 27.—"National Screen's plan to go way out a bit with every account running a Warner trailer will come in handy because Metro's selling plans for next season will leave exhibitors in short pants," remarked a convention wit today.

Observation while traveling through Georgia by Louis Nizer: "Looks as if the Chic Sale circuit is the biggest in these parts."

Collaboration on a wire to Oscar Morgan and Dave Prince at Atlanta finds out the delivery of bottled goods. They had already left for the convention by auto.

Dave Palfreyman is now in the dead center of a rest period. Theatre contact for the Hays organization, he had a helluva time last week whipping final arrangements into shape. An unlucky break kept Ed Kuykendall off the scene of action, what with the flu to combat. This added to Palfreyman's burdens, but makes his current sight of relief all the more welcome.

Sol Gordon of the Jefferson Amusement Co., big East Texas chain, has his son here. Julius finished his college training a few months ago and is now actively in his father's business.

Forty-two make up the Northern California contingent. This is ahead of expectations by about 30.

The local Film Row turned out en masse to greet the arrivals. Little will be done by way of routine exchange business this week.

Lou Nizer was worried about accommodations. That is, until Felix Feiz moved him into his suite.

HELEN O'TOOLE, recording secretary of the M.P.T.O.A., expects the usual razzle-dazzle, plus headaches, plus demands for advance copies of reports by trade paper men.

Gillham exhibited holders to forward suggestions on advertising and tips to New York and declared the men in the field could do a real job in providing guidance to advertising departments of all the major producers. Roy L. Smart, division manager of North Carolina Theatres, with headquarters in Charlotte, explained interestingly and at length how his company, though a seven-point program, had turned critics of film in his territory into friends and counseled exhibitors elsewhere to do likewise.

Covering a part of the same ground, M. A. Lightman, Memphis, explained how cooperative efforts with the Better Films group in his city had proven commercially profitable. He also declared that exhibitors must make up their minds to classify pictures so that the public will know what to expect, and added that while the industry could not go beyond that it must, at least, go that far.

Lupton A. Wilkinson of the Advertising Division of the Hays organization, stated that a cross section of national opinion proved that the public wanted clean pictures and different types of films. He asserted that exhibitors can sell them if they get behind the new product and in- terested in what they sell.

Tonight was "Of Man River Night" with practically the entire contingent parading down to the waterfront for a cruise on the Capitol. Red flannels and other temperature protectors were in order, but the conventioneers just had to see the river by moonlight, if any.

Following the Mississippi River journey, conventioneers repaired to the Orpheum for a midnight preview of "Roberta."

Smaller Lobbies Are Urged by Architect

New Orleans, Feb. 27.—Reduction in area, are more space for foyers and increasing stage openings by 25 per cent to allow a setback of screens for the purpose of avoiding distortion are modern architectural trends in theaters, as Robert Boller, noted Kansas City architect, explained.

In his address to the M. P. T. O. A. convention today he gave it as his opinion that smaller lobbies to allow larger foyers were wise, even at the sacrifice of space usually devoted to showoff.

Reduction of balcony tills was another piece of advice he offered in the belief that steepness current generally today has been responsible for many accidents through stumbling.

Lowered ceilings resulting in lower projection boxes he called an important aids to projection. His address then took up the relative merits of stone, terra cotta and stucco for theatre exteriors, citing that each had its value.

It's Col. Kuykendall

New Orleans, Feb. 27.—Ed Kuykendall is not only M.P.T.O.A. president now but a Kentucky Colonel as well. He was sworn in by the appointment and commission from New York for presentation.

Van Dyke-Mannix Wed

New Orleans, Feb. 27.—W. S. Van Dyke yesterday was married to Ruth E. Mannix, actress and niece of Eddie Mannix, M-G-M executive.
It's tops

GEORGE WHITE'S

1935

SCANDALALS

"MIRTH-MUSICAL"—That's the only word for this different show!
SURPRISE TOPS SURPRISE

JAMES DUNN — Irrepressible spirit of romance!

ALICE FAYE — Again she torch-sings to your heart!

BENNY RUBIN — The prince of laughter!

ED SPARKS — Poker-face and all!

ELEANOR POWELL — World's greatest feminine tap-dancer!

LYDA ROBERTI — Broadway's pet!

GEORGE WHITE'S

★ 10 SCINTILLATING STARS  ★ 30 BEAUTY CONTEST WINNERS
★ 7 BLAZING SPECTACLES  ★ 6 TUNEFUL SONG HITS  ★ 187 LAUGHS
as the genius who made Broadway famous surpasses his most dazzling show!

with

ALICE FAYE
JAMES DUNN
NED SPARKS
LYDA ROBERTI
CLIFF EDWARDS
ARLINE JUDGE
ELEANOR POWELL
BENNY RUBIN
EMMA DUNN
GEORGE WHITE

Entire production conceived, produced and directed by George White
Screen play by Jack Yellen and Robert G. Patterson
McNutt • Based on a story by George White and George Arliss

★ 200 GORGEOUS SCAN-DOLLS  ★ 1000 COLORFUL COSTUMES
★ 1440 REASONS WHY IT'S THE BEST SHOW YOU'VE EVER SEEN!
ITS TUNES ARE RINGING ROUND THE WORLD

Even before the picture opens...the comedy and swing, melody and rhythm have made the song-and-dance hits of "George White's Scandals" the most sought-after by radio's greatest orchestra leaders. Already Rudy Vallee, Fred Waring, Paul Whiteman, Ted Fiorito, Abe Lyman and many others have featured them in their broadcasts, set the nation swaying and humming to these tunes. A billion-dollar song-plug that's plugging the picture for you!

LISTEN IN TO:
"According to the Moonlight"
"It's an Old Southern Custom"
"Hunkadola"
"Oh, I Didn't Know You'd Get That Way"
"I Was Born Too Late"
"I Got Shoes—You Got Shoesies"

Songs by: Jack Yellen, Cliff Friend, Joseph Meyer, Herb Magidson

It's 365 TIMES BETTER than the sensational "GEORGE WHITE'S SCANDALS" of a year ago!
**Program to End Criticism Offered**

**Smart Tells How to Make New Friends**

NEW ORLEANS, Feb. 27.—Exhibitors must consider their obligation to further better films and can turn people into friends if they get on the job, Roy L. Smart, division manager of North Carolina Theatres, Inc., stated before the M.P.T.O.A. convention this afternoon. He was one of the speakers in a day devoted to merchandising and discussion of methods of improving the picture business.

Criticism in his circuit's towns is at a low ebb today, he said, as a result of the launching and successful culmination of a seven-point program, the highlights of which follow:

1. Sale of films on a basis of audience suitability and breakdown into types suitable for families, families, parents' and teachers' associations were lined up for this.

2. Advertising pressure and increase of budgets on types of pictures like "Little Women" and extra space directed at special audiences. They included types like "Berkeley Square."

3. Elimination of made cutouts and horizontal clichés in advertising.

**Questionable Scenes Out**

4. Self-imposed circuit editing of product to eliminate sequences held objectionable, but with no power eliminating the product.

5. Booking shorts to go with family type of pictures and editing trailers shown on such programs.

6. Cultivation of more friendly public opinion. The circuit managers conferred with local editors and furnished editorial support for worthwhile pictures. A publicity campaign based on material supplied by distributors on types of pictures and checkup with critics with advice sought throughout the mail on what improvements may have been overlooked.

7. Criticism gathered by theatre managers followed by remedial action where criticism made improvements feasible.

M. A. Lightman followed Smart and touched on more or less the same ground.

"Exhibitors hurl bombs at Hollywood, but how many worry about our own problems?" he asked. "I tell you the fellow least responsible for advancement in this industry is the exhibitor."

He told how he had turned over his Linden and Northcloth to a Better Films group for Friday night family shows with a subsequent rise in the night's average gross from $60 to $150. Lightman took the step of a classification of product, pointing out that exhibitors must advise parents about types although a decision as to whether or not they should allow children to attend was for the head of the family to determine.

"Mass confusion at theatres is the result of much of our trouble," he remarked. He opposed any effort to narrow producers and argued that films should have the same right to reproduce life on the screen as newspapers.

Lapton A. Wilkinson of the Advertising Advisory Committee, who was in the office was the last speaker. His interviews with 128 publishers and several hundred prominent figures throughout the country showed that while the development of film still is a wholesome and pictures removed from the routine were in demand from the public, in a bid.

Quoting a recent statement in Motion Picture Daily by Winifred Sheehan, production head of M. P. T. O. A., he said that the cycle of wholesome and human stories was next in line, Wilkinson asserted his travels had proved the point.

"Exhibitors first must believe in pictures they are getting, then go out and sell something about it. With Byrd at the South Pole" recently played its eleventh return engagement in Memphis where there are no polls anywhere in any other city or country. Lightman, however, found the people to whom that type appealed and so cashed in.

**Duality Cut Quality**

NEW ORLEANS, Feb. 27.—Wide-spread use of duals has resulted in several majors, which he did not name, he says picture, which in the future will not hold up on single bills, but are salable on double programs, declared Walter Vincent, M.P.T.O.A. treasurer, in a letter to Ed Kyoken-
**Motion Picture Daily**

**Good Fairy**, $10,500 Top, Kansas City

**Mystery Man** Top in Frisco

**Talking** Is Los Angeles' Top, $20,000

**Events Gets Ideas** St. Louis, Feb. 27.—Harold W. Evans, Loew's State manager, is expected to address the Junior Ad Club recently on advertising problems.

Then he returned to thinking ideas for exploiting "Sequoia" and decided his audience ought to be able to handle the picture before his address and then called upon those present for suggestions.

The campaign is all laid out now.

**Censor Bill Proves Missouri Bombshell**

Jefferson City, Mo., Feb. 27.—The legislative proposal for state censuring a Missouri was a bombshell in industry ranks, and exhibitors are rallying to defeat it. If it appears that the measure stands a chance of approval, the industry will demand a hearing.

Under the bill, introduced by Senator

**American Pictures Up in Switzerland**

Washington, Feb. 27.—American pictures showed a gain in Switzerland over German pictures labile, according to a report here from the American consulate-general of Zurich. The number of German films imported has remained constant, but the receipts from American pictures were larger, it was pointed out in the report.

Although French pictures are well received in French Switzerland, their draw is not so high as in other sections of the country, and exhibitors have shown a marked preference for Other American or German product.

**Loses Clearance Case**

Pittsburgh, Feb. 27.—Peter M. Pegadetz, operating the Colonial and Riviera, 656-674 Grant St., Pa., lost his fight to get a cut in the 28 days' clearance which "Worriers" Columbia, Sharon, has received. Pegadetz wanted a cut to 14 days, but the clearance and zoning board decided the present 28 days was equitable.

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**Aran** Runs 8 Weeks

Boston, Feb. 27.—Grossing about $3,000 a week, "Aran" has been run through March at the Fine Arts, "Man of Aran" has nearly doubled all long-run records in this city during the last six years. The Fine Arts seats only 583 and is located on a side street over a mile from the main business section. Tickets sell for 50 cents in the afternoon and 75 cents at night.

The average eight-week gross of the Fine Arts Theatre is approximately $12,000.

**Patricia Ellis Resting**

Hollywood, Feb. 27.—Patricia Ellis has been taken ill at her ranch in Detroit and Washington. She has just finished work in Paramount's "Hold Em, Yale!"

**Alert in "Secret Lives"**

Hollywood, Feb. 27.—Adrienne Ames has been handed one of the chief roles in "Secret Lives" at Fox. The film, which features Mona Barrie and Gilbert Roland, will start February 28. This will be Edward J. Lowe's first effort as a producer at Fox. Bruce Humberstone will direct.

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Day-after-Day
EXCELLENCE

EASTMAN Super-Sensitive "Pan" Negative has played a part in productions that marked veritable milestones in cinematic progress. Yet its success in these outstanding pictures is based upon the same dependability it offers cameramen and producers every day in the year. Unfailing, day-after-day excellence is the quality that makes this film the natural choice for the screen's greatest ventures. Eastman Kodak Company, Rochester, N. Y. (J. E. Brunatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative
It Happened Last Night for Columbia at Academy Show

(Continued from page 1)

sixth when it took the prize for the best sound recording with “One Night of Love,” which, additionally, came first with the best scoring in the music division.

Con Conrad and Herb Magigson, who wrote “The Continental,” were named the best song writers.

In the short subject division “The Tortoise and the Hare,” a Walt Disney color subject, was voted best in the cartoon division. “La Cucuracha,” released by RKO-Radio, took signal honors in the comedy lineup, while “City of Wax,” a Woodward-Educational-Fox release, rated aces in the novelty category.

Hundreds jammed the Hollywood Biltmore Bowl as the voting for the Academy’s seventh annual awards got under way. Major Leonard Levinson, head of the technical research division of the Academy, presided. The counting of the ballots ended at 9:30. When the winners were announced it was learned that all the victors were unanimously chosen.

Exclusive of the short subjects division, Columbia scored high with seven honors, M-G-M took second with three and Paramount third with one award for the best cinematography with “Cleopatra,” which, peculiarly enough, starred Miss Colbert. U. A., Radio and Fox each took one award in the shorts selections.

None of the nominees whose names were written on the ballots at the last minute had a chance in the voting.

Here are the winners:

Best Performance, Actress
Claudette Colbert for “It Happened One Night.”

Best Performance, Actor
Clark Gable for “It Happened One Night.”

Best Production
“IT Happened One Night” (Col.).

Best Direction
Frank Capra for “It Happened One Night.”

Best Original
Oliver H. P. Garrett and Joseph L. Mankiewicz for “Manhattan Melodrama.”

Best Adaptation
Robert Riskin for “It Happened One Night.”

Short Subjects

(Cartoon)
“The Tortoise and the Hare” (Walt Disney). (Comedy)

“La Cucuracha” (Pioneer-Radio).

(Novelty)
“City of Wax” (Woodward-Educational-Fox).

Assistant Director
John Waters for “Viva Villa.”

Music

(Best Song)
“The Continental”—Music by Con Conrad and Herb Magigson. (Best Scoring)

“One Night of Love” (Columbia).

Technical Awards

(Art Direction)
“The Merry Widow” (Cinematography)

“Cleopatra.”

(Sound Recording)
“One Night of Love.”

Sanson Gets Princess

HARTFORD, Feb. 27.—Jack Sanson, formerly manager of The Princess, is now manager of The Colonial. He left the Princess several years ago to become manager of the State in South Manchester. More recently he has been manager of the Roxy Sherman in New Haven. George Bronson, recent Colonial manager, has been transferred to a Warner theatre in East Liberty, Pa.

KRS Asks Gaumont To Explain Moves

By BRUCE ALLAN

London, Feb. 27—The Kinema Renters’ Society, influential association of British distributors, in a letter to Gaumont Brothers today revealed that it had challenged the theatre expansion plans here of Gaumont British under a K.R.S. resolution against the booking of houses in which the booker has no substantial financial interest.

K. R. S. has requested G. B. to furnish it with the financial interest in the Hyams Circuit and Union Theatres, and pending receipt of such information has instructed distributor members not to book those theatres through G. B. The K. R. S. letter says in part:

“Gaumont British Picture Corp., is being requested to furnish the Society with information concerning its financial interest in connection with various cinemas for which it has been announced G. B. proposes showing films. Pending the receipt of this information, which will enable the society to determine whether or not such arrangements conform to the policies of the Society, contracts for films should be negotiated for the cinemas in question with G. B. on the original price fixed by the prietors in the same manner and with the same persons who have hitherto been negotiating those contracts.

The expansion of G. B.’s theatre interests has been interpreted here as a move to control bookings of American films in Britain in proportion with the American booking of G. B. films.

Ohio Ups Censorship Fees

COLUMBUS, Feb. 27.—The House Judiciary Committee today voted out a bill to increase Ohio censorship fees to $3 for the first reel and $2 for each subsequent reel. The present fee is $1 per reel.

Wall Street

Columbia Gains 1% on Big Board

Net

High

Low

Close Change

Columbia vte (25) 3944 3944 3944 +0-16

Consolidated Film 598 598 598 +20 16

Consolidated Film lost 620 598 598 -30 -16

Eastman (12) 1340 1340 1340 +10 +5

Fox Film (19) 10 10 +6 5

Loew’s, Inc. (9) 349 349 349 +10 +16

Loew’s, Inc. lost 349 349 349 -10 -16

Paramount Public (24) 358 358 358 +30 +5

Pathes 38 38 38

Peabody 88 88 88

RKO 151 151 151 +10 +16

Warner Bros. 157 157 157 +10 +16

Warner Bros. lost 157 157 157 -10 -16

Technicolor Up 1/10 on Curb

Net

High

Low

Close Change

Technicolor 1545 1545 1545 +16 +5

Trans-Lux 724 724 724 +4 +16

RKO Bonds Rise 3/4 Net

High

Low

Close Change

Loew’s 65 65 65 65 +6 19

rcm 19.

ww deb rights...106 106 106 +14 14

Paramount 60 60 60 60 +14 16

Peabody 60 60 60 60 +14 16

RKO 60 60 60 60 +14 16

Whitehead 60 60 60 60 +14 16

Loew’s 63 36 36 36 +15 16

(c) Plus stock extras. (b) Paid this year.

(Continued in next column)
Ohio Governor Assures Probe Into Industry

Promises Action on Any Complaints by ITO

COLUMBUS, Feb. 27.—Threats of a state investigation of the industry were made by Gov. Martin L. Davey last night at the banquet which marked the end of the first day's session of the Independent Theatre Owners of Ohio.

"If the present New York and Hollywood practices continue," he said, "and the I. T. O. brings them to my attention, I will personally appoint a Senatorial or a special legislative committee to make a thorough investigation of the situation in Ohio.

John W. Bricker, state attorney general, also one of the speakers, echoed the Governor's sentiments.

"Monopolistic practices are crushing the small business man," he declared, "and are destroying state and national liberty. This must cease. Small business contributes proportionately to the

(Continued on page 3)

Allied Code Policy Awaits Convention

WASHINGTON, Feb. 27.—In outlining the policy to be adopted at the Allied convention in Atlanta in May, the organization's board of directors asserts decision as to what course to follow regarding the code will be left wholly up to each regional unit. Its latest bulletin makes it emphatic that

(Continued on page 3)

Campi Men Dismiss Burr-Maynard Case

Hollywood, Feb. 27.—A special committee appointed by Campi to hear the case of C. C. Burr against Ken Maynard and the Small, Landau

(Continued on page 3)

Another Mystery

Hollywood, Feb. 27.—Joe Block, plain clothes policeman at M-G-M, has been detected for 20 years and thinks he can tell S. S. Van Dine how to solve a mystery, but he's invited his ideas.

Some actor on the lot enrolled him in a correspondence school and he receives weekly literature on how to become a detective.

MPTOA Code Discussion Believed Strategic Move

K.C. in Drive On Insurance Claim Racket

KANSAS CITY, Feb. 27.—With the expressed aim of smashing the fake damage claim racket which has been thriving in Kansas City and has forced up liability insurance rates, the local Chamber of Commerce is preparing to set up an insurance committee to correct the evil. Theatrefigure prominently as victims of the racket.

The bureau, to be financed by business men most affected, will work toward carrying out 17 major recommendations presented in a report of the special insurance committee of the Chamber of Commerce. About 60 days ago the committee began a study of insurance charges in Kansas City, fol

(Continued on page 3)

Exodus of Warners' Theatre Help Starts

General exodus of home office employees of the Warner theatre department starts this week with the shifting of operations to the field. About 100 will be affected by the transfer. Lester Kreiger, formerly buyer for New York state, Ohio and Wisconsin, has been moved to Chicago where he will work under James Cohn, in charge of the Windy City group. Nat Fellman, assistant to Moe Silver, con

(Continued on page 3)

New Saenger Units Formed in Delaware

Dover, Del., Feb. 27.—Three theatre and amusement companies, Saenger Theatres Corp., Saenger Realty Corp. and J. E. Rose, Inc., have been incorporated here.

Saenger Theatres listed capital stock of 148,000 shares, no par value.

(Continued on page 2)

Legion to Classify Short Subjects Soon

KANSAS CITY, Feb. 27.—Short subjects are to be classified by the Legion of Decency in a manner similar to the ratings now given to features, revealed the Rev. George McDonald, S. J., of

(Continued on page 3)

Loew Chicago Plan Seen as Serious Move

NEW ORLEANS, Feb. 27.—Indicating that plans by Loew to invade Chicago with a national program of its own theatres are more than threats by the circuit to get into line exhibitors who refuse to do business with M-G-M in the Windy City because of the company's percentage demands, M. P. T. O. A. leaders last night held a secret conclave with Felix Feist, general sales manager of M-G-M, in an attempt to stay the Chicago program.

Attending the surreptitious session, in addition to Feist, were Ed Kuykendall, Jack Miller, Fred Wehrenberg, Lewen Fizar and Jay Emanuel. The exhibitors leaders are understood

(Continued on page 2)

Schimel and Raftery To Chicago for Suit

Adolph Schimel of the Universal legal department and Ed Raftery of O'Brien, Driscoll & Raftery, counsel for United Artists, have left for Chicago to attend the hearing of the suit brought in the Federal court by Jack Rubin of Public Theatres against James Roden of the Astor for alleged violation of anti-trust statutes. Distributors are co-defendants in the case which involves 10 cent admissions.

Erpi, Columbia and B. & H. Win Awards

LOS ANGELES, Feb. 27.—Erpi, Columbia and Bell & Howell were awarded honors for their technical achievements during 1934 at the Academy banquet here tonight at the Biltmore Hotel.

Erpi was awarded a certificate of merit for its process of recording

(Continued on page 2)

Huffman-RKO Bury Hatchet in Denver

DENVER, Feb. 27.—RKO and Harry Huffman have buried the hatchet and Huffman on March 15. Following

(Continued on page 3)

Thought Intended to Get More Cancellations, Playdate Deal

By RED KANN

NEW ORLEANS, Feb. 27.—M.-P.T.O.A. leaders know they cannot walk out on the code and are using speeches about scrapping the NRA document as a trading leverage to sweepen their own situation either through complete elimination of those code clauses found objectionable, or wholesale revision.

The strategy, such as it is, traces back to widespread discontent with which the code and its operations are met on all sides here. Verbal excoriation of it developed Monday when Jack Miller, Robert R. Wilby, Morgan Walsh, Jules H. Michael and others said their pieces.

The mere fact that the M-P.T.O.A. may determine it wants to return to its own business methods without benefit of the NRA is seen as carrying no weight in Washington. Even if the association should vote to codeless operation, which is remote, the expected exacting of the NRA for two additional years, as requested of Congress by the President, is regarded as stumping with complete improbability the granting of exemptions merely to one branch of one industry.

What the M-P.T.O.A. leaders, led

(Continued on page 4)

St. Louis Cases to Come Up on March 4

ST. LOUIS, Feb. 27.—U. S. District Judge Charles B. Davis has set March 4 as the date for arraignment of major companies and their officers on the under indictment on charges of violating the

(Continued on page 3)

$6 an Hour

One of the local circuit men yesterday figured that if the three pending bills in Albany are passed, they would cost every exhibitor $6 an hour to operate exclusive of rent, film bills and other expenses. The figure is based on a 10-hour a day operation.

(Continued on page 3)
Purely Personal

Howard S. Cullman, trustee for the Roxy, finds that his stock-market experiences have not lured him away from the theatre. During the last year, the Tobacco & Allied Stocks, Inc., of which Cullman is vice-president and secretary, showed a 40 per cent increase in business.

Sin Weiss is walking around town with his head up in the clouds these days. Last Wednesday, and Lucille Engle, who last appeared on Broadway in "Fine and Dandy," were married. Congratulate them at the Gorham Hotel.

Rudolph Sanders, operator of the Sanders and Globe in Brooklyn, sailed yesterday for an extended vacation in Palestine. His son will be in charge of the two theatres Sanders is away.

Quip of the Day

"The Captain Hates the Sea." Columbia’s jam of the ocean.

At Mertz, Radio short subject sales manager, now in Chicago on the last lap of a trip to several of the company’s midwest exchanges, is due back within a few days.

Royce, the Fox studio fashion expert, left the coast by plane last night and is due here today. He is coming to lecture at the Metropolitan Museum of Fine Arts.

John Hay Whitney is back in the coast, that New Orleans convention is off.

Robert Benschley has been signed by M-G-M. He will appear in "China Seas."

Tod Lewis and his band have been signed by M-G-M for "Rise and Shine."

Mort Spring is enroute to Jamaica. He returns March 7.

Suspect a Makeup Man

At M-G-M, Bob Stepanoff, who is called "comparable" in the business, was arrested in Clayton, N. J., as a suspect in the recent Oklahoma prison break. Stepanoff, who was en route to Hollywood to work on a retake for the film, was held for two hours before he could identify himself.

A. M. P. A. Meets Today

A regular luncheon meeting of the A. M. P. A. will be held at the M. P. Club, beginning at 12:45 P. M. Members in charge of the Naked Truth Dinner, to be held April 2, will report on their work to date.

Loew Chicago Plan Seen as Serious Move

To have urged Feist to use his influence with Loew officials in New York to call off the contemplated theatre building program.

Feist is understood to have told the conferences that the matter was out of his hands and a decision to withdraw or proceed rests with the theatre department in New York.

Feist, who kind of an agreement might be reached that would end the threat of Loew’s building in Chicago disappeared this morning when a proposed meeting between Felix Feist for M-G-M and Jack Miller, Lefem Pizor and Jay Sandusky failed to materialize.

It is understood that the next move will be in Chicago when Miller makes his move to get Loew together with Feist.

Efforts to reach Joe Vogel yesterday and today for comment on conferences the greater part of the morning with Loew officials from Cleveland, was learned that Feist had not communicated with Vogel on the Chicago matter before noon.

Loew’s plans to build from eight to 10 theatres in the Windy City are in answer to refusal by Essaness and Loew’s will continue to negotiate for theatre buildings on several sites in which the Chicago is believed to be included. He shortly leaves for South America, where Loew’s will continue its theatre expansion program.

Erpi, Columbia and B. & H. Win Awards

sound by the vertical cut disc method (better known as hill-and-dale recording). Honorable mention went to Columbia for its recording title "One Night of Love," done by the new Erpi method, and to Bell & Howell for its development of the fully automatic sound and picture printer.

New Saenger Units Formed in Delaware

Saenger Realty filed to conduct listed 2,000 shares, no par value, 1 E. Rose, Inc., filed to operate theatres, playhouses, amusement parks and dance pavilions, listing 500 shares, no par Chicago.
Ohio Governor Assures Probe Into Industry

(Continued from page 1)

liberty and happiness of all and we must and will protect the small oper- ator for the good of all concerned." Abram F. Myers, general counsel for Allied, complimented the unit for its cohesion. In discussing the N.R.A., Myers said: "I consider President Roosevelt's recommendations as to the N.R.A. to be conflicting in many particular. It may interest you to know there is now a draft in Washington, although I do not make it known to Campi to conform to Allied recommendations. Allied will be called upon for recommendations as well as experience. There is a big battle ahead of us."

Allied Code Policy Awaits Convention

(Continued from page 1)

Allied will make no effort to advise its various groups as to whether they should at this time openly renounce the code and go on to continue payment of assessments.

The bulletin says the board of di- rectors of the Allied has adopted a new code set up as a resolution adopted by it at the New Orleans meeting in December, which called for "a balanced Code Authority and evenly balanced local boards and a new code to be formulated by the new Code Authority." Allied will also ask for support of the board of directors' plans "to sponsor an investigation of the regulations, writing and administration of the code."

In line with its demand for a "code which squares with American ideals of fair play," the board, according to the bulletin, is intent on getting the whole Allied membership to support legislation to put an end to necessary block booking.

The convention will also be given the A, C. S. A. P. situation to consider. The Allied board has taken a definite stand against music fees, it is revealed by the bulletin, which says that "a good friend of Allied on the Patents Committee of the House stands ready to sponsor a measure along the lines of the Allied amendments to the bill to revise the copy- right laws reported by that committee a few years ago." A proposal to increase this year's budget will also be laid before the convention.

Product deals and tieups will be well before the convention for consider- ation, the attitude of the board here being that national and regional organizations stand to profit by greater use of these means of exploitation.

"Four Star" Is Started

Hollywood, Feb. 27—Radio has started work on "Four Star Comedy No. 4" with Ben Holmes directing. The cast includes Leon Errol, Eddie Kane, Lew Kelly and Bud Jamison. Lee Marcus is producing.

Hollywood Personalities


Tom Conway finishes "Rose of the Rancho" script for Para-

der on 42nd St."

Control Corp. Files Chrysler Corp. Suit

Charging Corp. with failure to supply it with air conditioning equipment in accordance with an asserted agreement as its distribution agent control Corp. has filed an action for $125,000 damages against Chrysler, F. B. Warren, presi- dent of Control Corp.

The action alleges that Control Corp. expended $62,000 in the promo-

tion of Chrysler equipment and, after a "great deal of advertising in theatres, was unable to obtain equipment or the necessary data for installations.

Warren stated that, as a result, he had been compelled to withdraw his company from active participation in the theatre air conditioning. The suit was filed, he said, after weeks of unsuccess-

ful negotiations with Chrysler offi-

cials in an effort to obtain reimburse-

ment for damages said to be in excess of $125,000. Arthur S. Friend, at-

orney, is representing Control Corp.

Legion to Classify Short Subjects Soon

(Continued from page 1)

St. Louis at a meeting of the Leaven- worth-Vienna Council of the Kansas State Sodality Union.

Father McDonald is an associate of Father D. J. Lord, St. Louis priest, who is nationally active in the "de- cency campaign."

Bishop Francis Johannesburg, who ad-

ressed the meeting held in Kansas City, Kan., said the Legion of De-

cency is in an embryonic stage and its activities will be "considerable-

ly extended."

Production of objectionable films has declined from 15 per cent to four and a half per cent, according to a report by Emmet Blaes of Wichita, Kan., state chairman of the Knights of Columbus, committee cooperating with the clergy in the film movement.

Campi Men Dismiss Burr-Maynard Case

(Continued from page 1)

Agency charging violation of optional services Burr had with Maynard, was dismissed by the committee on the ground of contract and a bond before the last day that the option expired. Two days later small sold Maynard to Darmour for a series of pictures he is now pro-

ducing for Columbia.

The attorney for Burr will appeal the case to Rosenblatt.

Utah Gets Proposal For 10% Ticket Tax

SALT LAKE CITY, Feb. 27.—A pro-

posal to increase the state amusement tax to 10 per cent from the present two cents per admission fee has been introduced in the House by Rep. Joseph W. Jenson. The increase is to be used as an amusement tax increase, the sales tax of two per cent would be applied to additional items, whose revenue derived in excess of the $2,000,000 a year now allotted to emergency relief, being applied to a teachers' retirement and disability benefit fund.

Huffman-RKO Bury Hatchet in Denver

(Continued from page 1)

presentation of a redemption check to the sheriff for $427.31, Huffman re-

nected and threatened to force RKO to court action.

Cliff Work division manager for RKO, left for San Francisco after the settlement with Huffman. Floyd Maxwell, former manager of the RKO Theatre at Portland, Ore., will manage the RKO, when RKO takes it over.

Unite in Battle on Delaware Dog Racing

WILMINGTON, Feb. 27.—War- nep's and Delaware independent thea-

tres are cooperating in a drive against Representative Henry C. White's bill in the House to permit dog racing. The measure, if it be-

comes a law, will permit pari-mutuel betting.

Warner's, led by A. J. Vanni of the Philadelphia District which includes Wilmingon; Locwe's, headed by Car-

ter Bemus of the Baltimore District, and the I.M.P.T.O.A., of Delaware and the Eastern Shore of Maryland, led by President A. Joseph DiFiore, are heading the opposition.

Charter Two Companies

ALBANY, Feb. 27—International Picture Corp., New York City, has been chartered here with capital of $10,000 to engage in theatrical and musical booking. Felix W. Salamaggi, and Edward W. S. Burt are directors. A charter also has been issued to Promotional Films Corp., with capital of 100 shares, no par value. Directors and subcribers are R. M. Savini, J. Michelson and Ceill Bellert, all of New York.

K.C. in Drive On Insurance Claim Racket

(Continued from page 1)

lowing an excessive increase in liability rates. A preliminary meeting was attended by George S. Ris, manager of the Newman, and Jay Meenas, head of the J. T. O.

The outright charge that a fake ac-

claim racket exists as a form of "legalized robbery" costing thou-

sands of dollars annually was made in the report.

Theatres, large and small, have been large-scale prey. Injury claims in-

creasingly extensive over the last six months, that the public liability rate for thea-

tres was jumped from a minimum of 12 cents per 

result, most of the independent suburban theatres have no liability coverage, either because they cannot afford it or because their customers at houses considered bad risks. Some companies will no longer write insur-

ances that have to pay settlements, going as far as to designate the cost of such settlements as taxes on their records.

Through the efforts of the J. T. O., a fake accident "ring" was uncovered in which claimants, witnesses and lawyers were the same in a number of cases. The ringleader, a firm in Detroit, pleaded guilty to the charge and was ordered to pay a fine of $100.

The 40-cent rate for the theatres here is the highest in the country. It is on a par with New York and Chicago, and exceeded only by Boston, where the charge is 65 cents per seat. It was believed the highest, according to in-

surance men.

Sherman's report held the in-

surance companies culpable to a large extent because of their practice of set-

ting amounts to go through with litigation. The Kansas City Bar Assn., and the Jackson County Medical Society have pledged support.

St. Louis Cases to Come Up on March 4

(Continued from page 1)

Sherman anti-trust law and Clayton Act.

The defendants are: Three Warner units—Warner Bros. Pictures, Inc., Vitaphone Corp. and Warner Bros. Circuit Management Corp.; General Theatrical Enterprises, Inc.; Para-

mount Pictures Distributing Corp., Paramount Pictures Distributing Corp., and Harry M. Warner, Herman Starr, Abe Cary Thomas, Gradwell Sears, George J. Schaefer and Ned E. De-

pinto.

It is expected a trial date will be set, although there may be some de-

lay due to the recent advancement of S. D. Birk, President of the U. S. Circuit Court of Appeals bench. Unless another district judge is confirmed by the Senate on March 15, the calendate the calendar may be disturbed.

Topkea Best Closed

TOPEKA, Feb. 27.—The Best here is closed for repairs following a fire originating in the booth.
MPTOA Code Talk Is Seen As Strategy

(Continued from page 1) principally be Miller, and he is doing is to whip up the issue, back it by resolutions, and erect a foundation on which it will stand later in carving out a plan to get increased cancellations and perhaps curtailment of distributor insistence on preferred playing time. Little doubt exists about the burn-up which prevails over the latter situation. Exhibitors assert Saturday and Sunday are their bread and butter days and they see no reason why they should be compelled to pay what distributors designate they must pay on percentage terms. The distributor attitude is, of course, the reverse, the stand being their better product should have an advantage of playing percentage on these days when it has the best chance of getting the biggest possible gross.

Robert Boller, Kansas City architect, aided by drawings, gave an in-tense, pictorial presentation of his architectural and offered the merits of various types of buildings as well as decorative and furnishing material.

Another speaker was Mrs. F. J. Block, vice-president of the American Federation of Organizations for the Hard of Hearing, who spoke on “Special Facilities in Theatres for the Hard of Hearing.”

Tony Coburn, whose Man River Night” with practically the entire contingent parading down to the water-front for a cruise on the Cantebury, flanked and other temperature protectors were in order, but the conventioners just had to see the river by moonlight.

Thursday’s Program FORENOON

Business session in the Gold Room at 12:30 P.M.

“Film Delivery Problems and Serv¬ices” —James P. Clarke, Philadelphia, President, National Ass’n of Film Carriers.

“Our Problems in Local Legislation” —Roy L. Walker, Lampasas, Texas, President, Theatre Owners’ Protective Ass’n of Texas.


Address: T. W. Sol A, Rosenblatt, compliance director, NRA. Adjourn at 12:30 P.M.

KNOX O’TOOLE Business session in the Gold Room at 2:30 P.M. sharp.

Report of Committee on Credentials and Rules.


Report of Committee on Non-Theatre Competition—George A. Giles, chairman.


Report of Committee on Public Relations and Community Affairs—Fred Wehrenberg, chairman.


MOTION PICTURE DAILY

Thursday, February 28, 1935

Seven Committees To Handle Details

NEW ORLEANS, Feb. 27 —Dray horses of the M.P.T.O.A. convention are 39 men who comprise eight committees appointed this afternoon by Ed Rosenblatt, chairman.

They are:

Credentials and Role of George A. Mann, Los Angeles; William B. Levy, St. Louis; L. E. Thompson, New York; Fred J. Dotte, Little Rock; Louis Angell, St. Louis.

Resolutions — Edward G. Ley, New Haven; Ben Bernstein, Los Angeles; R. X. Williams, San Francisco; Jay Emmanuel, Philadelphia; A. Julian Blyawkski, Washington; Charles E. Williams, Omaha; Joseph H. Brown, Boston; Sol Gordon, Beaumont, Tex.

Code Practices — Morgan Walsh, San Francisco; Morris Lowenstein, Oklahoma City; Jules H. Michael, Buffalo; Mack Jackson, Alexander, Tenn.; W. E. Ruffin, Covington, Tenn.

Code Labor Provisions — Jack Miller, Chicago; Richard D. Deitroit, Detroit; Charles Segall, Philadelphia; Robert B. Wilby, Atlanta; George G. Chisholm, New York.

Non-Theatrical Competition—George A. Giles, Boston; George P. Arons, Philadelphia; Walter Barber Dunton, San Francisco; Fred Pickrell, Ponca City, Okla.; Helen A. Alling, New Orleans.


Public Relations and Community Affairs—Fred Wehrenberg, St. Louis; Sidney M. Mann, Washington; William Landers, Batesville, Ark.; Roy L. Smart, Charlotte; William Benton, Saratoga.

Asks Closer SMPE, Exhibitor Contacts

NEW ORLEANS, Feb. 27 — A closer alliance between exhibitors and the Society of M. P. Engineers for the improvement of technical service in the theatre and the easier solution of its engineering problems was urged by Homer G. Tasker, S. M. P. E. president, at the joint meeting of SMPE and the National Ass’n of Theatre Owners and Operators in International Projector Corp. at today’s session of the M. P. T. O. convention.

Describing the theatre as a factory run by engineering equipment and turning out a product of engineering, Tasker stressed the relation to the box-office of properly functioning sound, projection, lighting and ventilating equipment. He urged more frequent meetings of exhibitors with engineers for the exchange of theatre engineering ideas.

Columbia Shifts Titles

Hollywood, Feb. 27—Two title changes have been made at Columbia. "Devil’s Cargo," Lambert Hillyer, director, and "Bob" Van Dyke, producer, have become "In Spite of Danger." The Tim McCoy picture, "Guns of the Law," is now called "Western Lawman."
It's tops

GEORGE WHITE'S

1935

SCANDALS

"MIRTH-MUSICAL"—That's the only word for this different show!
CONTEST WINNERS
SONG HITS
LAUGHS

JAMES DUNN — Irrepressible spirit of romance!

BENNY RUBIN — The prince of laughter!

ALICE FAYE — Again she torch-sings to your heart!

ED SPARKS — Poker-face and all!

ELEANOR POWELL — World's greatest feminine tap-dancer!

LYDA ROBERTI — Broadway's pet!

GEORGE WHITE'S

★ 10 SCINTILLATING STARS ★ 30 BEAUTY CONTEST WINNERS
★ 7 BLAZING SPECTACLES ★ 6 TUNEFUL SONG HITS ★ 187 LAUGHS
...as the genius who made Broadway famous surpasses his most dazzling show!

ARLINE JUDGE — Spectacular and beautiful!

GEORGE WHITE — Himself!

CLIFF EDWARDS — The inimitable "Ukelele Ike"!

EMMA DUNN — With the mirth that made her famous!

1935 SCANDALS

with

ALICE FAYE
JAMES DUNN
NED SPARKS
LYDA ROBERTI
CLIFF EDWARDS
ARLINE JUDGE
ELEANOR POWELL
BENNY RUBIN
EMMA DUNN
GEORGE WHITE

Entire production conceived, produced and directed by George White
Screen play by Jack Yellen and Patterson McNutt • Based on stories by Earl Dillsman and Gloyd Clations

★ 200 GORGEOUS SCAN-DOLLS ★ 1000 COLORFUL COSTUMES ★ 1440 REASONS WHY IT'S THE BEST SHOW YOU'VE EVER SEEN!
ITS TUNES ARE RINGING ROUND THE WORLD

Even before the picture opens... the catch and swing, melody and rhythm have made the song-and-dance hits of "George White's 1935 Scandals" the most sought-after by radio's greatest orchestra leaders. Already Rudy Vallee, Fred Waring, Paul Whiteman, Ted Fiorito, Abe Lyman and many others have featured them in their broadcasts, set the nation swaying and humming to these tunes. A billion-dollar song-plug that's plugging the picture for you!

LISTEN IN TO:
"According to the Moonlight"
"It's an Old Southern Custom"
"Hunkadola"
"Oh, I Didn't Know You'd Get That Way"
"I Was Born Too Late"
"I Got Shoes—You Got Shoesies"

Songs by: Jack Yellen, Cliff Friend, Joseph Meyer, Herb Magidson

It's 365 TIMES BETTER than the sensational "GEORGE WHITE'S SCANDALS" of a year ago!
**Czechoslovak Import Gains Are Foreseen**

Washington, Feb. 27.—Film exports to Czechoslovakia are expected to gain during the current year, as a result of the re-entry of American firms into that market, according to a report to the U. S. Department of Commerce by Senior Commercial Attaché Sam E. Woods in Prague.

The Czechoslovak market, it is pointed out, has been largely abandoned by American film companies in recent years for reasons of an unspecified basis and the former competitor was replaced by a registration fee of $200 for each foreign language version of films produced in the Czech language.

During 1934, Czechoslovak companies produced 30 sound features, of which 39 were in Czech and one was in German. Those films—productions in which, including one French and four American, were dubbed locally in Czech during 1934. Imports of picture stories into Czechoslovakia during 1934 totaled 164, compared with 162 in 1933. Of the total, German, German-American, British, and American films, were shown, with 28 and 21, respectively. Sound feature imports from the United States totaled only 19.

**Films for Benefits On Rise in Hartford**

Hartford, Feb. 27.—Increased use of motion pictures for benefit performances is reported here. A series of early Sunday afternoon showings of German pictures for the August Moeller home for the aged has been drawing overflow crowds to the Palace.

On Feb. 19 the Men's Club of the Broadway Community Church sponsored “One of the Bushnell Memorial and the Sisterhood of Emanuel Synagogue will have the theatrical showing of "Power" at the Bushnell March 4. The next in the German series will be "Der Hauptmann von Köpenick" on March 10.

**Form Delaware Firms**

Dover, Feb. 27.—Arthur Hopkins Produce, Inc., has been incorporated to operate theaters and other places of amusement listing capital stock of 100 shares, of no par value. The incorporators are Anne Glatterman, Hilda Goldman and Howard E. Reinheimer of New York.

Screen Broadcasts, Inc., has filed a charter to carry on the business of film producing and broadcasting listing a capital of $100,000. The incorporators are Leo T. Wagner, J. L. Mulhall and Charles E. Scheldin, of Chester, Pa.

**Fitzgerald Ends Nights**

Milwaukee, Feb. 27.—Wisconsin Amusement Enterprises, Inc., will close its continuous nights. The fall of the houses, according to H. J. Fitzgerald.

**India's Production Gains Cut Imports**

Washington, Feb. 27.—Production in India is gaining, according to the Department of Commerce, and as a result, Indian film producers are now offering competition to American and British films. The number of approximately 40 studios in India, according to a reliable estimate. In addition to their own output, they rent their studios and stages to small companies on a footage basis.

A year ago, Howard states, two had been chosen as yet. The group will be a branch of the Little Theatre Workshop, and will maintain headquarters. The new group seeks freedom of the films in the same measure that freedom of the press is granted in the constitution—without let or hindrance. Films and films taboed by the Catholic Transcend will be boosted by the group whenever they are deemed worthy of boasting for aesthetic or entertainment values.

**Czechoslovak Import Gains Are Foreseen**

Washington, Feb. 27.—Barkers of Tent No. 11 turned laundromen when John Chevalier and Don Craig, the kings for a day, held court at the Majestic Theatre. According to George P. Marshall's locally famed Palace "Long Live Liner" Laun.

It was the second function held outside the Willard Hotel. The kings conducted a shirt-ironing contest, the winner of which would have his shirt Palace-ironed for a period of 12 weeks. Sam A. Galanty got the free laundry.

**Chart Two Companies**

Albany, Feb. 27.—Another new theatre company and a production unit have been chartered here. The former is the Albany Amusement Co., Inc., chartered by Freda Jaret, Miriam M. Rosenblum and John G. Zellner. The other is Casino Prod., Inc., formed by Charles H. Green, Betty Black and Florence L. Levy.

**Two Delaware Bills Up**

Dover, Feb. 27.—Two Sunday bills are now before the Legislature. One bill, which seeks to provide for a liquor license, is presented for authorization of Sunday shows after the passage of the proposed laws. The other would permit opening of theaters after 9 o'clock Sunday nights.

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SAN FRANCISCO, Feb. 27.—The Orpheum led the list in box office takings in months by grossing $10,500 with "The Good Fairy" and "Mr. District Attorney." This take is over average by $1,500.

"Devil Dogs of the Air" was the only other film to run to top par. It grossed $8,700 at the Strand Francisco. Total first run business was $78,500. Average is $82,000.

Estimated takings:

**Week Ending Feb. 19:**
- **CAPTAIN HURRICANE** (Radin) GOLDEN GATE—(300), 25c-25c-40c, 7 days. Stage: band. Gross: $12,500. (Average, $1,714).

**Week Ending Feb. 20:**
- **WINNING TICKET** (M-G-M) "SCHOOL FOR GIRLS" (Liberty) FOX—(2,000), 25c-25c-40c-7 days. Stage: band. Gross: $7,300. (Average, $1,043).

**Week Ending Feb. 21:**
- **GOOD FAIRY** (Univ.) "MYSTERY MAN" (Monogram) ORCHID—(1,200), 25c-25c-40c, 7 days. Gross: $10,400. (Average, $1,486).
- **DEVIL DOGS OF THE AIR** (Warner) ST. FRANCIS—(1,400), 25c-25c-40c, 7 days. Stage: band. Gross: $19,000. (Average, $2,714).
- **CLIVE OF INDIA** (U. A.) UNITED—(2,000), 25c-25c-40c, 7 days, 2nd week. Gross: $7,480. (Average, $1,068).

**Week Ending Feb. 22:**
- **WINGS IN THE DARK** (Para.) "THE HUNGRY MAN" PARAMOUNT—(2,070), 25c-25c-40c, 7 days. Stage: band. Gross: $21,500. (Average, $3,000).
- **ONE MORE SPRING** (Fox) WARFIELD—(2,000), 25c-25c-40c-6 days. Stage: band. Gross: $21,500. (Average, $3,583).

**U. S. Films Lead in Argentine Theatres**

WASHINGTON, Feb. 27.—The dominant position held in Argentina by American films is revealed in a report to the U. S. Department of Commerce by the Buenos Aires office. Of the 477 films released in that country during 1934, 353 were of American ownership, the balance being produced by the major companies.

In point of number, German films ranked second with 32 features: France, third, 25; Spanish, 22; British, 14; and Italian, four.

Argentina ranks ahead of the United Kingdom as the most important foreign outlet for American films, having taken approximately 15,000,000, in feet in 1934. For the past month American pictures are shown in Argentina with Spanish title superimposed.

Argentina has developed local production, with six companies in operation. During 1934, these companies produced six features and it is reported that eight are now in production.

Of the approximately 1,500 theaters in Argentina, 600 are wired. The better class houses in Buenos Aires, it is said, are comparable in luxury and convenience to the best in the United States.

In the past few years, due to improved restrictions and other difficulties, American films have been able to maintain their dominant position in Greece, according to a report from Commercial Attaché K. L. Rankin, in Athens.

"Talking Is Los Angeles' Top, $20,000"
Greetings

Motion Picture Theatre Owners of America

Emanuel Cohen
EASTMAN Super-Sensitive “Pan” Negative has played a part in productions that marked veritable milestones in cinematic progress. Yet its success in these outstanding pictures is based upon the same dependability it offers cameramen and producers every day in the year. Unfailing, day-after-day excellence is the quality that makes this film the natural choice for the screen’s greatest ventures. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)
Educational Censor Move Irks British

CEA Voices Opposition To New Announcement

By BRUCE ALLAN

LONDON, Feb. 18—Possibilities of additional censorship, parallel with that of the British Board of Film Censors, is seen in an announcement from the British Film Institute that it is prepared to issue “vouchers of approval” to non-fictional films. These vouchers would, says the B. F. I., record “the accuracy and value for educational and cultural purposes” of such films.

The leading and parliamentary committee of the Cinematograph Exhibitors’ Assn., in an outspoken report to the General Council, protests against this action, saying: “It is news to us that there is any public

(Continued on page 3)

NRA Asserts Means To Alter Code Exist

WASHINGTON, March 1—Adequate machinery for the amendment of codes has always been available, declared tonight officials of the NRA in commenting on demands for changes in the code made at the M.P.T.O.A. convention in New Orleans yesterday.

Existing regulations provide for the submission of amendments, even by individuals, it was asserted. Anyone

(Continued on page 4)

Cardinal Dougherty Renews Theatre Ban

PHILADELPHIA, March 1—In a letter to pastors of the Roman Catholic archdiocese, Cardinal Dougherty today said the ban on indecent pictures will be continued.

“Moving picture theaters,” the letter read, “as they have hitherto been,

(Continued on page 4)

“Spring” at Music Hall Gets $75,000

“One More Spring” hit the Music Hall during mid-winter last week for a take of $75,000. “Folies Bergeres” was good for $34,000 at the Rivoli in the first stanza. The Roxy, with “Night Life of the Gods,” was in the

(Continued on page 4)

New Exhibitor Unit Move Set For Starting

O’Reilly and Brandt to Begin Tour Shortly

Furthearance of a plan to organize a third national exhibitor association will get under way the end of the month when Charles L. O’Reilly and Harry Brandt leave on a cross-country tour of exhibitor associations, which will be sounded out on the plan.

For a number of years, O’Reilly has had an idea to divide the country into Congressional districts with exhibitor representation from an independent national organization in each. Headquarters of the new association will be in New York.

Tentative plan calls for naming the third exhibitor faction National Independent Theatre Owners’ Assn. O’Reilly, president of the T.O.C.C.

(Continued on page 3)

Pleas in St. Louis Off Until March 15

Postponement from March 4 to March 15 of the date for arraignment of major distributors and their officers under indictment charges for violating the Sherman anti-trust law and Clayton Act in St. Louis has been made by Federal Judge Charles B. Davis.

Defendants in the action are understood to have asked for additional time for preparation of their pleadings. Date of trial will be set by the judge after the arraignment.

Mexico Imposes New 6% Distributor Tax

MEXICO CITY, March 1—Distributors are obliged by law to pay a six per cent tax in fiscal stamps as their share of an impost on amounts received in rentals from exhibitors under a new amendment to the income tax act.

Exhibitors must demand from distributors receipts bearing the six per

(Continued on page 4)

Theatre Men Fight Bay State’s Tracks

BOSTON, March 1—Although partial legislation was approved in the state by referendum in the general elections a few months ago, no construction of horse or dog tracks has been started in the state as yet. It is understood here that Allied leaders

(Continued on page 4)

Competition

BUFFALO, March 1—Intense competition ruling the 10-cent grind houses in one downtown Buffalo block resulted in this lobby sign the other day:

“Caravan. First showing in this block.”

Premiums Gaining In K.C. Territory

KANSAS CITY, March 1—Premiums are on the increase in Kansas City, the last week showing a jump to 17 houses giving added inducements of some sort. In addition, four theatres are receiving premiums in Kansas City, Kan. Until recently there were not more than a half dozen houses offering giveaways in Greater Kansas City.

The practice is confined to independent suburban operations, but Fox Midwest, which has abandoned efforts to declare premiums illegal by exhibitor vote, may cut loose shortly with “something bigger and better,” according to reports.

(Continued on page 4)

Campi Delays Over Impartial Chairman

Action on a recommendation to appoint impartial representatives as members of local boards has been deferred by Campi until next Thursday. Decision again has been postponed on the Leonia, Lenox, clearance case with a possibility it may come up at the next session.

A committee appointed by Campi to try to straighten out the dispute is making an earnest effort to get the interested parties to cut down clearances across the Leonia.

Studio Men Discuss New Basic Contract

HOLLYWOOD, March 1—More than 300 studio officials gathered at the Fox Hills studio last night to hear a detailed interpretation of the new studio basic contract which went into effect today for a five-year term.

A group of legislators to the pact pledged their willingness to carry out

(Continued on page 4)

Rule Code Needed to Enforce Section 7A

WASHINGTON, March 1—Section 7-A of the National Industrial Recovery Act received another blow today when the National Labor Relations Board, based on a section assuring workers the right of

(Continued on page 4)

Ernst Opposes Approval for Para. Setup

Delays Vanderlip Group On Reorganization

Opposition to the new Paramount Publics board of directors on the part of Morris L. Ernst, member of the Vanderlip deputation committee, will cause that group's organization to issue a divided assent to the Paramount plan of reorganization, it was learned yesterday.

The Vanderlip committee's assent to the plan has been delayed several days because of the schism within its ranks. Since the final court hearing on the plan is scheduled for April 4, and bondholders must be given 30 days in which to accept or reject the plan, the Vanderlip deputation is being impelled to act with Ernst's differences still unresolved. On Monday the committee will send out to bondholders the copies of the Paramount reorganization plan together with notices of its

(Continued on page 3)

Federal Aid May Be Given Crime Films

WASHINGTON, March 1—A Justice Department group cooperative in an advisory capacity in the production of “anti-crime” pictures planned by several Hollywood producers, as a result of conferences yesterday between Will Hays and Attorney General Homer S. Cummings and J. Edgar Hoover, chief of the Bureau of Investigation, it was indicated today.

Hays' visit to Washington was made for the purpose of inducing the

(Continued on page 4)

Roxy Theatre Stock Suit Is Postponed

Trial of a suit for recovery from Willaim Fox of $1,000,000 in alleged guaranties paid on Roxy Theatre stock, since defaulted, which was scheduled to open in the N. Y. Supreme Court here on Monday, was

(Continued on page 2)

New Bill Calls for Nuisance Taxes End

WASHINGTON, March 1—Repeal of the nuisance taxes, including that on admissions and subscriptions, therefor of a general manufacturers' excise tax three per cent, levied on

(Continued on page 3)
**New Belgian Treaty Requires Duty Cuts**

WASHINGTON, March 1—Reduction of the duty on raw stock from four tenths to two tenths of a cent per pound was provided for in the reciprocal trade agreement with Belgium, according to an analysis of the treaty made public today by the Department of Commerce.

The new duty will apply to film stock of standard width of one and three eighth inches, with a thickness of one inch or more subject to duty in equal proportion thereto.

Considerable uncertainty exists as to whether the new reciprocal agreements with individual countries extend to all other nations represented to the same foot- ing, but it was declared by department officials that all duty changes will have universal application unless and until the State Department announces that they are to be restricted.

**Sioux Falls Court Dismisses Charges**

**Para. Leads Bowlers**

Paramount remains in first place in the Film Bowling League by winning the match between the outfit and Columbia, 158 to 138, with three games, with Fox. Radio is in second place, followed by Fox and Warners.

The highest score of the meet was made by the Paramount team, which featured the Marcella Racketeer, former operator of the Royal, alleged in his complaint that the defendants had conspired to prevent him from obtaining product, and asked damages of $7,500. An order was made by Judge Wall requiring Wagner to pay the costs of the action.

**Ggets Foreign Product**

Metropolis Pictures Corp., in association with John S. Tapsenou, has concluded arrangements for the American distribution of all the French produced Marcel Pagnol pictures as well as all Tobis-Paris product. "La Mariée de Trois Heures" will be released under the new agreement.

**“Time” in Canada Deal**

Harry H. Thomas and Charles Stillman of First Division have closed a deal with N. L. Nathanson and J. J. Fitzgibbon for the showing of "Time" over the entire Famous Players Canadian circuit.
Ernst Opposes Approval for Para. Setup

\(\text{Continued from page} \ 1\)

divided asset. During the 30 days thereafter dissenting bondholders may withdraw their deposits from the committee or, if they have not done so, may withdraw them at any time thereafter. Two-thirds of the Paramount creditors, including bondholders, must assent to the plan in order to make it effective.

The Vanderlip committee's notification to the bondholders that Ernst's objections are centered on the board alone and that the financial phases of the plan have his approval.

With the committee's letter will go a separate letter from Ernst enumerating his objections to the plan. While Ernst declined yesterday to comment on the contents of his letter in the absence of any specific details learned that the letter will enumerate four principal objections to the proposed Paramount board. One will be an attack on a member of Lehman Bros. on the ground that he was named to the board to represent Paramount stock and bond holders, which were allegedly acquired late in the reorganization; that Hertz was chairman of the finance committee of Paramount at the time the filing of the plan was made; and that legal steps were taken by the Paramount trustees to have that deal set aside as a preferential transaction, and, finally, that Hertz is a director on a pending suit brought by the trustees to recover assets for Paramount.

Must Know International Trade

A second objection will be that Paramount's foreign interests require a man on the board who is deep in international trade, and that none has been named. A third will be that the board members not only be familiar with radio and television, and the fourth, that it requires a production representative, a financier, a writer, and an educator familiar with film possibilities in schools.

The letter will make a pointed criticism of bankers on the board and their prevalence. It was learned that Ernst nominated Henry R. Luce, publisher of Time and Fortune, who has been agreed upon by creditors for the new board. He has also been in touch with Screen Writers Guild and Screen Actors Guild, who have both offered their services to Paramount for a likely nominee, and has tentatively suggested either George Kaufman or Marc Connelly, writers.

Ernst's objections to the board makeup will be aired at the April 4 court hearing. It was learned that the Vanderlip committee is one of the most important in the Paramount reorganization proceedings, representing more than $200,000,000 of the estimated $500,000,000 of old Paramount debentures outstanding.

Holman Is Eastbound

Hollywood, March 1—Russell Holman, head of the eastern story board for Paramount, is eastbound after conferences here. Ben Bernie and his band also are headed for New York.

\(\text{Continued from page} \ 1\)

Educational Censor Move

Irks British

The Capitol, Haymarket, General Theatres property, controlled by Gaumont British, will close in March for reconstruction.

The new Capitol, to open in December, will be one of the most luxurious theatres in London, the plans embodying a sports arena and swimming pool in the basement. This will be frozen for ice skating in the winter. Provision for television will be made.

At present the Capitol's Garden and West End theatre in which all the seating is above street level, access to all parts being by stairway. The new plans bring all entrances to street level.

Run as a program house by G. B., the Capitol in its new form will probably become a long-run house, competing with the adjacent London Pavilion, U. A. key theatre, and with Paramount's Carlton and Plaza, the Empire (M-G-M) and Leicester Square Theatre (U. A.) are also a few hundreds yards away.

Roxy Theatre Stock

Suit Is Postponed

\(\text{Continued from page} \ 1\)

postponed yesterday to March 18 by Justice Leary.

The suit has been brought by the Chicago Title & Trust Co. as assignee for Herbert Lubin and involves, in addition to Fox and the plaintiff, Harley L. Clarke, former Fox Film president; Chase National Bank and Chase Securities Corp.; Albert H. Wiggins, former Chase bank head; Fox Film and Fox Theatres.

New Bill Calls for

Nuisance Taxes End

\(\text{Continued from page} \ 1\)

the wholesale value of manufactured goods, is proposed in a bill prepared by Representative Clarence J. McLeod of Michigan.

McLeod has attempted without success to get the measure adopted by the past two congresses. The proposed tax would apply to goods, subject to the proceeds of which would be exempted. A sales tax, the congressman declares today, is preferable to the nuisance taxes, because, he said, the latter are not based upon the ability to pay of the individual or industry affected.

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Premiums Gaining
In K.C. Territory

Looking 'Em Over

"Death Flies East" (Columbia)

Here is a mystery yarn that, despite the fact the story is interesting and shot against an unusual background and despite good character portrayals on the part of most of the cast, attains only a rating slightly above average entertainment.

The public was thrilled when Florence Rice, recently paroled from a California prison, flying to Sing Sing to see a man about to be electrocuted in the hope of clearing her name. On the plane she meets Conrad Nagel, a college professor carrying an armament formula to Washington. Their fellow passengers include a deaf woman, a police lieutenant, an insurance salesman, a hardware company president, an Italian musician, a doctor and a young business man. A Japanese joins them at the plane's first stop. Death strikes this group when the policeman collapses in his seat. In the meantime the young business man had been poisoned, but only slightly, and taken to a Dallas hospital. The plane puts back to Dallas to investigate the policeman's death and with the aid of Nagel everything is cleared up when it is discovered the murderer is the first poison victim and that he had administered a small dose to himself to divert suspicion. Nagel goes on and gets the confession from Sing Sing and thus phases the way for the conclusion of the romance that had sprung up between himself and Miss Rice.

The cast includes Raymond Wallburn, Geneva Mitchell, Robert Allen, Irene Franklin, Miki Morita and Purnell Pratt. Phil Rosen directed capably. Al Siegel's photography is good. No code seal. Running time, 65 minutes. "G."

New Exhibitor Unit Move Set to Start

(Continued from page 1)

is to be its head. Brandt most likely will be vice-president.

All unaffiliated exhibitors in the city will be contacted by the two independent leaders to join the new group. In some territories where organizations now affiliated with Al- lied or the M.P.T.O.A. are dissatis- fied they also will be asked to align. Approximately 20 cities will be in- cluded in the O'Reilly-Brandt itin- erary.

Neither Allied nor the M.P.T.O.A. in the local office of the N.L.T.O.A. plan the T.O.C.C. and I.T.O.A. will merge and also act as the New York unit. The amalgamation is expected to take place before the summer is over.

"Spring" at Music Hall Gets $75,000

(Continued from page 1)

money, taking $34,000, while "The Marines Are Coming," which wound up a week's run at the Mayfair last month, failed to pay off. "Grand Old Gal" was disappointing at the Astor and was pulled after four days with a gross of $3,000. "Great Hotel Murder" succeeded "Grand Old Gal."

"Rumina" walked off with $38,000 for the first week at the Fox. Margo on the stage, in connection with her appearance in the film, holds considerably. "Sequoia" netted the Capitol $34,000 on the week. Milton Berle and the Casino de Paree show were the stage attractions.

"The Good Fairy" was fair at the Palace at approximately $9,000.

Cardinal Dougherty Renews Theatre Ban

(Continued from page 1)

and still are, must be shunned as oc- casions of sin; and the ban will re- main upon them until they are trans- formed, even though the Hollywood married, much-married, divorced actors and actresses and the Russian produc- ers of lascivious film and the theatre owners, who purvey crime and sex films, lose some of their fabulous in- come.

The cardinal's letter was his annual explanation of the regulations for the Lenten season, which starts next Wednesday.

Lottery Aid Costs $100

BIRMINGHAM, March 1.—An ad- vertisement that a "baby" would be given away in a lottery cost Harry Wade, operator of a theatre in Talla- dega, Ala., $100. A fine of that amount was imposed by Judge Grubh in Federal Court here on a charge of using the mails in connection with a lottery which Wade entered a plea of guilty.

Federal Aid May Be Given Crime Films

(Continued from page 1)

department was advanced some weeks ago, when the attorney general indicated he did not favor the production of pictures in which department agents played the role of hero.

It was vigorously denied by both department officials and mem- bers of the Hays organization that the conferences involved any discussion of film productions, but officials of the department informally expressed the view that better relations might result from the cooperation of the industry in furthering the government's drive against crime.

Theatre Men Fight Bay State's Tracks

(Continued from page 1)

have been making concerted efforts to block any construction moves on the part of sportsmen planning the various tracks.

Licenses for the operation of dog tracks have been granted to four per- sons since the creation of the state racing commission. All of these tracks were planned for this town, but legal restrictions and local laws appear to have these stymied for some time to come.

Local exhibitors are all confident that no opposition will be forthcoming from these sources until late next spring.

"Gold Diggers" Opens

NEW ORLEANS, March 1.—"Gold Diggers of '35" had a world pre- miere at the Saenger tonight with red carpets rolled out to the curb, sunlight, arc lights, radio hookups and camer- men on the sidewalk.

Wall Street

Columbia Up 3 on Big Board

(Continued from page 1)

Net

High

Low Close Change

Columbia vto (of) 4344 4003 4343 -341

Consolidated Film 4069 3486 4069 -583

Consolidated Film 4619 4069 4619 -556

Eastman (5) .... 121123 121 +15

Emery (of) .... 166 166 166 0

Low, Inc. (2) .. 3355 3355 0

Low's Inc. (of) 10051005 1005 0

Pathé (of) .... 18 18 18 0

Pathé "A" .... 124 124 124 0

Pathé "K" .... 135 135 135 0

Universal (of) 356 356 356 0

Warner Bros. .... 102 102 102 0

Technicolor Rises 5% on Curb

Net Technicolor .... 1016 1016 1016 0

Warner Bonds Gain 11/2

Net High Low Close Change

General Theatre +6 46 45 45 +1

Equipo, Inc. 95 95 85 10 10

Keystone 686 686 686 18 18

Loew's Art Theatres 667 667 667 16 16

Loew's Theatres +6 1065 1065 1065 0

Paramount News .... 775 775 775 0

Paramount News .... 775 775 775 0

Paramount Pictures .... 137 715 715 +15

Paramount Pictures .... 137 715 715 +15

Warner Bros. .... 715 715 715 0

(plus stock extras, (deflated in price but not in interest)

(Quotations at close of Mar. 1)
Vanderlip Is Due to Head Para. Board

Zukor as President Is Plan at Present

Frank A. Vanderlip, of Paramount Publix bondholders' committee, appears to be definitely slated for chairman of the board of the reorganized company, with Adolph Zukor as president, if the current sentiment among creditor groups undergoes no change during the next month, it was ascertained yesterday.

Present inclinations point also to the election of George J. Schaefer as vice-president and general manager; to Charles E. Richardson, a former Paramount truste, as treasurer.

(Continued on page 2)

Senator Promises General NRA Probe

WASHINGTON, Feb. 28.—Intensive investigation of the NRA prior to the writing of legislation required by the President to extend the Recovery Act for two years was promised today by Senator Pat Harrison of Mis.

Missouri's Two Tax Measures Are Killed

JEFFERSON CITY, Mo., Feb. 28.—The Ways and Means Committee of the State legislature today killed a bill calling for a 10 per cent amusement tax and a measure providing for a five per cent sales tax. The committee is expected to recommend extension of the present sales levy of one-half of one per cent.

Honor Trade Press

New Orleans, Feb. 28.—An official bow in the direction of the Motion Picture Daily and other trade papers covering the convention was accorded them at the close of the M.P.T.O.A. session early this evening by President Ed Kuykendall, with his words of praise echoed by delegates in a rising roar.

Motion Picture Daily flew an air mail edition here daily, thus appearing on the scene of the convention activity with its issues on the same day.

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Purely Personal

BERT PERKINS will resign from Warners’ exploitation department in March, and sail for Tientsin March 25, on an assignment for American Export Steamship Co. He expects to be away approximately three months.

NAT FILLMAN isn’t going to Al- bany this week. He’s staying in New York and flying to Paris this week to Bea Harnash. After a two-week honeymoon he will return to his duties in the Warner booking department under CLAYTON BOND.

Quip of the Day

It is reliably reported by one of our unreliable reporters that Paramount will swap any three of its new board of directors for one Shirley Temple.

CLAUDETTE COLBERT missed her boat for the east Saturday because of re- takes on “Private Worlds.” She’s all excited about it. She worked all week now and grabbed a train last night.

JEROME KERDEL, Fred MACLAUS AC an attorney, was on the Rotterdam on a West Indian cruise.

MILT KUSELL spent yesterday in Al- bany. He’s due back today.

LOU PHILLIPS is due back from St. Louis today.

K.C. Drive on Fake Insurance Claims

(Continued from page 1)

A client claim racket exists as a form of “legalized robbing” costing thou- sands of dollars annually was made in the report.

Theatres, large and small, have been large-scale prey. Injury claims increased so extensively over a year ago that the public liability rate for thea- tres was jumped from a minimum of 12 cents a seat to 40 cents. As a re- sult, most of the independent suburban theatre owners are nowumu- ing either because they cannot afford it or because companies canceled policies at houses considered bad risks. Some companies will no longer write insurance even at the rates that have come prohibitive for many smaller theatres.

Through the efforts of the I. T. O. a fake accident “ring” was uncovered in which claimants, witnesses and lawyers were the same in a number of cases. The favorite trick was to rip up a carpet and then stumble over it. Other established insurance companies joined in the attack on the professional accident witnesses willing to testify for a fee, with lawyers and doctors working in collusion.

Goldwyn Arrives Today

Samuel Goldwyn, accompanied by Mrs. Goldwyn, arrives here today in preparation to scatter the opening of his next picture, “The Wedding Night.”

Academy Honors Shirley

Hollywood, Feb. 28—Her dolls were discarded by Shirley Temple to- day for the statuette presented her by the Academy last night as a special award.

William H. Wright, former production executive at the Paramount coast studios, left yester- day for the coast after several days negotiating a production deal.

DAVID BERNSTEIN, Joe VOGEL, C. C. MOSKOWITZ and Louis K. SIDNEY are new fourome to the M. P. Club yesterday for lunch.

C. C. PETTITSON, traveling the legislative circuit, was made旭ive, April 12, and Columbus this week and is now in Nashville.

ERIC HATCH has completed work on his script of “Fly By Night” for Fox and is on his way back to Long Island.

RUBY VALLE, fatigued by “Sweet Music” opening parties, left last night for a five-day rest in Miami.

MAJOS L. E. LAMBERT of the RKO legal staff is vacationing in Miami.

TREM CARR left on the Broadway Limited yesterday for the coast.

NORTN RICHIE added another candle to the birthday cake yester- day.

FRANK WALKER returned from Washington yesterday.

PHIL REISSMAN will leave next week for Europe.

Petition of FWC Delays Coast Plan

(Continued from page 1)

Flann some time next week on the clearance problem in the New En- gland city.

With Eddie Cantor making one of his rare appearances, this time in Boston, the “Columbia” list on extras, Campi yesterday approved the list of 1,046 names and the provi- sion to mark the list 30 per cent during the year if the occasion war- ants. The additional 10 per cent in- crease was made because March 25 was the last day for the list, inasmuch as the code, as it stands now, does not go beyond June 16 of this year. If the code continues after this period, provisions to boost the ex- tra’s list will be made later.

Extension of 30 days for delinquents to pay up code assessments for the last half of 1934 was ordered by Campi. Expiration date for paying was Feb. 15, but the additional time starts from yesterday, the date of the resolution was adopted, making March 25 the final paydate. However, during this period delinquents committing levies cannot file complaints before local clearance and zoning and griev- ances cannot be heard until March 28.

Only eight of the 35 appeals on tap were decided yesterday, but the rest are expected to disposed of next week. Charles L. O’Reilly was chair- man of the session, attended by Mr. Gardner, Bill A. Faris, Arthur G. Armstrong, τ. H. Lockwood, Felix Jenkins and Edward Golden.

Second Issue Ready

The second issue of “The March of Time” will be released March &

Vanderlip Is Due to Head Para. Board

(Continued from page 1)

Austin Keough, as secretary and general counsel, and H. A. Forstinger, representing the insurance companies holding Paramount securities, as chairman of the finance com- mittee.

Forstinger, through the coalition of creditor groups into a cooperative unit representing total claims of $14,000,000, had been regarded in recent quarters as a formidable contender for one of the high executive posts. It is possible that his in- clinations are not to accept any post in Paramount which would make un- usual demands on his time, because of other interests which he holds to be of greater importance. It is stated on good authority, however, that he would be willing to surrender any ad- visory capacity, preferably in Para- mount’s financial affairs. The chair- man of the finance committee then appears to be a likely post for him.

Forstinger’s interests, principally the Riverside insurance companies, made a tentative offer to underwrite the new stock issue of approximately $6,500,000, but the offer is believed to be more a gesture to be ing further progress in the reorganiza- tion, it is learned. The subject may be revived in the board of directors with the return of Forstinger from Florida.

At the same time, negotiations for the acquisition of several of the large Paramount creditor bank claims by the Forstinger group, begun some time ago, may be resumed.

It is probable that the shareholders’ committee and Paramount Broadway bondholders’ committee yesterday began sending out to their depositors the negotiator for claims list on extras. The plan provided for notices of the commit- tees’ assenting to the plan, as author- ized by the board of directors last week. The plan was based on the advice of Mr. C. W. Cox last week, and reported in Motion Picture Daily of Feb. 21.

The plan would not be presented to withdraw from the committee if they dissent from the plan. Stock- holders and bondholders who have not deposited with the committees must do so up to March 30 if they assent to the plan. A major of the stock- holders and two-thirds of the credi- tors, including bondholders, must as- sent for the plan to be made effective.

Skouras Circuit Is Adjudged “Unfair”

(Continued from page 1)

The case has been certified to Cam- pi for determination. While the orig- inal suit is on the issue of franchising the buying matter, Rosenbalt held that it should come under the “or other- wise” clause of the franchise, since it does not complain that Skouras has too many pictures. His objections, he stated, are directed at the manner in which the product was purchased.

Senator Promises General NRA Probe

(Continued from page 1)

sissippi in response to demands that there be no “whitewashing” if the Senate granted the $5,000 asked to enable the committee to be formed by Harrison’s Finance Committee.

The action of the Senate solved the problem caused by the submission of two independent bills of inquiry on the matter by Senator King of the Judiciary Committee. Differences between the various groups interested in the ques- tion were settled by an agreement that the inquiry should be conducted by the full Finance Committee, and that Senators Nye of North Dakota and McCarran of Nevada, co-authors of the original investigation resolution, and Borah of Idaho and McCullough of Kansas, members of the Judiciary Committee, also sought to make the probe, should be left with the finance group in the questioning of witnesses.

The Finance Committee and the four other Senators are to meet next Tuesday in executive session to map out plans for the public hearings which are to start shortly thereafter.

M. E. Comfordor Gains

Washington, Feb. 28—M. E. Comfordor, who had to work up to a quick improvement from day to day at Emergency Hospital, although his condition remains critical, according to Dr. Walter A. Bloedorn. The doctor says his condition is appreci- ably better than when he was admitted to the hospital.
Latest reports from the "LITTLE COLONEL" front!

HIPPODROME, CLEVELAND: Beating every single Fox picture, including "Judge Priest!"

FOX, DETROIT: 25 per cent bigger than "Bright Eyes" sensational Xmas week engagement.

RIALTO, LOUISVILLE: 75 per cent bigger than "Bright Eyes."

FOX, PHILADELPHIA: Opening two days 100 per cent bigger than "Bright Eyes."

PARAMOUNT, PORTLAND: Shooting farther ahead of "Bright Eyes" every day of run.

FOX, ST. LOUIS: Opening three days 100 per cent ahead of "Bright Eyes."

STATE, RICHMOND: First three days equals average week's business...and building!

RKO PALACE: By far the biggest opening of any Fox picture this season!

Shirley, they ought to make you a General.
Changes Needed, Convention Decides

Revamping of Campi Vital, MPTDA Votes

(Continued from page 1) viewed as an out and out defense of code administration since its effective date 15 months ago. Complied with this move which took form through a lengthy resolution brought to the floor by Morgan Walsh, as chairman of a committee on NRA trade practices, were other resolutions calling for unconditional uprisings. In a few words, local weeds had the smoothest means yet found to alleviate aches and pains of producer, distributor, theater, and exhibitor, Compliance Directives and a move toward a top address at the M. P. T. O. A. convention today. The compliance directive made a special trip from Washington for the occasion.

Adding that the code nevertheless is still a target of frequent attacks from many sides, he charged that politicians were adding verbal onslaught to the tirades from self-appointed critics and gave a specific example of an attack and called upon which he said should rest the answer to what the code has done.

Questions Are Listed

1. "Did you possess before the code the rights and remedies the code has provided?"
2. "Under the code, tribunals to regulate trade practices and relief in matters affecting unfair competition have been established. These tribunals have heard your cases and added a correction was necessary from the top because the voting power of Campbell's has been so large that it was not possible to obtain enforcement of the code. I ask you to hear this correction."
3. "M.P.T.O.A. and the code can be had and relief secured on the highly important question of overbuying. That again is something new in the history of the industry—something you never possessed before. And I ask my third question: Is that worthwhile continuing?"

Gives Statistical Results

Going statistical, he said that relief had been granted exhibitors in 75 per cent of the cases tried. "Out of 1,020 cases tried by local grievance boards, 771 complaints brought relief to exhibitors. In only 24 per cent of the cases, or 249 complaints, was relief denied. In 249 cases, appeals were taken to Campi and local boards sustained, in 30 cases, or 15 per cent of the local boards' decisions, were reversed. Confronted by these benefits, who is there who would wilfully set himself up to dispute the common good?"

On clearance board operation, Rosenblatt said relief was granted 172 times and denied relief, or 59 per cent. Appeals to Code Authority totaled 78 per cent, of which 18 per cent were reversed and sent back to local boards, while judgment was affirmed in 82 per cent of the appeals. Some of the problems which beset the industry in 1933 still linger on the scene, he said, yet he said the industry as a whole had made tremendous progress from a chaotic dog eat dog attitude. At the same time he deplored the lack of unity still prevalent among groups of exhibitors throughout the country.

"From outward aspects at least, the underlying problems in the summer of 1933 was completely disintegrated and disorganized," he said.

Conflict of Interests

"It was a conglomerate conflict of interests and purposes. Sharply defined into armed camps—armed at least to publicly announced sentiment—a situation presented by groups and a division of the industry appeared hopeless. In the 15 months that the code has been in operation this one result is of a national significance. Under a single motion picture code, the producers have presented into the history three essential divisions of the industry the way has been found for constructive action, for the good of all."

Praising the industry for its efforts toward cooperation, Rosenblatt added that the principal problem in the Code has stood a test of service in operation, but admitted that details need perfecting and asserted that the NRA will continue to work for its improvement and perfection as long as the code exists.

"The exception was taken later in the day to his statement that the Code Authority and code agencies have acted with complete fairness in discharge of their duties. On the much criticized labor clauses, he asserted provisions had been worked carefully and cited many strikes which have been averted. He praised the industry for self regulation at the present time in the way he regarded the step as wisely done.

Nizer Pleads Against Code Abandonment

One. Rosenblatt spoke about industrial cooperation. What about industrial cooperation? You'll cooperate and cooperate until producers and distributors own all of your theatres," were the highlights of his particular brand of verbal dynamite. "I say let's go to Washington again. If you can't get something real, let's throw out the end code out," he continued.

Wilby Is Overruled

Robert B. Wilby of Valatena Theatres with headquarters in Atlanta, who had tried to throw the Walsh motion out of convention, but was voted down by the convention, urged delegates to stop wasting time.

"I don't think you want the code either. I don't want rain on Saturday any more than I do the code and I can resolve that for me, I'd like it," he said.

The last day's session was going late as usual. Nizer, with Walsh was called as a witness and James P. Clarke, president of National Film Carriers, who spoke briefly on his intentions to line up film delivery associates and gave an interesting statistical picture of the combined operations when he declared their trucks covered half a million miles weekly in handling 90 per cent of the industry's deliveries.

He was followed by Louis Nizer of New York, who made an earnest and effective plea for less emotional and more scientific factual exactitude on the part of exhibitors in discussing their problems.

Calls for Leniency

"Your approach based on the facts is to be commended. I know first the code was 10 commandments and I hear they are being violated even today. The Greeks and Anglo-Saxons had codes, too, as did Napoleon, yet Napoleon's code was not abolished. Despite his power, complete and absolute justice is impossible. Creation of a gigantic judicial system in eight months is impossible and so it perfection. I urge you to try for revisions rather than any "down with the code" or 'up with the code' attitude. Records show 72 per cent of all complaints to date have brought relief in almost all instances, but without the code this would not have been. I think you have other problems. Did you know? Did you know, for instance, there is one theatre seat for every 10 men, women and children in the United States, including those in old age homes and asylums, and one theatre seat for every six persons in densely populated spots and one for every second or third person, if you eliminate those who cannot attend? "This is the heart of your trouble and over-seating leads to your second
BY PHONE
FROM NEW ORLEANS!

You've never seen anything like it....this town has gone wild over "ROBERTA"....it's 2 o'clock here now and all opening day's records have been shot....they're standing up all over the house and all over the street....critics went nuts over picture....airmailing rave reviews....last night's world premiere for exhibitor's convention...had crowds standing in line around three sides of the block for an hour before the opening....Victor Meyer, Orpheum Manager, tells me he is certain of three weeks of record splintering business....Kuykendall at meeting gave "ROBERTA" great boost....trade paper boys here for the convention tell me they have burned up the wires to their papers about great success of picture and opening....telegraph offices were jammed last night with messages from exhibitors to their managers telling them to shoot the works for "ROBERTA".... sending photos and more details airmail....everyone says RKO-Radio has biggest money-picture in years in "ROBERTA".
Opposition to the Code Flares Up Again

Revamping of Campi Vital, MPTOA Votes

(Continued from page 4)

problem of asking Congress for changes in the existing law. As the inside joke goes, "If we get what we want, we won't be paying licenses to ASCAP or any others," promised Brylawski.

One of the top constitutional lawyers, the convention passed a resolution for ap- pointment of a standing committee to confer with national advertisers and to collaborate with the M. P. T. O. A. territorial units on any particular problems along these lines.

Discussion on legislative procedure by M. A. Lightman precipitated another angle based on motivation.

It was at this point that Charles Segall, Philadelphia, cited plans of the Pennsylvania to raise $6,000,000 from theatres in his state, through a pro- posed tax of one-half cent on each linear foot of film imported as well as a 10-cent tax and a measure to raise censorship fees from $2 for 1,500 feet to $15 for each 1,000 feet.

In discussing the 20 per cent un- conditional cancellation privilege which the convention voted, Walsh advo- cated the use of these privileges to make cheaper pictures and explain to your legislators. If distributors wouldn't give you 20 per cent, it is up to exhibitors to determine whether they will follow the wishes of the public as evidenced by block booking bills in- troduced in many legislatures or wishes of producers."

This, incidently, was the only open resolution brought up immedi- ately prior to the convention that the M.P.T.O.A. would dangle tacit support at least of anti-block booking legislation for striking out against increased cancellations.

Preferred Playing Is Hit

The expected resolution attacking the present system of preferred playing time developed and became part of the M.P.T.O.A. program for code revision. The St. Louis delegation introduced a flock of resolutions, most of which had been taken care of by the reso- lution committee. Two, however, were passed and added to the re- vision agenda. One was for elimina- tion of premiums through a majority vote in each territory in writing.

Willy suggested no half-way tact- ics, but complete designation of pre- viously unfair trade practice. He felt the next step was far beyond the code in the case of a clause that matinees be designated as expiring not later than June 1, and that it would be unfair practice to continue matinée admissions beyond this limitation. He favored a clause for the neighborhoods at downtown first runs there. An effort to dub double fea- ture playing by a heavy major- ity vote. Unfair preference in the practice of selling shorts, includ- ing newssheets with features. This was introduced by Roy Brying of North Carolina Theatres at the be-hest of Willy. Sidney Lutz's resolu-

'Twas an Extra

New Orleans, Feb. 28.—Paramount gave the convention something to buzz about when newsmen this morning hurried through various floors of the Roose- vevelt yelling: "Extra!"

Arranged by Bill Pine, the stunt was a special front page of the New Orleans Item handled in regular news makeup, but plugging "Rug- gle's Boy." Red a second with a streamer: "Three hurt in movie mob's rush."

Vogel Agrees Feist Is Not Interfering

(Continued from page 1)

leaders, including Ed Kuykendall, Jack Miller, Lewen Pizer and Jay Campi. Miller did not hit Feist in New Orleans the other evening in an effort to straighten out the product buying situation in the windy City. Feist is understood to have declared that building plans for Chicago were in the hands of the Loew circuit and that the"deal" was not interfered with. Feist has kept his word. Joe Vogel yesterday stated he had not heard from Feist and knew about the meeting in New Orleans only when he read it in Motion Picture Daily.

Louie Nitze, who represented Miller about two weeks ago on a Campi ap- pearance, is understood to try getting all concerned together. Easissi and the Accommodate circuits in the downtown area to do business with M-G-M because of percentage demands. Miller, iden- tified with the De Luxe, probably will talk the buying matter over with Feist again before he leaves New Orleans in an effort to stay the invasion by Loew.

San Francisco Bids For the 1937 Meet

New Orleans, Feb. 28.—San Francisco put its hat into the ring for the 1937 convention when the World's Fair in that city will be under way.

Ed Kuykendall has about 10 cities bidding for next year, but, as usual, decision will not be made for five or six months before the next concclave is called.

Arkansas Walkathon Ban Imposed by Law

New Orleans, Feb. 28.—M. A. Light- man learned today that walka- thons had been planned for Little Rock and intimated a similar move will be sought in Tennessee.

A sales meeting of the latter state has been revised, placing theatres in the same category as other mercantile establishments, and raising the minimum sales tax, but it is seen doubtful if the lower house will pass it. Heavy licenses on traveling shows will be imposed, if traveling Tennessee a measure now up is enacted.

Gulf States Campi Hits Code Boards

(Continued from page 1)

functioning in a fair and impartial manner, the company said it would get a fair deal because the local boards consist of an equal number of buyers and exhibitors.

One of the proposals is that exhib- itors here be allowed to write a code of their own on the ground that the children here differs from other sec- tions of the country.

Henry Lazarus, Rene Brunet, Philip Sluman and Harry McLeod attacked the boards from the convention floor, claiming that they were controlled by the companies. Their suggestion was that the boards be placed under a pub- lic service commissioner to be ap- pointed by the state.

Election of officers was postponed.
The COLUMBIANS’ ANNUAL DINNER DANCE

Grand Ballroom
WALDORF-ASTORIA
MARCH 2nd., 1935
Formal $7.50 Per Person
Laemmle's Denial
Is Read to MPTOA

NEW ORLEANS, Feb. 28.—Denial that any sale of Universal is impending was presented today to the M. P. T. O. A. convention by James R. Crumley of Universal. The letter was read in the form of a telegram from Carl Laemmle.

"No one knows better than you," the telegram read, "that we are in the midst of producing our best product. What more, you can tell exhibitors that you are expected out to show them how to lay out production plans for next season."

"Constant rumors make it more and more difficult to deny. I want to assure you, and through you, all exhibitors assembled that when the time comes, I will retire from any business management a statement will come from me directly and not through any third parties, or via the rumor route."

MPTOA Crowd Given
Eyeful of "Robertta"

NEW ORLEANS, Feb. 28.—Radio put on "Robertta" for the M. P. T. O. A. delegates. The natives also turned out in a big way. The advance campaign was put out by Gar Moore, Orpheum publicity man, helped by Harry Kuykendall of Barret Moore's home office staff. It included a fashion show with the original Hollywood gowns and some good looking mannequins. Motorcycle escorts for armored cars delivered the gowns to a local department store. There also were flood lights and things.

Vic Meyer, Orpheum manager, sent a wire to Ned E. Depinet to tell him about the waiting lines and to predict a three-week run.

"Itto" Shown on Ship

"Itto," new French film brought to this country by Marcel Sercer, was shown last night to an invited audience on a film by Col. John S. Tapernoux, who will handle distribution in this country.

Sprecher will be here for about 10 days.

Pat Garyn Recovering

DALLAS, Feb. 28.—Pat Garyn is much improved after two weeks spent in St. Paul's Hospital, where he was taken after suffering a relapse from a flu attack. He is reported out of danger, but is staying in the hospital while building up.

Discuss Ampa Seating

Seating arrangements for the Naked Truth Dinner which will be held April 27 at the Astor were discussed yesterday at a closed Ampa session. Paul Benjamin presided in the absence of William Ferguson.

Mrs. Kohler Mourned

Salome Kohler, circulation manager of Film Daily, died yesterday.

Adams Reopens House

Adam A. Adams has taken over the Park Lane, Palisades Park, N. J., and reopen it tonight. Skouras operated it for some time and then dropped it.

BY RAMOS

NEW ORLEANS, Feb. 28.—George
Weeks had his third encounter with the local gendarmerie about four yester-
day morning. And that's a long story.

It seemed the G. B. sales manager determined to screen "The Dictator" for two would set out at 9:30 in the morning to look. Having ar-
 ranged it with Vic Meyer, manager of the Orpheum, the next step was a telephographic invitation to the conven-
tion. ALOPHI A. COHN, commercial repre-
sentative for Western Union, now entered the scene and, in order to present his credentials, deposited his wallet in Week's room, thereafter to leave without picking it up.

This opened the way complete to the rib. Phony house detectives bathed
Weeks on the phone; also-as a silent host)—assistant hotel manager, Harry McLeod, president of the G.S.T.O.A., who knows plenty of local footpads, scrambled a fake arrest. It went off in grand style, even down the line to where Ed KUYKEN-
DALL was able to get up some interest. Charlie Einfeld asked one of them for his credentials.

About four in the morning, two other members of the boys' finest descended on the Nut Club which was crowded with gay conven-
tion-goers at the time, took Grissac into custody and hauled him off to the police station. By this time, Weeks was awake. A joke is a joke, but the sum total of all could spare.

Today, the tables were turned with Western Union Cohn finding Weeks' official police papers and handing them over, having been undertaken by McLeod.

Some fun!

JULIAN BRYLAWSKY's train sales on behalf of the Washington D. C. Variety Club were so heavy, he wired home that his tickets were flown to the States. And has been doing a swell job for sweet charity's sake.

L. J. LUWIG, associated with John J. FREID in the former Publix opera-
tions and in around Minneapolis, is here watching the proceedings as a sort of one-man territory. He's been asking about MAYER, Arthur will be interested in learning here.

SAM DEMBOW, the personality (plus kid), is demonstrating that copious faculty for having fun himself and imbuing all others around him with the same sort of glow. His sense of humor, always sharp, is rollicking along without brakes here, with re-
 sults very amusing. For instance, he's heard the old quip having to do with eating a steak. It reads: "He has altered to the blackout line to read: "If you do, you won't meet any of the prominent people at the convention."

On the sidelines is a chap who wears one of the mechanical devices to im-
 prove his hearing. "I knew him back in Trisco in the silent days," re-
 marked Dembow the other dawn-
ing.

NEW ORLEANS house is illus-
 rated by an experience Charlie En-
 feld ran into the other morning. He picked up his phone and a Southern
friend says, "Good morning, sugar." "I'd like a paper," said Einfeld.

"What kind of paper, sugar? Wall-
paper?"

"No"

"Flypaper?"

"No"

"Writing paper?"

"NO! I guess you all want newspaper, sugar."

"Right!" It was the Roosevelt telephone op-
erator.

A gang at Antoine's the other night included JACK MILLER, his son, Jack, and the latter's bride. Someone sug-
gested allowing the waiter to order the dinner, which is the way it is usu-
ally done at Roy's place.

"Not for me," interrupted Jack,
JS: "I'll order my own." was the name, completely in French, of course.

Young Miller looked it over and re-
marked: "It's in a foreign language, but it's funny because the one thing I want is in English."

"What is it," he asked.

"Filet mignon."

JULES MICHAEL of Buffalo is recov-
ering from a partial face paralysis which followed a recent auto accident.

EDITH HARBER, secretary to
Charles W. Picquet, who is not here, by the way, is on her first con-
vention. She is a sister of Mrs. WALKER, Charlotte cde-
board secretary.

Much disappointment here over the inability of SIO KENT to deliver his Grand opening speech. Ditto on JOHN C. FLINN.

Ed KUYKEN DALL insists upon pro-
 nouncing as architect as if it was where the 'c' belongs. That's be-
 cause nobody understands the South.

JERRY KUYKEN DALL slipped in and out of the president's reception at Tip Top Inn Tuesday night. She later attended a private pre-Mardi Gras ball.

BEN BERNESTEIN waxed philosophical at the opening session. 'I've been an exhibitor for 20 years. So they make me sergeant-at-arms,' he said.

GEORGE SCHULTZ master-of-ceremo-
nies for a minor Tuesday to snatch a group picture for Motion Picture Herald. 'Suppose we have them look a little antim相机,' he suggested. "Let 'em look natural. It's the same thing," rejoined KUYKEN-
 DALL.

HARRY THOMAS hooed a mean dance. Proof: The Blue Room at the Roosevelt about 1:30 in the morning.

Mrs. Bob MCNEIL finally met Bob McNeil last night.

They took bows from the floor, in reply to Kuykendall's introductions:

JOHN D. CLARK, EARLE W. HAM-
MONS, ED FAY, L. C. HEIL, HARRY THOMAS, Arl UNGAR, a member of the "third estate," JULES Levy and DAVE PALFREYMAN, who said he had been criticizing everything on the pro-
gram and now criticized the chair for introducing him.

SAM DEMBOW and HERMAN RO-
BINS show off for Minnesota Friday.

KUYKEN DALL officially thanked Na-
 tional Screen for its trailer stunt.

HAL YOUNG developed "dog" trouble by the time the sessions ended. He'd been everywhere at one time.
U.S. SUPREME COURT VOIDS FOX’S TRI-ERGON PATENTS

Pathe’s Plan For New Setup Gets Approval

Pathe’s plan of financial reorganization was approved yesterday by an extraordinary meeting of stockholders with 328,855 shares being voted in favor of the plan and 8,910 shares against it. A total of 340,702 shares of all classes was represented at the meeting. Under the stock corporation law the extraordinary meeting required two-thirds of the stock represented at the meeting to approve the plan.

With the adoption of the reorganization, Pathe Exchange, Inc., will be

(Continued on page 4)

Goldwyn Will Have Six Upon New List

Samuel Goldwyn, who will sail for Europe tomorrow, announced yesterday his contract for the 1935-36 program for United Artists release. In addition to the picture each with Eddie Cantor and Anna Sten, Goldwyn stated that “The Goldwyn Fol- lies,” a musical revue, would be one

(Continued on page 5)

Joe Weber Becomes An Exhibitor Here

Joe Weber of the historic team of Weber and Fields, is now an exhibitor. He has taken over the De Luxe on 12th St. and will reopen it Friday with a double feature policy. Weber has lined up a number of film and stage stars for appearances at the opening, including George Bancroft, William Collier, Jr., and Harry Hershfield.

Standards Up, Say Maryland’s Censors

BALTIMORE, March 4—“A very great improvement in production standards” was noted by the Maryland censor board in the last quarter

(Continued on page 2)

Decision Ends Litigation by Which Former Producer Hoped to Collect About $20,000,000 from Industry

By CLARENCE LINZ

WASHINGTON, March 4—Patents held by American Tri-Ergon Corp. covering sound picture equipment today were held invalid by the U.S. Supreme Court, bringing to a close litigation which for a time threatened havoc to the entire industry.

By the decision, William Fox, owner of a controlling interest in the corporation, loses the approximately $20,000,000 which he figured to collect if his claims had been upheld.

The decision of the court, in both the Paramount Publix and the Aliuona Publix and Wilmor & Vincent cases, was unanimous, except that Justice Brandeis took no part in the consideration or decision of either.

The Paramount Publix case involved the so-called double printer where pictures and sound are photographed on separate negatives and combined later, and the other case covered flywheels used on projectors.

“A consideration of the prior art leaves no doubt that the method, as thus described and clearly restricted

(Continued on page 4)

Surplus Code Funds Are to Be Divided

WASHINGTON, March 4—Any surplus developed by Campi by reason of excessive contributions received last year will be credited or returned to code contributors in June, under a provision which will be incorporated in the 1934 budget approval, it was made known today.

The budget for last year has been signed by Deputy Administrator William P. Farnsworth and sent to the recovery board for approval. It is expected to be signed within 48 hours.

Under the plan to be approved, any

(Continued on page 5)

Contract Fate Up In Chicago Suits

CHICAGO, March 4—Whether distributors can enforce their contract provisions against 10-cent admissions and double features is the issue involved in the Rohe-Rabin suits against circuits and major distributors. James Roder is the owner of the 350-seat Astor in the Loop and Jack Rubin runs the Public in the negro district.

Both actions have been brought under the Sherman anti-trust law and the Clayton Act. As the defendants have lost their preliminary motion for

(Continued on page 2)

Paramount Lines Up 13 Groups at Studio

HOLLYWOOD, March 4—Paramount studios, under the new leadership of Henry Herzes and Ernst Lubitsch, have established a definite studio organization consisting of 13 department executive heads and 9 associate producers. Executive personnel

(Continued on page 5)
Comerford Still Gains

WASHINGTON, March 4.—Although not yet out of danger, M. E. Comerford's slow but steady improvement, especially over the week-end, is encouraging, Dr. W. A. Bloedorn reported today.

Walsh on Jockey Board

SACRAMENTO, March 4.—Director Raoul Walsh today was named to the board of the $750,000 Hollywood Jockey Club when articles of incorporation were filed here with the secretary of state.

Edna May Oliver Signed

Hollywood, March 4.—Edna May Oliver has been signed to a long-term contract with M-G-M. She will begin work soon on "No More Ladies."

MICHTEL MAY, JR.

COMPANY INC.

SPECIALISTS IN FILM and THEATRE INSURANCE

75 Maiden Lane 
90 W. 6th St. 
New York Los Angeles Cal.
ONE OF THE BEST INDEPENDENT OFFERINGS SEEN IN A LONG TIME. SMARTLY PRODUCED. EXCEPTIONALLY FINE JOB DIRECTING." — Variety
U.S. Supreme Court Voids Fox Patents

(Continued from page 1)

by the patent, lacks novelty and invention. The only step in the respondent's method, for which any advantage could be claimed, was an early and inexpensive process of uniting the two records on a single positive film by printing them from separate negatives.

The practice of printing separate photographs from separately developed negatives upon a single positive film has long been known.

Reviews History of Sound Film

Analyzing Tri-Ergon's contention that the development of the sound picture was largely due to its patents, the court went into the history of sound film in the first place, where it was released their first talking picture. The sound originally carried on phonograph-type machines. The point was not until after the public interest in sound pictures was disclosed that the mechanism for recording and reproducing sound by the film method was carried to a state of perfection which would warrant its production in commercial cinema.

"Thus," the court continued, "there is no basis shown by this record for the contention that advance in this phase of the motion picture industry was awaiting the development of the combined sound and picture record upon a single positive film. On the contrary, the inference seems plain that the advance awaited the public acceptance of the sound motion picture that, when the public demand became manifest it was still necessary to develop suitable mechanisms, not embraced in the patent, for the production of sound from film. There had long been, ready at hand, knowledge of a device which would enable one skilled in the art to produce the film suitable for use in the phonograph."

"No Recognized Need"

"The bare fact that several inventors, in the early stages of sound reproduction, working independently of whose knowledge and skill in the photographic art we know little or nothing, failed to resort to a method, well known to that art, for printing a combination film for which there was then no generally recognized need, does not give rise to the inference of invention."

The projection patents claimed by Tri-Ergon centered around the use of a flywheel for securing uniformity of speed. Five of the seven claims in issue apply to this mechanism. The lower court did not pass on the separate claims, but found invention in a combination of elements not embraced in any single claim, the court pointed out.

"There is no serious contention, nor could there well be, that the combination as disclosed in the record fails to pass the translation point at which the sound is recording or reproducing. The invention is in the flywheel itself," the court said. "The flywheel has long been known, is used in a variety of ways, and was held by the Patent Office as early as 1873, upon application of Thomas A. Edison."

Harrissburg, Ergi had defendedParamount and RCA Photophone had defended the theatre circuits. This was a patent controversy based on the protection of users of their equipment against possible patent claims.

The infringement suit filed by the group progressed slowly through the courts until it was finally decided by the U.S. Circuit Court of Appeals at Scranton. The appeal was heard on the first and second appeals before the U.S. Supreme Court.

"Generally recognized was the October refusal of an appeal the courts of original jurisdiction in Harrissburg and Brooklyn prepared preliminary injunctions."

"Fantastical stories were afoot about the sums Fox might be able to collect through his foresight in buying the patents of two German inventors in the early days of the sound equipment. Fox had filed suit on the ground that the patents were acquired by Fox through funds of the Fox Film Corp. before Fox withdrew from the combination in 1922. As for the nature of the infringement, a disagreement is probable, but probably will not be prosecuted."

The infringement suit piled up before the German courts and the U.S. courts. After the major producers had been made defendants the cases were extended to other German theatres and theatre circuits and there were intimations that individual theatres throughout the country would be sued.

RCA announced it would remove flywheels and Ergi issued statements about inventions designed to avoid the double-printer infringement. Both defendants had cleared the ground by the high court ruling, on the ground they had not had time to study the record.

In a Scroony ruling the court awarded damages to Fox, and appointed a special master to hear testimony on the extent to which the pending court cases were automatically stayed when on Nov. 5 the Supreme Court agreed to rehear the case. The plea was made Oct. 8 on the ground that the lower court had reached an erroneous conclusion and that the intended threat to the industry as a result of the Fox suit made it imperative that the court should not refuse to consider the issue on the ground of a lack of conflict of decisions in the lower courts.

The inventions were the work of a trio of Germans, Hans Vogt, Joseph Massole and Jo Engel. The devices found their way to the United States when they were sold to American rights to them under the influence of W. T. Case, wealthy Devitt and Steward president of Lee De Forest, then associated with the Fox film interests in New York.

"Approximately $60,000 was paid by Fox for the rights to exploit the inventions in this country. American Pathe, later by agreement with Ergi, was formed to control them."

Pathe's Plan For New Setup Gets Approval

Ponies the Plan

(Continued from page 1)

dissolution of the company organized with authority to issue 30,000 new shares of new stock convertible preferred of $100,000 shares of new common of $1 par value. Holders of the old Pathe eight per cent preferred stock will receive one share of new convertible preferred for each share of old common for each share of the old, holders of the old Class A preferred will receive two shares of new common for each share of the old and common stockholders will receive one-twentieth share of new for each share of old.

The plan also authorizes the new company to issue collateral secured notes, of which not more than $4,000,000 shall be outstanding at any time. These notes will be convertible into new common stock and will be paid to the holders of the $2,027,567 principal amount of seven per cent sinking fund debentures outstanding, which will be called in May 1 at 103.

Only Three Objectors

Opposition to the plan at the meeting was from only three holders, who described it as placing a penalty on holders of the common stock to advantage of holders of the eight per cent and Class A stock. Stuart W. Webb, Pathe president, who presided at the meeting, answered an objection by an attorney that there was an accumulation of unpaid dividends of more than $8,000,000 on the preference stock and that without the reorganization common stockholders would have no chance of receiving dividends until that deficiency had been taken care of.

In response to a query put by a stockholder, Webb stated that Pathe had sold its share in the German company which directors of the company regarded production for the company unfavorable and that it was continuing its financing of outside production in conjunction with its laboratory activities. Webb also stated in reply to a written critique of a proposal to realize a "substantial" amount on the $1,690,049 of RKO notes it holds whenever RKO goes public. E. B. Derr, former Pathe production head, came from the coast to attend the meeting.

German Patent Case Stirs Wide Interest

WASHINGTON, March 4.—Action in Berlin by the Reich's Patent Office on January 31, in declaring void Tobin's doubleprint patent is a point of great interest both to the German and American film industries, the State Trade Commissioner George R. Canty, in Berlin, in a report to the U.S. Department of Commerce.

On Dec. 22 the German Supreme Court at Leipzig sustained decisions by the lower courts on the ground that the double-print patent of M. Tobin, of Tobin's Doubleprint Patent Office, London, was invalid. The double-print patent was of a device which the latter secured from the Tri-Ergon group in 1929.

In August, 1934, Friess A. G., a manufacturer of sound film recording sets, petitioned the Reich's Patent Office to declare void the Tobin patent on the ground that it circumscribed the so-called "Tobin" process, published in 1913, by one Friedrich Reimer. The Patent Office upheld this contention, and on March 4, found that the double-print method of recording sound on one negative, with the contention that this negative is cut longitudinally in two, with the result that each side may be played back in an independent developing of the two parts.

It is expected that the Tobin will appeal this decision before the German Supreme Court at Leipzig, but trade opinion in Germany veers toward the view that the Patent Office's decision will be upheld, thus throwing the entire question open again.
Proposed Paramount Board “Barren” of Ideas—Ernst

Declaring the proposed new board of directors of Paramount to be “barren” of creative knowledge and industry experience, Morris L. Ernst, attorney and member of the Vanderlip committee, one of the most important factors in the Paramount reorganization, stated in a letter to Paramount bondholders yesterday that he had “no faith that the board is worthy of the magnitude of the task and the exciting possibilities of the enterprise.”

Ernst’s views, exclusively disclosed by Motion Picture Daily on Saturday, accompanied the Vanderlip committee’s notification to Paramount bondholders that it had assented to the Paramount reorganization plan and asked bondholders to vote on the plan to deposit with the committee. Ernst approves the plan as “fair, but definitely deceptively,” centering his objections solely on the board makeup.

“Please, no one can deny,” the letter stated, “that the motion picture industry is suffering from the distrust and arm’s length dealing of all those who transact business in its present. In my opinion the first company that establishes real confidence in the market of talent will run away with the entire show.”

Ernst recommends representation for production talent on the board, men “who are familiar with entertainment, retail distribution and educational forces, and at least one person aware of movie export aspects.” He favors salaries for directors to create a duty to “render a substantial service to the company” and salaries for chairman of board committees. He also recommends a smaller board and notes that he has invited the Screen Actors’ Guild and Screen Writers’ Guild to prepare a panel of prospective directors of Paramount, one or more of whom would be chosen for the board. He favors some one of the type of George Kaufman.

While Ernst recommends to bondholders that they accept the plan in its present form, he urges them to communicate objections to the board to Federal Judge Alfred C. Coxe, and will voice his own objections at the next scheduled court hearing, April 4. He is known to be particularly opposed to John D. Hertz of Lehman Bros. as a board member.

The Vanderlip committee states that all of its other members “do not agree with Ernst’s views and believe that the proposed board of directors gives adequate assurance of competent management and follows out the principle that representatives of producers should control the board.”

Bondholders have until April 3 to assent to or dissent from the plan.

Wall Street

Walter Pdt. Rises 1 1/4 on Big Board

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Sam Wood Sells Novel

Hollywood, March 4.—Sam Wood has sold the screen rights to “We Are Three,” a novel which he purchased in Paris on his recent trip, to Carl Laemmle, Jr. If he completes his current United Artists picture, “Washington Correspondent,” by April 1, Wood will direct the story. The story was written by Marcel Tibelt.

Sprecher to Entertain

Marcel Sprecher, representative of Edward Fred., will entertain with the French film, “Itto,” will give a reception for the press the Wednesday afternoon at the Paramount. Sprecher is president of Union Syndicate des Distributeurs de Films en France.

Open Newburgh Academy

Harry Friedman has reopened the Academy, Newburgh, N.Y., which has been dark for the past two years. Publix was its last operator.

Paramount Lines Up 13 Groups at Studio

(Continued from page 1) in the order of listing and importance are: Henry, Herzbrun, vice-president and general manager; Ernst Lubitsch, managing director of production; Benjaim Glazer, Arthur Hornblow, Jr., Harold Hurley, William L. Baron, Albert Levin, Louis D. Lighton, Douglas MacLean, Charles R. Rogers, E. Lloyd Sheldon, associate producers. A. M. Botsford, listed as executive assistant to Henry Herzbrun; Fred Leahy, production manager; Frank Bramo, studio manager; A. C. Martin, studio comptroller; Jacob Karp, resident attorney for studios; Bogart Rogers, head of scene department; Jeff Lazarus, chairman of editorial board; Fred Datig, casting director; Nathaniel Finston, director of music department; Tom Daly, studio publicity director, and William Fite, studio advertising and exploitation director.

Grace Moore Gets Medal

Grace Moore has been awarded the annual fellowship gold medal of the Society of Arts and Sciences for her artistic portrayal in “One Night of Love.” This is the first time the award has been given by this society for achievement in film entertainment.

Holt to Collect Taxes

CLEVELAND, March 4.—Nat Holt, RKO theatre division manager, has received notice of his appointment as state deputy tax commissioner.

Watch for Karloff

[Image of an advertisement]
Legislative

Fights Near
Crucial Test

Legislative battles in a half dozen states are reaching a climax. All the law-making bodies in session are buying with increased tax proposals and are eyeing theater grosses keenly. Of the half dozen states, the greatest variety of proposals aimed at the industry.

In two other states, dog-racing bills and other proposals are causing worry.

SACRAMENTO, March 4.—The legislature resumed today after a recess with 12 of Governor Merriam's tax proposals and a half dozen independent measures for consideration.

The Governor's bills are facing some organized opposition. What will come out of the trades among members is anybody's guess.

In the Governor's program is an income tax bill to raise $17,500,000 by taxing at one-third the Federal rate; an increase of bank and corporation franchise taxes from two to four per cent; severance and processing taxes; admission taxes of one cent on 20 cents, with the first 20 cents exempt; increase of three to six per cent on motor transportation; increase of sales tax from two to three per cent; one cent additional on gasoline; three per cent consumers' tax on gas, electricity, telephone and telegraph charges; unemployment insurance, and a 30-hour week.

Labor Measures Included

Labor has its annual two-man-in-a-booth bill in; workmen's compensation bills are up; supervision of manufacture and production of films, their classification, and censorship are up.

A dog-racing bill is also before the House.

COLUMBUS, March 4.—Distributors are organizing a determined fight against the Waldo dog bill preventing designated playdates which has passed the Senate and is now before the House. The bill has the backing of the I. T. O., churches and Parent Teacher groups. A Senate bill raising the censorship fee from $1 to $3 per reel has been reported.

Winston-Salem, N. C., March 4—U. K. Rice, manager of Carolina Theatres, is leading the fight on the 10 per cent admission tax bill now before the General Assembly. He says the bill will have to be passed to the public, because theater taxes have increased from $1,199 to $170, 000 since 1928.

Boston, March 4.—Two Sunday sports bill reports were regarded as theatre competitors and the Bowery Tavern owners not likely to be impressed by the Committee on Legal Affairs. One permits Sunday basketball games, two to four P. M., and the other would legalize Sunday hockey games between 1:30 and 11 P. M.

JEFFERSON CITY, Mo., March 4.—New constitutional amendment to legalize lottery will be submitted to Missouri voters this year, which has been killed by the House, 3-1-45.

Another bill introduced by Represe ntative Frank Catron of Lexington to bar gifts and bank nights in theaters has been killed in committee on the grounds that the present lottery laws cover the subject.

Aigation over the various sales tax bills continues. Reports indicate that the House Ways and Means Committee will discard Governor Parker's one per cent sales tax plan in favor of a 1/2 per cent plan which would be used for continuation of the one-half of one per cent tax, but with its scope broadened to include all sales and services. Rural members have indicated they will fight this on the floor of the House and try to raise the rate to one cent. They practically control the House.

WILMINGTON, March 4.—Warners, Loew's and Delaware independent theatres are cooperating in a drive against Representative Henry C. White's bill in the House to permit free racing. The measure, if it becomes a law, will permit pari-mutuel betting.

The bill, sponsored by A. J. Vanni of the Philadelphia District which includes Wilmington; Loew's, headed by Carl Stimpson of the Baltimore; the I. M. P. T. O. of Delaware and the Eastern Shore of Maryland, led by President A. Joseph DiFerrro, are heading the opposition.

NRA Board Reports
Code Industry Gain

(Continued from page 1)

the financial situation of codified indus-tries for a period of three years.

In the motion picture and amusement industries, it is declared, operations for the first nine months of 1934 resulted in a profit of $2,500,000 against a profit of $2,250,000 for 1933 and a loss of $10,700,000 in 1932. A total of 490,000 workers in the amusement industries were covered by codes adopted up to August 8, it was stated.

The report does not claim that the improved conditions are the result of directly and entirely attributable to the codes, but gives the figures and lets the reader draw his own conclusions.

Deny Actors' Guild
Protests Extra List

Reports emanating from Hollywood that the Actors' Guild had protested the method of selection of the 1,004 names in the registration list of extras approved last week by Campi were denied at Code Authority headquarters yesterday.

"A such a protest has been made, it has not reached this office," it was stated. "Neither has the NRA in connection with the coast on the extras' list," it was said.

Equipment Dealers' Code at White House

President Roosevelt has before him ready for signing the code for film equipment dealers, which is a supple-ment to the wholesale code, Motion Picture Daily learns. It is probable that signature will be signed any day.

Joseph E. Robin, president of the Independent Theatre Supply Distributors Ass'n, Inc., was in Washington last week confering with NRA officials on the draft.

Surplus Code Funds Are to Be Divided

(Continued from page 1)

Excess of the 1934 budget will be credited as surplus through the first half of the current year, when it will be distributed to the last half of the year. If the NRA is continued, the money will be credited to contributors, each member of the independent division having pro rata share of the surplus due his division. If the NRA is not con-tinued, the excess will be returned. The budget also provides that distributors shall be assessed the amount of the surplus and shall, if the producers do not authorize the distributor to make payment of his share, however, the Code Authority may undertake collection and ask the producer for his gross figures, to be available to Campi only.

John C. Flinn, Campi secretary, yesterday said he could not estimate the surplus of the budget for 1934, since all assessments have not yet been paid. The Code Authority plans action as a correction in the order for the 1934 budget, following the most recent date for the collection of such assessments.

Exhibitors and distributors who had not yet paid assessments recently set a 15 day deadline extended to March 28 by Campi.

Ruling Sought Upon
Non-Theatre Shows

Clarification of the non-theatrical clause in the code as to its limitations was sought yesterday when, Thursday, when Code Authority will formally submit the request to the legal committee.

One of the main points involved is the angle of public institutions, among which are schools, which are permitted to operate in competition with theatres.

Paul Hooven of the Trimble, Mt. Sterling, Ky., yesterday said before a Campi appeal committee comprising Henry Sussman, Felix A. Jenkins and A. J. Myer, that approximately three schools in Morehead State Normal School, Morehead, Ky., operated two and three days a week. M. Harris, who appeared on behalf of the schools, stated that the Cozy, seating 250 in Morehead, was not fit for students and that the Cozy had asked the owner to equip the house, which he had re fused to do. The Normal school then spent about $7,000 to equip its auditorium for pictures, Harris stated, and has been operating for the past two years.

Century-RKO Charge
Up 4th Time Today

Fourth round in the Century-RKO charge dispute in Long Island takes place this morning when the local board resumes hearings in the case before the National Labor Relations Center, for elimination of a week's clearance by the Alden; Jamaica, and the Columbia and Strand, Far Rock away, reports.

Tom Murray will take the stand again with Mitchell Klutz, Century's president, and Nick Veltz, Century manager RKO, examining and cross question ing him when he left off Feb. 21. So far the time spent in hearing the case totals nine hours and from present indications may go another nine.

Nye Will Use Darrow Report
In NRA Probe

(Continued from page 1)

by the big producers, with the approval and assistance of Compliance Director Henry L. Condon, then deputy administrator, who, it is pointed out, was formerly an employee of Nathan Burkan, legal representative of the major film interests.

Throughout the negotiations, it is alleged, Rosenblatt took the position that there was no need for a separate organization in the industry and that he was justified therefore in appointing representatives, respectively, producers, distributors and exhibitors, to write and amend the code.

Recalling the fight of the independents, Nye reminds that they were barred from one of the Washington meetings "crucially affecting" their interests, that after Rosenblatt had prepared his first draft of the code they were not given time in which to prepare a brief for the record. The brief also refers to the alleged "white-washing" which followed the filing of charges against Rosenblatt by the independents after a Chicago meeting.

Criticizes Campi Makeup

Under the code, Nye alleges, the Code Authority is a quasi-judicial body, dealing controversially as it sees fit. The makeup of the authority, with eight representatives of producers hav ing affiliated film trade representatives of unaffiliated exhibitors, one of whom, it is charged, is a representative of the "big eight," is attacked as having the result of setting up a combination which never would have been tolerated under the Sheeser Act.

With his brief Senator Nye states that he had received a large number of complaints which had been submitted an abundance of evidence, and that many of the complainants have applied for arbitrations and produce documentary proof of their charges.

The committee meeting to-morrow will move with no hearings which are to be held, probably beginning next week, and also decide the question of counsel. Lowell Mason, former counsel for the Darrow Review Board, who was picked by Senator King of Ohio for similar work in connection with the proposed probe by a Senate judiciary sub-committee, is the bone of contention. King seeking to have him retained in that capacity and Senator Harrison, chairman of the Senate Finance Committee, holding that he is essential to the employment of special counsel.

Discuss F. W. C. Petition

Charles L. O'Reilly, Paul Lazarus and Sidney Justin met yesterday evening at the Fox-West Coast post office for a hearing on the Los Angeles clearance and zoning schedule. No action was taken, it is reported, by the west coast committee. Charles Buckley and William Powers of F.W.C. will appear before Campi Thursday to present arguments in certain phases of the plan deemed harmful to the circuit.
Remodeling

Most urgent today are the remodeling needs of many thousands of theatres. Owners will presently spend millions of dollars for lobby, auditorium, stage and exterior repairs, replacements, decorations and general renovizing. Better Theatres with its current emphasis on remodeling, drawing advice from the world’s leading architects, engineers and technicians, extends the value of every dollar spent—and shows more results. Its authoritative counsel, in its editorial pages and in its nation-wide correspondence service, is free to America’s exhibitors.

For counsel on your remodeling and maintenance problems—just write to Better Theatres—and a reply will be promptly forthcoming free of all "trade tie-ups" and without obligation.
“Lily” Pulls $6,000 Lead, Minneapolis

MINNEAPOLIS, March 4.—“The Gilded Lily” ( Warners) honors here last week by running up to $6,000 at the State here. St. Paul’s leader was “One More Spring,” which reached $6,200. Orono’s total was $7,150.

Total first run business in Minneapolis was $25,000. Average is $23.49. Total was $77,000. Average is $16,000.

Estimated takings:

Minneapolis:

Week Ending Feb. 27: 

“BIOGRAPHY OF A BACHELOR GIRL” (M-G-M)
CENTURY—(250), 25c-40c, 7 days. Gross: $4,150. (Average, $593)

“CHAN AND THE CHINESE” (Fox)
LYRIC—(1,328), 25c-25c, 7 days. Gross: $1,650. (Average, $235)

“The Whole Town’s Talking” (Col.)
ORPHEUM—(2,200), 25c-40c, 7 days. Three X Sisters heading vaude. Gross: $3,550. (Average, $507)

“The Gilded Lily” (Para.)
STATE—(3,000), 25c-40c, 7 days. Gross: $5,600. (Average, $800)

“TWO HEADS ON A PILLOW” (Liberty)
PALATINE—(1,750), 15c-25c, 7 days. Five acts vaude. Gross: $2,500. (Average, $357)

“The World’s First War” (Fox)
TIME—(2,000), 25c-25c, 7 days, 2nd week. Gross: $1,100. (Average, $157)

“The Iron Men of Britain” (M-G-M)
WORLD—(3,000), 25c-40c, 7 days. Gross: $5,500. (Average, $786)

“St. Paul:

Week Ending Feb. 28:

“ONE MORE SPRING” (Fox)
PARAMOUNT—(2,350), 25c-40c, 7 days. Gross: $6,000. (Average, $530)

“BORDERTOWN” ( Warners)
RIVERVIEW—(1,800), 25c-40c, 7 days. Gross: $1,500. (Average, $214)

“SEVEN DAYS” (Para.)
ORPHEUM—(2,000), 25c-40c, 7 days. Five acts vaude. Gross: $4,500. (Average, $642)

“The White Cockatoo” ( Warners)
WORLD—(2,000), 25c-40c, 7 days, 2nd week. Gross: $1,500. (Average, $214)

“Town’s Talking” — Big Buffalo Draw

BUFFALO, March 4.—“The Whole Town’s Talking” drew $10,200 at the Lafayette where $5,500 is normal, while “Sweet Music” and the Thurston show was upping the Buffalo gross to $18,100, or over $3,800. Snow, ice and bitter cold held sway until near the end of the week.

Total take was $50,300. Normal is $42,200.

Estimated takings for the week ending Feb. 27:

“SWEET MUSIC” ( Warners)
BUFFALO — $1,000, 36c-56c, 7 days. Stage: Howard and Jane Thomas Co. Gross: $18,100. (Average, $2,560)

“MYSTERIOUS WOMAN” (Fox)
CENTURY—(3,000), 25c-40c, 7 days. Gross: $1,200. (Average, $169)

“BIOGRAPHY OF A BACHELOR GIRL” (M-G-M)
FRENCH—(2,500), 5c-5c, 8 days. Gross: $3,440. (Average, $337) 

“whole Town’s Talking” (Col.)
LAFAYETTE—(2,500), 25c, 7 days. Gross: $10,200. (Average, $408)

Austro-German Pact Renewed For a Year

WASHINGTON, March 4.—The Austro-German film agreements, which for several years, has been renewed for another year, reports Trade Commission George R. Canty, in Berlin, to the U. S. Department of Commerce.

The agreement, according to Commission Canty, includes the following points:

1. Markets are assured, respectively, for 120 German and 12 Austrian feature at an exchange ratio of 1:1. With the exception of existing agreements. If either party to the agreement is unable to export up to the fixed total of the other. All additional features beyond the limits set will be subject to the ratio of 1:1.

2. The exchange of educational and other short films is also on the ratio of 1:1.

3. Both countries agree to assist each other in obtaining of the Austrian actors, who have been forced into indefinite unemployment in their own country, will be permitted to work in Germany without encountering difficulties, provided they conform to existing regulations regarding “Arman deputation of citizenship.” Similarly, German actors will be allowed to work in Austria so that both countries assure the safety of the Austrian state.

German further agrees to lend assistance in the matter of locations.

Wright Gets M-G-M Post

Hollywood, March 4.—William Wright, former Paramount producer, got back from New York today and signed as production assistant to David O. Selznick at M-G-M.

General Upswing Is Reported by Moray

MINNEAPOLIS, March 4.—Norman H. Moray, Vitaphone sales manager, here on a tour of the company’s exchanges, finds conditions on the up-grade in the key spots he has visited.

“Unquestionably, conditions have improved tremendously,” said Moray, and a definite note of optimism everywhere. Good pictures are doing excellent business. To date I have visited Albany, Buffalo, Pittsburgh, Cleveland, Detroit, St. Louis, Minneapolis and Chicago and have conferred with exhibitors in each of these cities. Everywhere I get the same reaction, that theatre business is on a definite upturn.”

Moray, now here, will visit all of the company’s branches and exhibitors in each territory, with a view toward setting next season’s lineup.

Switch on Sunday Bill

DOVER, Del., March 4.—On motion of Representative Walter Paskey the House today voted to recall the favorably report on Representative James M. Brogan’s bill to legalize Sunday movies after 1:30 P.M. by local option. The measure was referred back to the House Committee. Paskey said he had signed the favorable report by mistake.

House OK’s A.T. & T. Quiz

WASHINGTON, March 4.—The Senate resolution calling for an investigation of the A.T. & T. and other subsidiaries by the Federal Communications Commission today was approved by the House. The resolution will next go to the President for his signature.

“Devil Dogs” Leads Omaha; Gets $7,800

OMAHA, March 4.—A week-end blizzard did not deter the “Devil Dogs of the Air” from making a total of $7,800, or par by $3,800.

“Charlie Chan in Paris” was helped by a stage bill and grossed $5,200 over the line by $700 at the Paramount. The other profittable combination was the dual at the Brandon, “The Whole Town’s Talking” and “Maybe It’s Love,” which took $4,000.

Total first run business was $26,000. Average is $2,500.

Estimated takings:

Week Ending Feb. 27:

“DEVIL DOGS OF THE AIR” (Warners)
OMAHA—(2,350), 25c-40c, 8 days. Gross: $7,800. (Average, $975)

Week Ending Feb. 24:

“CHARLIE CHAN IN PARIS” (Fox)
PARAMOUNT—(1,500), 25c-40c, 3 days. Gross: $4,200. (Average, $1,400)

“THE WHOLE TOWN’S TALKING”
PARAMOUNT—(2,400), 25c-35c, 4 days. Gross: $4,000. (Average, $1,000)

“MAYBE IT’S LOVE” (Fox)
BRANDON—(1,750), 25c-40c, 6 days. Gross: $3,600. (Average, $600)

“BIOGRAPHY OF A BACHELOR GIRL” (M-G-M)
WORLD—(3,000), 25c-40c, 7 days. Gross: $7,800. (Average, $786)

Goldwyn Will Have Six Upon New List

(Continued from page 1) of the highlights of his new schedule. This revised, international in scope, list will sketch important events of the United States and throughout the world each year. The Golden Follies, as it is now called, will contain a leading film star and two names from the musical stage in the leading roles.

Upon his return from Europe in April, Goldwyn will start production on his first picture, “Dark Angel,” which will be directed by Sidney Franklin. Miriam Hopkins will be starred in the second picture, “Bar- bara Cowan,” under the direction of Howard Hawks. Eddie Cantor will start work in June on his first. The fourth Goldwyn vehicle will also star Miriam Hopkins in a story now being prepared by Rachel Crothers. The Goldwyn Follies will go into production in September and the sixth picture will star Anna Sten in her fourth for Goldwyn. This lineup will be his heaviest production in the last 10 years, Goldwyn said.

Dave Frazier to Denver

SALT LAKE CITY, March 4.—Dave Frazier, manager of the Sheffield-Monogram exchange, has been transferred to the Denver exchange, and his place here has been taken by Arthur Huot, who comes from Seattle.
Campi Awaits Direct Aims Of Criticism

Holds Exhibitor Charges Should Be Specific

Unless the various charges against Campi are approved in the legislature, there are prospects for an increase in code cancellation privileges, sought in the form of resolutions by the M.P.T.O.A. at its annual convention last week in New Orleans. The charges are presented formally to the Code Authority for investigation, the body which has taken part in the oral discussions, Motion Picture Daily learns.

Morgan Walsh’s attack on local boards has shown the lack of local autonomy and recommendations for changes in Campi’s setup are not specific enough for Code Authority action. When it is assumed that Walsh’s attack on local boards is directed against the San

Continued on page 4

Extras’ List Stirs Curiosity on Coast

HOLLYWOOD, March 3.—Speculation is rife here as to the 1,000 names on the extras’ registration list approved by Campi last week in New York. The list was prepared from 20,000 possibilities by three representatives from the extras’ group, three producers’ representatives and Mrs. Mabel Kinney, chairman of the committee on extras.

The local Campi office will not make the list public until the acceptance is completed by Campi.

Continued on page 4

Fight Organized on Connecticut 5% Tax

HARTFORD, March 3.—Exhibitors are fighting a five cent gross tax now pending in the legislature. It would be a twelfth added to the 11 different kinds of taxes they already have to pay. They are also fighting a censorship bill.

The committee in charge of the campaign includes Joseph Solomon, an attorney, and Jack Simpson of Poli’s.

Continued on page 9

Skourases to Sign Contract This Week

Spyros and Charles Skourases are slated to sign the 10-year joint operating contract with National Theatres and Chase National Bank.

Continued on page 2

Insiders’ Outlook

By RED KANN

New Orleans, March 3.

They met. They let off steam. They resolved. They are gone. And now, so what? For a handful of years, the M. P. T. O. A., in convention assembled as the expression goes, went on record as opposed to what looks like the perpetuation, rather than the continuation, of score charges. It did it again recently. Los Angeles a year ago, duals fell under the shadow of official displeasure and producers were urged to slash output. So score charges continue with us; duals are still around and producers are making whatever preparations they set up for themselves.

Since exhibitors are too indifferent, too lackadaisical, too shortsighted to get for themselves a virile, two-fisted trade association they will continue to get what the organized producer and distributor determine for them. Because there is no reason to believe otherwise, New Orleans will, therefore, go the way of Los Angeles, Washington, Philadelphia and other convention cities which have rolled by the M. P. T. O. A. right of way.

Hot words tumbled over the spillway on several occasions and, while they made pretty good copy, they didn’t make very much sense. For instance, there were those wild-eyed statements about scrapping the code when its expiration date comes June 30. Just like a film deal! Merely write the name in the White House that theatre owners are fed up and don’t want to be annoyed further. Nothing to it other than a letter on an M. P. T. O. letterhead and signed by President Ed Kuykendall.

It was a ridiculous spectacle. The audience of the idea was so apparent that the wonder which beset this ringmaster was that no one but Bob Willy of Atlanta checked the tirade. He, of course, knew how silly such gassing was and dismissed the posture both neatly and effectively when he said: “I don’t want the code. I don’t want rain on Saturday any more than I want the code, and if you can rid that for me I’d like it.”

Jack Miller branded Motion Picture Daily’s Thursday lead unfair. This was the dispatch which said code scrapping and other talk on the floor were designed to make a trade on revisions stronger.

Unless, of the war drums beaten here were pounded hard for exactly that purpose and by way of preparation for the jockeying back and forth when the M. P. T. O. A. begins to grapple with distributors for a more liberal bill of rights.

Everything in the film business is a deal and so is the code. It was actually admitted on the floor, but suppose it hadn’t?

The conclusion is as obvious as the “R” in Rosenblatt. The strike for 20 per cent cancellations, therefore, will be settled, and gladly, at 15. The bid will go in at 20 and the compromise, if there should be one, will be accepted on a split. It’s done every day in the year.

The same idea stepped into the picture from another angle. This was when Morgan A. Walsh, spokesman for the committee on NRA trade practices, cried across cancellations with public agitation for removal of block booking. “If distributors won’t give you 20 per cent, it is up to exhibitors to determine whether they will follow the wishes of the public, as evidenced by anti-block booking bills introduced in many legislatures, or the wishes of the producers,” he said. This was a direct reference to M. P. T. O. A.’s plans to barter for cancellation concession by intimating it otherwise will get behind opponents of sales in blocks. Is it a trade or is it a trade?

Speculation might then be in order as to the intent behind the

Continued on page 2

Report Chill On Schenck’s Fox Met Deal

Bondholders Are Said to Have Other Offers

A distinct chill on the part of the bondholders’ committee of the Metropolitan Playhouses toward the plan of reorganization for the circuit decided by the Supreme Court, its spokesman said, would result in placing Joseph M. Schenck at the head of the new company, was reported Saturday to be in evidence, causing sweeping revision of the original plan and resulting in delay in its presentation to the court.

Back of the Fox Met bondholders’ committee’s reputed disinterestedness in the Fox Theatres-Schenck offer is said to be the presence of new competitive offers for Fox Met and the unwillingness of the committee to close the bidding to these new interests by any quick acceptance of the Fox Theatre plan. Reports persist that Harry Brandt, with the financial backing of William Fox, is still in the field with

Continued on page 4

Approval of Pathe Plan Is Expected

Approval of the plan of financial reorganization of Pathe Exchange, Inc., is expected at the extraordinary meeting of stockholders to be held today.

Under the plan the old Pathe company will be dissolved and a new company formed which will be authorized to issue 30,000 shares of new $7 convertible preferred stock and 2,000,000

Continued on page 3

Expect Decision on Tri-Ergon Patents

WASHINGTON, March 3.—The possibilities of the Supreme Court handing down its decision Monday on the American Tri-Ergon patents litigation appear to be good, study of the cases now before the high court indicates.

Final disposition of a number of

Continued on page 3

Roder-Rubin Hearing Will Go on April 8

CHICAGO, March 3.—Judge Woodward of the U. S. District Court here has set April 8 for calling witnesses and the giving of testimony in the Roder-Rubin case, marking an initial

Continued on page 2
drastic committee-on-five resolution. On paper, it went so far and would bring about such a radical change in code admini-
tration that one national code manager tentatively cancelled his
reservations Thursday night be-
cause he thought he had better stick around. This is the action which calls for group of five to con-
fer with Compliance Director
Sol A. Rosenblatt on these points, the
language excerpted from the text of the resolution itself:

Whereas, it is apparent to this
organization that in the past
such administration (of Campi)
has not always been prompt, the
latter charged with prejudice on
the part of individual members...

Whereas, this organization be-
lieves that certain changes and
amendments shall be made in
the motion picture code...

Be it resolved, that a com-
mittee of five confer with Sol A. Rosenblatt . . . to recom-

(a) Permit of reorganization of
the Code Authority, to pro-
vide for more equitable represen-
tation of the various de-
partments of the industry and
the various sections of the coun-
try.

(b) Provide for greater au-
thority on the part of the local
grievance boards with the judg-
ments of the local boards be-
coming immediately effective
and operative until and unless
revised or modified by the Code
Authority.

(c) Provide for review by the
Code Authority of matters or
findings of fact resulting in de-
cisions by the local grievance
and zoning boards only when
such review is necessary to es-
tablish or support the legality
of the local board’s decision.

Not a simple program. Rosen-
blatt stated here Campi and
 code agencies had demonstrated
their fairness. He was almost
openly raved by subsequent
speakers for the sweep of his
statement. Wilby was it who
pointed out that a Campi with
members who never attend any
sessions was not in the Campi
provided in the code and, of course,
is correct. When he also
stated that the system of alter-
native and appeal committees
prevailed in New York complete
with the spirit, if not the letter of
the code, he again was correct
and pointed up the legitimate
question if something should not be
done about . . . .

Will it? Resolutions won’t and
an exhibitor association which
admittedly gets the bulk of its
financial support from affiliated
theaters probably cannot. At any
rate, New Orleans was swell for
parties, food and wet goods.
Socially, the convention was a four-
star success.

Arthur Caesar Winner

Due to an error in reporting, the
Award for the best original story
was given to Oliver H. P. Gar-
rett and Joseph L. Mankiewicz by
Motion Picture Daily. The story
should have given credit to Arthur
Caesar, who wrote the original
story winner, “Manhattan Melodrama,”
and not to Garrett and Mankiewicz, who
did the screen play from the Caesar
story.

Chubie, Zukor Talk

Hollywood, March 3.—B. P.
Schulberg has been in conference
here with Adolph Zukor at the Paramount
studios, but both men refused to dis-
close the purpose of the meeting. It
is reported, however, that Schulberg
and Zukor are talking another deal
whereby the former will again pro-
duce pictures independently for Para-
mount release as he did last year.

Skourases to Sign
Contract This Week

(Continued from page 1)
this week. Details of the agreement
have been worked out and Leo Spitz,
who has been retained by the Skour-
ases to handle the contract, is now
completing its final wording.
Charles Skouras, Charles Buckley
and Mike Rosenberg plan to leave
for Los Angeles about the middle of
the week, by which time the Skour-
as will have signed the agreement.

Roder-Rubin Hearing
Will Go on April 8

(Continued from page 1)
jury for the plaintiffs over the
defendants’ motion for dismissal.

The setting of a date for the trial
upsets the contention of the defense
counsel that the case belongs before
code boards and established a point
in the Federal court’s taking cogni-
tion of the Sherman-Clayton Act
violation charges.

Skouras in St. Louis

KANSAS CITY, March 3—After all
day conferences here with Elmer
Rhoden on Fox Midwest reorgani-
tation and other matters, Spyros
Skouras left yesterday for St. Louis.

Buck Jones Re-Signed

Hollywood, March 3.—With tow
more features yet to complete under
his present contract, Universal has
signed Buck Jones to a new contract
calling for one serial and eight adven-
ture features starting April 15.
DAY

Looking 'Em Over

"Gold Diggers of 1935"

(First National)

NEW ORLEANS, March 3.—The big noise in "Gold Diggers of 1935" is two lavish musical numbers which are standouts in the point of camera work, dance production splendor, unique conception and optical illusion. They are sufficient to set this musical into the money division. Busby Berkeley, who directed the attraction, however, was not quite so fortunate in the story that ties the production splurges together.

The story has to do with the eccentric millionaires, played by Alice Brady, who goes into her usual summer show for the Milk Fund and hires Adolphe Menjou, a tempestual Romanan producer, to stage it. A parallel theme traces the love yarn of Dick Powell and Gloria Stuart with Hugh Herbert supplying the major portion of the comic elements as the wealthy fiancée of Miss Brady, who will raise interested in the history of snuff. The direct story thread, which is actually an excuse for the production numbers at the close, is played so broadly it borders, if it does not invade, the realms of slapstick. However, the "Piano" and "Broadway Lullaby" numbers will click with any audience, the effects achieved are novel and arresting. The Broadway number, combination of the modernistic and impressionistic, struck this reviewer as by far the better of the two.

At its Saenger Theatre debut, which broke up early yesterday morning, audience reaction was all for the picture. Production Code Seal, No. 580. Running time, 95 minutes. K. AN N

"Square Shooter"

(Columbia)

Tim McCoy again goes villain-busting in "Square Shooter." And again he goes about it in a way that will raise the blood pressure of his fans. It is fast entertainment mixing romance with action.

This time Tim is out to get those who, through a forged will, have seized his uncle's ranch after killing him. The men he is after are Charles Middleton and Wheeler Oakman, who have been preying upon the ranch folk. McCoy rallies those who have been victimized around him and gives the villains a taste of their own medicine. This makes Middleton and Oakman mighty keen to put a hole in Tim, who has a number of close brushes with the fellows.

The villain gets blackest when Tim puts one over on Middleton and Oakman by getting hold of the original will by his uncle and making off with it under a hail of lead from the villains' guns.

McCoy almost comes to grief when John Darrow, his pal, in love with Jacqueline Wells, becomes so jealous of Tim that he reveals his hideout to Middleton and Oakman. When McCoy is captured and put in jail, Pauline Lord also becomes remorseful and goes for aid.

At the end the romantic problem is solved and the villains are caught.

Ervie Alderson and J. Farrell MacDonald are other players. David Seiman directed. Code Seal No. 499. Running time, 53 minutes. "G."

"School for Girls"

(Liberty)

In the style of "Maiden in Uniform," this production spins a story of reform school life with a sentiment that make it generally pleasing entertainment for the feminine trade. Mingled with the tears is enough humor to save the production from being depressing.

The problems of the young girls, their little tragedies, their yearnings for the world outside, their bitterness—all these are depicted with sympathy and with dramatic force.

The scenery of the inmates for a more tolerant attitude toward their plight is the motivating force behind the drama. The story centers around Sidney Fox, who lands there on an unfounded grand larceny charge. A romance develops between her and Paul Kelly, a member of the board of the institution, who, convinced that Miss Fox is innocent, befriends her. But Linda La Verne, the head of the establishment, not only is cruel to the girls but a grafter as well, goes to the governor with a plea for an investigation.

Before Miss Verne can be put on the carpet she is murdered by Lois Wilson, one of the matrons on the side of the girls. The film ends with Miss Fox free and in Kelly's arms and Miss Wilson headed for an easy stretch.

Other good nuns in the cast are those of Anne Shirley, Dorothy Lee, Toby Wing, Dorothy Appleby. Russell Hopton, Barbara Weeks. Three former stars, Charles Ray, William Farnum and Anna Q. Nilsson, have small parts. William Nigh directed.

No production code seal. Running time, 73 minutes. "G."

Approval of Pathé Plan Is Expected

(Continued from page 1) shares of new common of $1 par value. The new stock will be distributed on the basis of one share of convertible preferred and five shares of common for each share of the old eight per cent preferred. Two shares of new common for each share of old Class A preferred, and one-twentieth of a share of new common for each share of old common.

The plan also provides for authori- zation of the new company to issue collateral secured notes, of which not more than $4,000,000 shall be outstanding at any time. The notes will be convertible into new common stock and may be applied to the retirement of the $2,027,500 principal amount of seven per cent sinking fund debentures outstanding and to obtaining working capital.

While it is learned that Pathé has no immediate plans for reentering production itself, the company will continue its financing of independent production as a correlative activity to its laboratory interests. Capital for the financing of outside production may be derived, when required, from the issuance of the new convertible secured notes.

New directors will also be elected under the plan, but it is anticipated that most or all of the directors of the old company will be elected to the board of the new. The present of officers, headed by Stuart W. Webb, president, are also expected to be re-elected at a meeting of the new board to be held later.

Under the stock corporation law of New York the reorganization plan may be approved at today's extraordinary meeting if it has the approval of a majority of the stock represented at the meeting, rather than by a majority of the total stock outstanding. Sufficient proxies to assure adoption of the plan have been received by the proxy committee, it is reported.

Open in Denver Mar. 21

After the Orpheum in Denver returns to RKO on March 14, the house will be closed for a week for alterations and reopened March 21 with "Robertta" as the initial attraction. Floyd Maxwell is being transferred from Portland, Ore., to replace Ber-nard Hynes, who is now managing for Harry Huffman.

Radio Re-Signs Reid

Hollywood, March 3.—Clifford Reid has signed a new two-year contract as a radio associate producer.

La Hilt's Tavern

A chop house
of exceptional merit

156-8 West 48th St., N. Y. C.
Report Chill On Schenck’s Fox Met Deal

(Continued from page 1)

what may be a tempting offer to the Fox Met committee. Unconfirmed
rumors indicate that Warner’s Si Fabian is interested in presenting some
sort of offer to the committee, and, as yet, unconfirmed reports of con-
siderable significance are known to have made overtures to the Fox Met
bondholders.

The result of the interest being dis-
played in the circuit has been to place the bondholders in an advantageous
bargaining position, thus making it necessary to revise the Fox Theatres-
Schenck plan in material respects, all of which have already been made
advantageous to the Fox Met bondholders than was proposed in the original
offer. This revision is under the direction of Milton C. Weisman, re-
ceiver of Fox Theatres, and Schenck, who has yet to declare his stance on
the plan, or an outline of it, to the Federal court. Originally, it was expected
the plan could be given to the court a
week ago. Queried late last week, Weisman stated that no date for a
court hearing was in prospect yet. Repeated efforts to reach Weisman on
Saturday for comment on the new re-
ports in explanation of the delay were
unavailing.

However, a reliable source dis-
closed that the first draft of the re-
vised Fox Theatres’ plan had been
completed and would be presented to the
court about Wednesday. This source admitted that competitive bid-
ders were in the field, minimizing their significance and discounted the
reports that the Fox Met committee had “chilled” on the Fox Theatres’
plan.

“We confidently expect this plan to
go through and be accepted,” this
spokesman said. “The delay in pre-
senting the plan means nothing more than the usual lawyer nuisance.
Haven’t you ever worked with a
bunch of lawyers?” he asked.

Van Schmus Denies
Deal with Schenck

Hollywood, March 3.—W. G. Van
Schmus, managing director of the
Radio City Music Hall, is on route to New York tonight to close out a
two-weeks’ visit here for the purpose of
getting a closer view of production
and for conferences with Radio city
officials. Before leaving for the east, Van Schmus denied his trip had any-
thing to do with Joseph M. Schenck, who has already returned minimized
on a proposed deal giving the Music Hall preference to United Artists pictures.

New SMPE Honor Medal

The Society of M. P. Engineers has
created an award known as the Progress Medal to be presented this
year to an individual in recognition of any outstanding invention, research
or development which in the opinion of the Progress Award Committee
shall have resulted in a significant advance in the development of film
technology.

Campi Awaits
Direct Forms Of Criticism

(Continued from page 1)

Francisco films, no formal complaint
has reached New York.

Campi’s directors’ meeting in
Washington, took a sock at the
code in the form of resolutions which
were sent to various Allied units. At
annual sessions in the past year, have taken
exception to the main setup in New
York. In addition, the regional organi-
sations have gone on record for code
changes, but Campi holds these
charges have no weight unless
they are specific and filed in the
proper order.

When Allied invaded Atlanta some
months ago, the first resolution passed
was for revamping of the local griev-
ance board. A complaint that the
board was unbalanced was made to
Campi. After investigation of two
men whom Allied sought to have
removed, Code Authority decided to
continue the set-up as constituted.

Sam Moross, assistant to John C.
Flinn, was sent to the southern city
with a report that the local boards had a clean record.

Constant Checkup by Rosenblatt

Activities of local boards and Campi
are being constantly checked by
Compliance Director Sol A. Ros-
enblatt, who receives reports from
impartial men sitting on the 64
boards. Deputy Administrator Wil-
liam P. Farnsworth, alternating for
Rosenblatt, is responsible to him.
In addition, the regional organi-
sations have gone on record for code
changes, but Campi holds these
charges have no weight unless
they are specific and filed in the
proper order.

The M.P.T.O.A. is represented on
Code Authority by Ed Kuykendall, his
Allied by Nathan Yamin. Whether
Kuykendall will present to Campi the
resolutions adopted at the New
Orleans convention is up to the M.P.
T.O.A. head. He is not expected at
Thursday’s meeting, but will prob-
ably be on hand at the next session.

Extras’ List Stirs
Curiosity on Coast

(Continued from page 1)

on March 7. The resolution also will
be sent to Compliance Director Sol A. Rosenblatt, who is un-
derstood to be vitally interested in the extras’ activities.

All applicants on the extras’ list
have been working at the studios, which usually call on the Central Cast-
ing Agency for replacement.

The list does not provide for a
closed shop at any of the studios,
inasmuch as casting directors can
hire persons for atmospheric roles
outside the list, it is stated.

“Sunset Range”

(First Division)

Hollywood, March 3.—This is the first western on the newly formed
First Division program and it should click adequately with patrons of
westerns. Following closely on the heels of its star’s, Hoot Gibson’s
personal appearance tour throughout the country, exhibitors can take
advantage of this for pre-release ballyhoo.

Touched with a modern gangster angle, the story has Mary Doran
innocently going to a newly purchased ranch with a trunk full of bank
robbery money. Will the girl consent to Cooney’s scheme to bring in
Miss Doran’s brother, James Eagles, is roped in with the gang and forced
to go through with the hot money job despite his protests. The
romance between Miss Doran and Gibson begins when she arrives at the
ranch where he is foreman. The gangsters finally show up to collect the
stolen dough and a chase begins with the hard riding cowpuncher put-
ting the gangsters on the spot with Gibson and Miss Doran riding to the
altar at the fadeout. Ray McCarey directed from an original by Paul
Schofield. Editor Ralph Dietrich did a smart job in the chase sequence.
Gibson’s followers should like this one. No Production Code Seal.

Running time, 52 minutes. “G.”

“Big Boy Rides Again”

(Beacon Productions)

Hollywood, March 3.—The producers of this one have combined a
western and mystery story with novel effect, making a picture that
compares favorably with others in this class.

“Big Boy” Williams, as a hard-riding two-fisted man, is
offered opportunities to ride and makes the most of them. despite the fact
that the story involves kidnapping, buried treasure and murder, plot
complications are all made secondary to the show of riding and outdoor
action. In this, Charles Francis, Vic Potel, Len McKee and Bad Osborne appear
in support. All roles are handled suitably. Albert Herman directed with
supervision by the Alexander brothers.

It bids fair to do well in neighborhood houses. No Production Code Seal.

Running time, 57 minutes. “G.”

“Looking ‘Em Over”

(Paramount British)

London, Feb. 18.—Leslie Henson and Frances Day are the attractions
held by money in good comedy situations and good lines. She has attrac-
tive song numbers and a dash about her, the eye pleasantly.

There is a suitable role, which might have been bigger, for Robertson Hare
as Henson’s secretary. That other British comedy certainty, Alfred Dray-
ton, clicks as a purveyor campaigner.

The story, from a stage farce, is about Lord Pye, who is persuaded
by his elderly uncle, Samson, to head a Purity League, which is heartily
supported by an obedient tenantry and grows space, so that Pye finds
himself called upon to address a large public meeting. He loses a train and,
finding himself in London, decides to investigate vice on the spot, and
being the accepted of a fetching cabaret star without realizing that she is his
own step-daughter. Complications due to the unexpected arrival of Lady Pye
are balanced by the fact that she has been keeping her dancer-relative a secret and it ends with purity at a
heavy discount and everybody happy and unexposed.

Technical values are not too good, the cabaret scene including
badly with Hollywood standards.

Running time, 75 minutes. “G.”

Veiller and Para. Part

Hollywood, March 3.—Bayard
Veiller’s contract with Paramount as
associate producer has been termi-
nated by mutual agreement. The pact had
until May 15 to run. Veiller will take
a three-month rest in England.

Leo Freedman on Coast

Hollywood, March 3.—Leo Freed-
man of the Columbia home office, has
reported to the studio and will serve
as contact for the trade press in the
publicity department. Miss Lee Ro-
nell will handle fashion features.
"YOU'RE IN THE MONEY"... AGAIN!
FINALLY, AFTER TWO YEARS OF PREPARATION, WARNER BROS. BRING YOU THE SUMPTUOUS SUCCESSOR TO THE SHOW THAT BEAT THE DEPRESSION--THAT SAVED THE LIVES OF SCORES OF THEATRES--THAT BROKE RECORDS IN 87 LANGUAGES!--PROUDLY WE GIVE YOU THE GREATEST "GOLD DIGGERS" OF THEM ALL...
AND NOW THE WHOLE BIG SHOW WITH ITS 100's OF GIRLS
SHUFFLIN' OFF TO NEW ORLEANS FOR A RED
at the Saenger! First pre-release date selected from scores of booking requests a
BACKED BY THE EXPLOITATION BUILDUP ON

GOLD DIGGERS

JUST A FEW OF
THE SWELL NUM-
BERS!

THE BALLET OF
The BABY GRANDS
with 50 grand pianos
in amazing "dance
formations"!

"THE LULLABY
OF BROADWAY"
Already famous hit-
song breath-takingly
staged by Berkeley
ITS INCREDIBLE BERKELEY SPECTACLES, ITS 12 GREAT STARS, IS
FIRE WORLD PREMIERE MARDI GRAS WEEK

The meeting Warner Bros.' announced promotion requirements, because it will be
THE WORLD-FAMED MARDI GRAS FESTIVAL!

"THE WORDS ARE IN MY HEART"
Another of the great songs by Warren &
Dubin, original "Gold Diggers" composers

"I'M GOING SHOPPING WITH YOU"
Still another of the song successes which have been radio-plugged for weeks

The story and the most superb spectacles yet screened directed exclusively by Busby Berkeley

* Winifred Shaw, Dorothy Dare Joe Cawthorn, Grant Mitchell, and the internationally famous dance team—Ramon & Rosita A First National Picture
**Hollywood Personalities**

Hollywood, March 3.—Jerry Hutchinson, former Radio stenographer, signed an $18,000 contract to play "Hurray for Love." Harry Rapf back to hospital for slight operation. Carl Chase, recovered from work. Robert Young gets another year with M-G-M.


...Maxwell Anderson and Hans Slekzy wind up their writing assignment at Paramount.


**"Ruggles" Denver Smash at $9,000**

Denver, March 3.—"Ruggles of Red Gap" was a sensation here last week at the Denham where it played up to a $9,000 gross. Total first run business was $23,700.

Estimated takings for the week ending March 1:

- **DAVID COPPERFIELD** (M-G-M) Fifth Avenue—$2,900, 23-cs-35c’s, 4 days. Third week. **"THE GILDED LILY"** (Para) Fifth Avenue—$1,900, 23-cs-35c’s, 3 days. Gross: $2,300. (Average, $770)
- **"BROADWAY BILL"** (Col) Liberty—$1,900, 23-cs-35c’s, 7 days. 4th week. Gross: $3,800. (Average, $540)
- **"THE GOOD FAIRY"** (Univ) Music Box—$1,500, 23-cs-35c’s, 7 days. (Extended run from Music Hall) Gross: $1,600. (Average, $228)
- **"SWEET MUSIC"** (Warners) Million Dollar—$1,200, 23-cs-35c’s, 7 days. Gross: $2,200. (Average, $314)
- **"MURDER ON HONEYMOON"** (F. N.) Orpheum—$500, 23-cs-35c’s, 7 days. (Extended run by Dave & Co.) Gross: $500. (Average, $71)
- **"THE MYSTERY OF EDWIN DROOD"** Orpheum—$300. (Average, $43)
- **"REPLACEMENT GIRL"** (M-G-M) Biography—$600. (Average, $86)

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**"Honeymoon," Show Lead in Providence**

Providence, March 3.—Combination vaudeville and film bills continue to take top billing here with the RKO Albee coming down the week’s stretch with a take of $10,000 for "Murder on a Honeymoon" and the Proctors’ "Ballyhoo." The show was new in the stage. Fay’s next in line with "When a Man’s a Man" and "Memory Lane Revue." The take here was $7,900. Loew’s State was close to average with "After Office Hours" garnering $11,000 and Ruby Valley’s "Sweet Agnes" average by $1,000 at the Majestic.

Total first run business was $46,100. Estimated gross: $51,000.

Estimated takings for the week ending Feb. 29:

- **"AFTER OFFICE HOURS"** (M-G-M)
  - The Wedding Ticket—$2,000, 1st-45c, 7 days. Gross: $2,300. (Average, $328)
  - **"WHEN A MAN’S A MAN"** (Fox)
    - Fay’s—$1,000. 3rd week.
    - Memory Lane Revue. Gross: $700. (Average, $100)

- **"MURDER ON A HONEymoon"** (Radio)
  - RKO Albee—$1,000. 4th week. Stage: Hoyt’s Music Hall Goliots. Gross: $1,000. (Average, $250)
  - **"SWEET MUSIC"** (Warners)
    - Majestic—$1,000. 2nd week. Gross: $1,000. (Average, $250)
  - **"WOMEN MUST DRESS"** (Monogram)
    - Strand—$200. 5th-45c, 7 days. Gross: $200. (Average, $28)
  - **"FLIGHT"** (First Division)
    - RKO Victory—$600. 25c-35c, 4 days. Gross: $1,300. (Average, $325)

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**Fight Organized on Connecticut 5% Tax**

(Jacques from page 1)

James F. McCarthy of Warners’ Staff, Harrison Harries of the Crown, Walter Lloyd of the Allyn and William Stevenson of the Paramount, starting the consultation of Theatre Owners’ and Managers’ Ass’n.

Theatre here are already forced to pay a state seating tax, city license tax, state lease tax, marquise tax, city tax on equipment, real estate tax on buildings, music tax. Further, Federal admission tax, incorporation tax, Code Authority tax and the police inspection fee. No further tax can be absorbed and must be passed on to the public, according to 17 managers who met at the Chamber of Commerce to discuss the matter.

**Zanuck to Do ’Inhuman’**

Hollywood, March 3.—Darryl Zanuck, head of Warner Scott’s “Inhuman” as a spectacle for next season, with production starting July 1. Upon completion of 20th Century’s “Call of the Wild,” the final picture on the current program, the company will delay further production until June 1, when the new season’s schedule will be put into work.

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**Sentry Shows Profit**

Sentry Safety Control Corp. earned a net profit of $10,025 in 1934, after depreciation, expenses and other charges, according to a report made public by the company together with the report of Universal Sound System, Inc., its subsidiary, which showed a net loss of $7,342, there was a combined net profit of $2,683 in 1934.
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 Gottschalk • WM. BOYD

A LOWELL SHERMAN PRODUCTION
FIRST THREE DAYS' BUSINESS AT N. Y. ROXY GETS BIGGEST GROSSES SINCE "THE INVISIBLE MAN"—AND EVEN BETTERS THE SENSATIONAL BUSINESS DONE BY "IMITATION OF LIFE"!... UNIVERSAL DOES IT AGAIN!
In making proud acknowledgement of the Annual Awards of the Academy of Motion Picture Arts and Sciences, Columbia announces its Fifteenth Anniversary.

It is peculiarly fitting that the organization which had its humble beginning in 1920 with the advent of the “Hall Room Boys” should in successive stages mark its way upward through “Submarine”, “Flight”, “Platinum Blonde”, “Dirigible”, “Lady For A Day”, “It Happened One Night”, “One Night Of Love”, “Broadway Bill” and “The Whole Town’s Talking” to the highest honors within the gift of a distinguished Academy and simultaneously establish itself in the world-wide confidence of exhibitors.

We acknowledge with thanks the good wishes and congratulations of our friends.

In Preparation
A New FRANK CAPRA production
A New GRACE MOORE picture.
A New CLAUDETTE COLBERT picture
Fox Has One More Chance: To Apply for a Rehearing

By CLARENCE LINZ

WASHINGTON, March 5.—Yesterday's decisions by the U. S. Supreme Court in the Tri-Ergon cases leaves Wilson, Inc., with but one last shot in his locker, that of appealing for a rehearing.

Rarely sought, because the court's decisions leave little usual, it is, nevertheless, possible for the defeated side to secure a new consideration of its case by showing that the court had failed to consider certain important facts which were before it, or had in some way misinterpreted the evidence. It is not believed that Fox could secure a rehearing on the basis of hitherto undiscovered testimony. All pertinent testimony is supposed to be laid before the court in argument. If there is testimony—which was not disclosed in the lower courts, the Supreme Court is not likely to act.

Century-RKO Case Passes 15-Hour Mark

Cross-fire accusations by Mitchell Kupferman and Louis Nizer with charges of "illicit, unfair, unethical and dishonest" being bundled about, supplemented by several warnings by the chair to cut down on drawn-out lines of questioning highlighted the fourth day of the Century-RKO Long Island clearance dispute.

Yesterday's session took about four hours and 15 minutes with Nizer making a total of 21 objections. So Kupferman's 16. Klupt led Nizer in the morning session with a score of 11 to 10, while in the afternoon the Centurian attorney objected five times to Nizer's 11. Total time consumed in the hearings so far is 1354 hours.

N. H. Zoning Moves Await Test in L. A.

Not until the Los Angeles clearance and zoning schedule is found to be workable to all interests will distributors accord to adoption of further territorial setups based on admission prices, "Motion Picture Daily" learns. First indication of this stand was manifested last week when Campi, by a vote of seven to three, turned down the New Haven plan in its entirety. The trio nodding in favor of the schedule included Nathan Yamin, Charles L. O'Reilly and Arthur H. Lockwood, alternates for Ed Kuykendall, Harold S. Bareford, Sidney Justin, Gordon C. Youngman, Joe.

Kennedy Board to Get Pathe Change

The Securities and Exchange Commission's approval of the new issues of Pathe securities will be sought within the next few weeks as the next step in the company's financial reorganization, the plan of which was

Film Securities Is Finally Dissolved

Film Securities Corp., organized as a holding company for the Fox stock interest in Loew's, Inc., under a government consent decree of 1931, was dissolved and its trustees, John R. Hazel and Thomas N. Perkins, dis

Weeks Needed To End Suits By Tri-Ergon

First Cases Sent Back To Lower Courts

It may be the end of the month before the various Tri-Ergon patent suits pending in three U. S. District Courts are disposed of. In ruling on the two original suits, one brought in Brooklyn and the other in Harrisburg, the U. S. Supreme Court remanded them back to the courts of original jurisdiction for action. It may take two weeks to get the papers out.

The first suit was filed in Brooklyn against Paramount Publix on the double-pronger. Last action on the Altoona Publix and Wilmer & Vincent flywheel cases was taken in Scranton before Judge Albert W. Johnston.

During the hectic days following the first Supreme Court refusal to

(Continued on page 2)

Connery Labor Bill Reported in House

WASHINGTON, March 5.—The House Labor Committee today favorably reported the bill introduced by Representative Connery of Massachusets, providing for representation for labor on all code bodies. The committee reached its decision after seven testimony sessions were held at its recent hearings, when labor representatives charged that many of the ills of various industries were attributable to the lack of labor representatives on enforcement bodies.

No criticism was voiced on the film code, which carries such a lengthy list of wage minima as to make wage cutting practically impossible.

Michael Would Ask That Code Be Ended

NEW ORLEANS, March 5.—His resolution either blocked or lost somewhere between committee room and the floor of the recent M.P.T.O.A.

(Continued on page 6)

Campi Relief Given In 667 of Its Cases

Relief has been granted in 667 of 1,121 grievance cases disposed of by local boards and Campi during the eight and one-half months' operation, ending Dec. 31 last, or 58 per cent of

(Continued on page 6)
Number Two Release Clicks

Drama and comedy, complete with beginning, middle and end run through the second release of the "March of Time." 

By clever juxtaposition of scenes, by impressively dramatic photography, the value of this visual judgment in the shifting of its subject matter, the five-episode two-reeler lands with a click unmistakable.

The inside story of how the New York Daily News pulled the old newspaper stunt of reprinting plus and minus on the Hauptmann decision, how its bigwigs held their breath while the erroneous and now famous Associated Press flash was wiped out and in the process of a five-day whirlwind rush of scenes of the presses running—this is "The March of Time's" answer to straight newsmen coverage on the trend of the century. It's hot.

Professor Edgerton of M.I.T. demonstrating wonders of his stroboscopic camera, 130 times faster than the usual camera, and what happens in ordinary phenomena such as breaking electric light bulbs, dropping drops in milk is the second subject.

Three is a yarn complete on its own of the Senatorial move toward greater safety at sea, trying in for the dramatic mixture in "Mahack" disaster with a startling shot of the camera crew cutting under the bow of the Talmisant and flashes of the Morro Castle, pre-disaster.

Fourth is the human interest yarn of Convict Huddie Ledbetter, known as Leadbelly, who sang his American folksong way out of Texas and Louisiana prisons to freedom and a permanent niche in American folk song history.

Living up to the connotations of its title, "The March of Time," for its closing sequence, tells the story of Hitler and explains, by means of an animation, how he was fired up with a ring of diplomacy and steel. Comparable to the Japanese episode in the first release, this in point of import and weight, is the reel's standout. Very well conceived, executed and edited. It's the top.

Weeks Needed To End Suits By Tri-Ergon

(Continued from page 1) review the Circuit Court of Appeals decision, which upheld the patents, suits were filed by Hirsh, Newman, Reis; Kress & Eyman; Ward, Crosby & Neil and Kenyon & Kenyon against the following: In New York—A-G-R Laboratories, Inc., American Brooch Corp., Cinefab Laboratories, Inc., Columbia, Consolidated Film Industries, Duo-Art Film Laboratories, FilmLab, Inc., First Division, Malcolm Laboratories Corp., M-G-M, Monogram, Reliance, Talking Picture Epics, 20th Century, Universal; in Brooklyn—Warners and Vitaphone; in Wilmingt-Loew's, Inc., M-G-M Distributing Corp. and Warners. 

Tri-Ergon also had filed a claim of indeterminate amount against Paramount Publix in the latter's bankruptcy proceedings, asking an accounting of profits for the alleged patent infringements. The sum was to have been determined on the basis of the accounting sought, and was expected to be for a very substantial amount. As a result of the Supreme Court's decision, now that the Paramount trustees may now move to have the claim expunged by the Federal court, it will undoubtedly do so in the near future.

Officials of RCA Photophone reported that the decision in the disposition of the litigation, by John E. Ottersson, president of Erp, however, issued a statement printed elsewhere in this issue.

Wall Street

All Show Loss on Big Board

Net

High Low Close Change

Columbia vtc

(3) 445 435 434 416

Consolidated

574 574 556

Consolidated

394 394 394

(9xv)

194 194 194

Finn Fax "A"

19 19 19 19 19

Loew's "C"

334 334 334

Pathé "A"

135 135 135

RKO Warner

63 51 3 3

Warner old

1944 3756 3756

Technicolor Off on Caruf Net

High Low Close Change

Color Technicolor

2404 2404 2404

Trans-Lux

(10x6) 244 244 244

RKO Bonds Drop 2 Net

High Low Close Change

General Theatre Equip, Ltd. "90, 214 716 716 + 2

General Theatre Equip, Ltd. "214 716 716 +

Keith B. P. 

6 94 668 668 668

Loew's "A"

1941 1941 1941

Paramount B'n w.a.

1950 1950 1950

Paramount K. L.

1950 1950 1950

Paramount Publix

1950 1950 1950

Pathé "J" 75 75 75 75

Paramount "A" 75 75 75 75

Pathé "A" 115 115 115 115

(1) Flash by extra. (2) Held by this year. (3) Declared on principal but not in interest.

(Quotes at close of March 5)

Saenger Claims Get N.O. Court Approval

(Continued from page 1) claims has been reserved pending further court consideration. Saenger Theaters creditors have been segregated into eight classifications and Saenger creditors have voted $12 million out of five for the purpose of voting on the reorganization plan which will be heard in Federal court here Wednesday.

Reports Comerford Has Passed Crisis

WASHINGTON, March 5.—The gain shown by M. E. Comerford during the past 24 hours indicates he has beened in shapes, was said today by his physician, Dr. W. A. Bloedorn, who expects a continued improvement.

Monogram Tips Budgets

Hollywood, March 5.—Monogram is pumping some more production budgets, according to Trem Carr, who has just returned here. The figures for "The Healer" have been raised 25 per cent and for "Keeper of the Bees" 10 per cent, he says.

On Legislative Front

WASHINGTON, March 5.—C. C. Pet- tijohn of the House office, Ed Kayken and Jack Miller are here on legislative matters. Miller goes to New York tomorrow and later to Chicago. 

"Sequoia" Coast Smash

Hollywood, March 5.—"Sequoia" broke all house records at the 4 Star over the week-end. It played eight days straight up through March 11th and to the complete satisfaction of customers. The house capacity is 900.

Back from Convention

PHILADELPHIA, March 5.—J. Gay Emanuel and Mrs. Emanuel, Lew Piz- zor and his daughter, Al Fischer and his wife, returned from the New Or-}lins convention this morning.

"City" Gets 3rd Week

"The Lost City" is being held for a third week this week.

KANN

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Milliken in N. E. Talk

Carl E. Milliken, secretary of the M.P.P.D.A., will address the New England Asstay's of English Teachers at the Cape Cod Institute, Mass., on Friday. His topic will be "The Educational Value of Motion Picture and Television gathering will also be held in the auditorium of the McLean High School in Boston; Dr. Henry Longfellow Dana of Harvard and the Rev. Russell Sullivan of the Legion of Decency.

Smith Reports a Pickup

Cresson E. Smith, western and southern sales manager for RKO, just back from a trip that took him to the coast and into the northwest, says there has been a definite pickup in business and a more hopeful attitude has developed. He visited Los Angeles, Seattle, Portland, Salt Lake City, Denver and Seattle.

Audubon Lease Approved

An order approving the lease by Fox Theatres Corp. of the Audubon, a new company owned by Harry Braverman, was signed by Federal Judge Martin T. Monport, who has jurisdiction over the Fox The- "Sequoia" Coast Smash

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It wasn't even a contest. He was so far in the lead that you couldn't see any of his competitors, even on a clear day. Certainly we mean the Annual Radio Poll of the New York World-Telegram in which 260 of America's foremost radio editors voted for the favorite commentator of the air waves. Ed Hill got 246 enthusiastic votes. He won last year, too! That's why the name of EDWIN C. HILL, Globetrotter of M-G-M's HEARST METROTONE NEWS is bringing extra dough to thousands of Showmen who know what's top!
**MOTION PICTURE DAILY**  
Wednesday, March 6, 1935

**Colony" Is $14,000 Hit In Cleveland**

CLEVELAND, March 5—"The Colony" and "The Good Fairy" have caused a success with a $14,000 gross, or $8,000 over average, at Warners’ Hippodrome.

"A Free Meal" has been $6,000 over the average at Loew’s State, and the Circle ended the week with $5,500, or 82 per cent over par with "That’s Our Girl." At the Palace, Helen Kane heading a stage show. First run business was very good considering stiff opposition of the Grotto Circuit that turned away crowds at every performance.

Total first run gross was $58,200. Average, $4,100.

Estimated takings for the week ending March 1:

**THE GOOD FAIRY** (Univ.)

ALLEN—(2,00), 20c-35c-40c. 7 days. Gross: $5,300. Average: $750.  

**THE LITTLE COLONEL** (Fox)

WARNERS’ HIPPODROME—(5,000), 30c-40c-50c, 7 days. Gross: $8,200. Average: $1,200.  

**WOMAN IN RED** (F. N.)

REO PALACE—(3,000), 20c-30c-35c. 7 days. Gross: $3,000. Average: $400.  

**AFTER OFFICE HOURS** (M-G-M)

LOEW’S STATE—(1,500), 30c-40c-50c, 7 days. Gross: $1,600. Average: $228.  

**WHEN LADIES MEET** (Col.)


**THANKS FOR GRATITUDE** (Col.)


**Pa. Exhibitors Rally Against Gross Tax**

HARRISBURG, March 5—A rally of theatre operators and others opposed to the proposed Pennsylvania 10 percent tax on gross receipts of theatrical and other amusement enterprises was held here today at the Penn Harris Hotel.

Historic protests, who were drawn from every part of the state, proceeded to the capitol later and made a hearty showing on the measure before the ways and means committee of the House.

Those opposed to the tax would have to be passed on to the public as theatres could not possibly absorb it. This, it was declared, would mean a heavy reduction in attendance, with the result many theatres would be driven to the wall.

The hearing was attended by a committee consisting of C. Floyd Hopkins, Harriringham, vice-president of Wilmer & Vincent; chairman, William W. Tarentum; Fred J. Harrington, Pittsburh, secretary of the M.P.T.O. of Western Pennsylvania; Leo Goodwin, Wilmer, and Crafton; Michael J. O’Toole, Scranton, representing the Comford interests; Samuel S. Goodman, and Oscar Neufeld, Philadelphia; Carter Barren, Washington, Pa., representing Loew’s.

Those who addressed the assembled theatre men in opposition to the tax included: Fred Osterstock, manager of the State and Pennsylvania theaters, Wilmer & Vincent houses; O’Toole; Lawrence Katz, president of the Harrisburg Union of M. P. Theatre Operators, and David Barris, Philadelphia, former owner of the Exhibitor there.

**Hollywood Personalities**

Hollywood, March 9—Reginald Owen has signed for "The Healer" for Monogram.

Robert Middlemass has reported at Columbia, his first assignment being "Ain’t a Mis’ry," "Ain’Fury,"" "Alfred E.

Green to direct Bette Davis’ next for Warners, "Men on the Beach." 

Lew King set to direct "Charlie Chan in Egypt" for Fox.

Rouben Mamoulian through directing "Becky Shamar," will play in the original English, actress signed by Sol Lesser to play opposite George Breen in "Cowboy from California." . . . Oliver H. P. Garrett has chipped in at M-G-M to adapt "Hell Above," which Fritz Lang will direct.

Werner Richard Heyman, composer who did the music for Fox’s "Caravan," has postponed his departure for London to March 16 for work on his stage show, "The Little Foxes," and for work on "Variety," which he is to produce in "She," in which she will also have a part.

**Colonel" $4,100 Leader at Lincoln**

LINCOLN, March 5—"Little Colonel" routed all the other straight picture shows, with almost a $4,000 average, and the Shark, top prize of the town. The take was $4,100, in spite of a snow that fell a foot thick on the second day. That’s $1,000 above average.

"Gilded Lily" at the Lincoln suffered with the blizzard because of its lightening, but gathered $2,800, $600 above the normal. The Orpheum, three days with stage show and "Borderline" and four days with "Night Is Young," took $3,200, $900 above average. At the Varietv, "Whole Town" (playing) built steadily to $1,500, average.

Estimated takings of the four runners, $11,600. Average, $9,100.

Estimated takings:

**Week Ending Feb. 28:**

**BORDERTOWN** (Warner’s)

"NIGHT IS YOUNG** (M-G-M)

"GILDED LILY," (Param.)

"WHOLE TOWN’S TALKING" (Col.)

**Week Ending March 1:**

**STUART—(2,00), 10c-25c-40c. 7 days.** Gross: $3,000. Average: $429.

**Many Changes Made Among N. E. Houses**

BOURG, March 5—Policy changes, closings and openings, and changes in ownership have been numerous in New England during the past week.

The Fellows at Medford, an Irving Green house, has dropped first runs for second runs, and the Lyric, Somerville, has gone from first runs to last runs.

Openings include the Lakeside Rangely, Me., operated by H.C. Richardson, with "Pawpaw," and Park, Woonsocket.


Estimated takings for the week were: Poulteney, Vt., from E. Stevenson to R. L. Whitton; Liberty, Pittsfield, Mass., by W. Trayers, Tr. W. Trayers, Sr.; State, Dover, N.H., from Michael J. White to Fred Couture.

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**Iron Duke" Gets $10,500, Montreal**

MONTREAL, March 5—For the last week before Lent, theatres experienced good business, with British and foreign films holding the screen at three houses. "The Iron Duke" at the Imperial, went in the way of the plug, taking $10,500, while "The Private Life of Don Juan" reached $7,500 at the Dark.

"The County Chairman" was responsible for $9,000 at Loew’s, the reopening of the Imperial with "Jeanette" and a stage show resulted in a take of $5,500. All of these were better than previous average with the exception of the Dark, which is now on a straight picture run.

Total business was $34,500. Average is $4,350.

Estimated takings for the week ending March 2:

**THE IRON DUKE** (Gumast British) 

THE COUNTY CHAIRMAN (Fox) 

SWEET MUSIC (Warner’s)

WOMAN IN RED (Warner’s)

**Wings" Gets $24,500 Top In Pittsburgh**

PITTSBURGH, March 5—There was a definite gain this week, only one house of five failing to touch or better average. This was the first time in the past 10 months such an excellent showing has been made.

The Penn topped the town easily, Ted Lewis getting credit for the $24,250, although "The Thrill of the Dark" was of some help, too. At The Alvin, the box-office combination of Janet Gaynor and Warner Baxter carried "One More Spring" to a net $11,500, while the "Iron Duke" at $4,500 gave the Fulton its first profit since the beginning of the year.

Even the Warner felt the general imputes, "The Woman in Red" and "Little Men," collecting $5,000. Only the Stanley was in the dumps, and Rudy Valerie’s picture, "Sweet Music," and N. T. G.’s Paradise Cafe Revue on the stage weren’t able to weather the tough competition, doing around $11,000.

Total grosses in five first run houses were $56,400. Average is $11,280.

Estimated takings for the week ending March 2:

**ONE MORE SPRING** (Fox)

ALVIN—(2,00), 35c-45c. 6 days. Stage: Sid Page, annouced his Pet for the show, Ruth Duddle, Peggy Earl, Paul Armento, and the A. M. Theatre, Alvinettes. Jerry Mathay’s orchestra.

**THE IRON DUKE** (Gumast British) 

**K. C. ITO Offers Last Chance on Clearance**

KANSAS CITY, March 5—As a last resort to obtain clearance relief before proceeding with Federal court action, the K.C.I.T.O. is preparing to file tomorrow a complaint against Fox and Ashley against the zoning board to hear its charges against the circuit. It is reported that not onlywill distributors granted excessive protection to Midwest over independent suburban competitors will be attacked the local clearance setup.

If the board fails to grant the demanded relief, the I.T.O. is definitely decided to take the case to the attention of the Federal authorities, it is understood.

Motions Picture Daily learned tonight that the St. Joseph, Mo., clearance schedule set up by the local board has been asked by the Department of Justice on a monopoly charge filed by Frank H. Cassill of the Rialto, the city, against Dubinsky.

Cassill stated it was impossible to increase his admission above 15 cents due to the protection held by Dubinsky, as, regardless of admission, he would still have to follow Dubinsky’s 15-cent second run, he charges.
his funniest — and there's nothing funnier!

Will Rogers

LIFE BEGINS
at 40

with
ROCHELLE HUDSON
RICHARD CROMWELL · GEORGE BARBIER
Jane Darwell · Slim Summerville
Produced by Sol M. Wurtzel
Directed by George Marshall
Suggested by the book by
Walter B. Pitkin
Century-RKO Case Passes 15-Hour Mark

(Continued from page 1)

Up until yesterday's session there were 404 pages of testimony and it appeared that a balance of hearings would be held before the case winds up before the local board.

Varieties of radio were the theme of an exchange of criticism that started when Nizer, in examining Emanuel Friedman, manager of the Fantasy, Rockville Center, openly doubted the veracity of the witness, who was answering questions in regard to the theatre's advertising, Klupt, his opponent for making the comments. There was no attempt to stifle sarcastic, which was plentiful.

Before the 1925 season was halted Klupt was called out of order by the chair. There were many interruptions and Nizer's personal expression of indignation at Klupt's persistence at interjecting, but Klupt passed it off and told Nizer to continue.

Humor Steals Into Proceedings

The early testimony was not without humor. Harry Novick a bus driver, was asked why he was sure he did not care a hoot about Far Rockaway when advertising a picture for the Fantasy. He retorted, "I know I didn't go there, because I have relations in Far Rockaway and I would have gone to see them if I could.

Robert L. Alberts, general manager of Suburban Bus Advertising Co., was evasive and cross-examined for more than two hours on the various bus routes in Long Island and advertising placed by Century, Klupt here, and others, by Leo Abrams, chairman, to eliminate repetitious testimony. Walter Gutteridge, manager of Strand, Far Rockaway, followed and again the fireworks broke out when photoplays taken on alleged Century advertising were challenged by Klupt.

Hold Photos "Dishonest"

The Century attorney charged the photos were "dishonest." The chair- man asked him to try and cut out some of the questioning. He called the board unfair in permitting the opposing counsel to get in remarks on the record "after the damage had been done" without his being permitted to proceed in that manner. Nizer then demanded that the board call a halt to Klupt's unethical attacks. Gutteridge, a member of the board, came to the defense of Abrams, who stated he was trying to be as fair as he could to both sides. Klupt apologized.

About three minutes before the meeting adjourned until tomorrow, Klupt made another remark that riled Nizer. Nizer told Klupt and the board that "Klupt will have to toe the mark on these accusations, which are libels, indecent and unethical. He has made remarks of RKO gypsum, Century, and he will have to prove it all before this case is through."

Campi Relief Given In 667 of Its Cases

(Continued from page 1)

the total number of complaints filed. Of this total, 240 cases were dismissed, 172 withdrawn, 14 adjusted and 23 were pending unethical boards. However, Campi as of Dec. 31, had 212 grievances scheduled for the Code Authority after hearing boards in 106 and reversed 17 other decisions.

The following complaints totaled 139, premature advertising, 219; price-cutting, 609; non-classified, 28; non-theatrical, 45; interference with lease, 22; competition of other four; fraudulent transfer of theatres, 21; change of playdates, three; 10 per cent eliminations, 1; shorts, two; breach of contract, 11; failure to deliver product, one; monopolies, four.

Total number of clearance and zoning and grievance disputes before Campi for disposition as of Feb. 19 was 29.

Michael Would Ask That Code Be Ended

(Continued from page 1)

convention, Jules H. Michael of Buffalo proposes carrying forward his campaign for cancellation of the code as it affects exhibitors by June 30. He proposes petitioning the President to this effect.

He would have the exhibition and distribution industry return to "some manner of internal self-government" through a code of arbitration based upon the system previously prevalent in the industry and further in accordance with such terms and conditions as may be formulated by agreement between representative groups of producers, distributors and exhibitors, independent and affiliated.

A second Michael resolution which never saw daylight calls upon Congress to form the Federal Communications Commission to determine music taxes collectable by Ascap.

Editor Praises "Sequoia"

NEW HAVEN, March 5—Monday's Journal Courier carried an editorial depicting "Sequoia," the new change of films "from mere sophisti- cated and garish extravagance toward quiet naturalness." The picture "provides a lesson in the powerful possibilities of the cinema," the editorial concluded. "Sequoia" is playing the Bijou. The school picture clubs are cooperating in organizing large parties of students to attend.

Charter Two Companies

ALBANY, March 5—An equipment and a theatre company have just been chartered here. The former is Cinema Theatre Corp., C. H. Chest- ertal, formed by George H. Tison, Helen M. Bennett and Sidney Ger- man. Harry S. Cain is the Cinema Theatre Corp., Winfield, chartered by Wm. Masheb, Hilda E. Scheller and Hada J. Morris.

Omaha Usherette Wins

OMAHA, March 5—Miss Allene Fransen, blonde head usherette at the Lincoln Theatre, was awarded the title of "Miss Usherette of the Century" as "the world's most beautiful usherette." It was a beauty contest. She will be presented in a vandexine act and may get a screen test.

Senate Probe Of NRA Goes On Tomorrow

By BERTRAM F. LINZ

WASHINGTON, March 5—Investigation of the operation of the Recovery Administration will begin Thursday with the opening of hearings by the Senate Finance Committee at which Donald W. Nelson, executive director of the National Emergency Council and formerly right hand man of Gen. Hugh S. Johnson, will be the first witness.

Except for the fact that it will call Richberg and will give consideration to the bow board agencies, one of which played the film code, the committee has made no detailed plans for its hearings, it is declared. Some of the members were said to be in favor of asking General Johnson to appear, but no decision has been reached.

Richberg will be asked to outline the present situation in the NRA. It is possible that a sub-committee will be appointed to conduct the questioning of the witnesses.

Preaches On Film Titles

OMAHA, March 5—Film titles have figured prominently in a series of sermons during March by Rev. R. W. Cooper, Baptist pastor. He began the series with "The Right to Live"

The film is at the Paramount this week. Next Sunday "Under Pressure" is scheduled, followed by "The Man Who Reclaimed His Head," "Life Be- gins at 8:40," and "Gold Diggers of 1935." Appropriate music will be played during services to harmonize with the titles.

Would End "Love" Suits

SACRAMENTO, March 5—A so- called love-pirates suit has been in- troduced under the joint sponsorship of Assemblyman Richie and Senator Stow. It is designed to end breach of promise and alienation of affec- tions suits.

Add to Stock Companies

HOLLYWOOD, March 5—M-G-M and Paramount are both developing their stock companies. Paramount's latest acquisition is six dancing girls, who, the talent scouts hope, will develop dramatic ability.

Order Strike in Mexico

MEXICO CITY, March 5—A strike in all theatres which have been in- bers has been called for Friday by the National Cinematographic Workers as a sympathy move in support of a local strike at Monterey on the border.

Name Virginia Theatre

RICHMOND, March 5—The new the- atre which is being erected by Walter J. Coul- ter and Charles S. Hopkins in Loudoun Park will be called the Park. The cost is estimated at $75,000.

Mark Kelly in Hospital

HOLLYWOOD, March 5—Mark Kelly, sports writer, is at the Cedars of Lebanon recuperating from a stomach ailment.

N. H. Zoning Moves Await Test in L. A.

(Continued from page 1)

Vogel, E. T. Gossmar, Felix Jen- kins and Edward Golden voted in the plan that was rejected.

Although the clearance-and-zon- ing committee, comprising Sidney Justin, O'Reilly and Paul Lazars, the plan and try to work out a feasible system of clearance, it is understood that nothing will happen before further discussion.

Despite Campi's efforts to get the coast plan under way, a last minute petition by Fox West Coast for a re- view of certain phases in it will hold the schedule up until March 15. Code Nizer was told that the coast plan will be held in abeyance until the coast matter is disposed.

How Distributors Feel About It

Distributors from time to time in a matter of barter and trade between the exchange and the exhibitor; also, that adoption of a schedule based on ad- ministers in the coast plan, will be held in abeyance until the coast matter is disposed.

In turning down the New Haven schedule, distributors held that one charge was not held at a time and that no other plan should be accepted until it is found that the New Haven plan is not to best interests of exhibitors and dis- tributors. However, F.W.C. con- tends that in experimenting with Los Angeles the plan should be held in abeyance because of the overlapping geographical and competitive situations. The circuit further adds that if Campi wants to test the workability of sched- ules it should pick on a territory not so involved as Southern California and Los Angeles.

The petition of F.W.C. will be reviewed Thursday. It is expected that Charles Boley and W. T. Powers, its signers, will appear before the board for further expression on objections.
JAN KIEPURA
THE GREATEST SINGER IN THE WORLD . . . IN
THE TWO BEST MUSICALS EVER PRODUCED . . .
MY HEART IS CALLING
MY SONG FOR YOU
CONRAD VEIDT
*Title Movie*

WOMEN FIGHT FOR CONRAD VEIDT
... THE MAN'S MAN...
THE PERFECT LADIES' MAN....
THE GREATEST COMEDY FIND SINCE CHAPLIN.

Jack HULBERT

THE CAMELS ARE COMING

EVEN THE SPHINX WINKS AT THE HIGH JINKS

...A HAREM-SCARE'EM AVIATOR DETECTIVE

IN SAHARA HAREMS...HOT CHA CHA...
"LOVER DIVINE"
MARTA EGGERTH • HANS JARAY • HELEN CHANDLER

LIKE THE ENORMOUSLY SUCCESSFUL "BLOSSOM TIME"...
IT DRAMATIZES THE LOVES OF FRANZ SCHUBERT...WHOSE
MUSIC KINDLED ROMANCE IN THE HEARTS OF ALL WOMEN
CLIVE BROOK
MADELEINE CARROLL
IN
"The DICTATOR"
WOMEN MADE HIM... WOMEN UNMADE HIM...
A TOEPLITZ PRODUCTION
TOPS 'EM ALL
“MAN OF ARAN”
ROBERT FLAHERTY’S SAGA OF THE SEA

“THE BEST PICTURE OF THE YEAR”
NATIONAL BOARD OF REVIEW
NOW IN ITS 22nd WEEK ON BROADWAY

TOPS ‘EM ALL
**Purely Personal**

E. L. ALPERSON, CHARLES MACDONALD, JOHNNY O'CONNOR, MORTON VAN PATTEN, TOBY GLENN, GEORGE WELTNER, LOUIS PHILLIPS, LAURENCE BOLOGNINO, SIDNEY JUSTIN, ROBERT BENJAMIN, LEO ABRAMS, HERBY RANGR, WILLIAM FORGESON, Judge AVE, and HARRY SHIFMAN congregated at the M.P. Club for luncheon yesterday.

Lou Smith of the Paramount publicity department and Harry Browning, director of publicity and advertising for the M. & P. theatres, have made a whirlwind tour of New England contacting film editors.

Phil Reisman, who sailed Saturday on the Conte di Savoia for Italy and France, expects to bring home a ping pong trophy which he hopes to win on the liner. He's practicing assiduously these days.

**Quip of the Day**

Laurence Stallings fell recently and broke his left arm.

‘That’s the side where a German cannon rendered a leg.

When he showed up at the Fox Movietone News offices with a plaster cast, he remarked: ‘I’m completely fireproof on this side now.’

Eric Hatch, writer, who recently finished work on “Fly-by-Night” for Fox, and Royer, Fox style artist, are in New York. Hatch will go to his Long Island home and Royer will see what’s what.

Neil Atnow, Milt Kusell, Joe Ungar, and Abe Waxman tried out Jack Dempsey’s new place for lunch yesterday. Not in one party, however.

Ernest Shomo, formerly on the Chicago staff of Physical Culture, has been placed on the Chicago advertising staff of Photoplay.

Jack Springer will leave tomorrow for Miami to join Sam Cocalis who is now in the vacationing in the winter resort.

L. W. Conroy, eastern operating chief for Erpl, returned to the M.P.T.O.A. convention yesterday.

Halsey Raines, who has been vacating in New Orleans, leaves that city for home territory today.

Leslie E. Thompson has returned from Miami, but Major E. L. Lambe is still there.

George Hunter of the Camp legal staff was down yesterday with a cold.

A. H. Schwartz leaves for Key West and another vacation today.

Ben Bernic and his band will open at the Capitol Friday.

**Drop Oil City Houses**

Oil City, Pa., March 5—The Harris Amusement Co. has given up its leases on the Drake and Lyric here.

**“After Office Hours” Hit In K. C.; Draws $16,700**

**Kansas City**—March 5—“After Office Hours” was the Midland’s smash hit at $16,700 and left other first run theaters far behind. “Devil Dogs of the Air” did nicely at the Newman with $6,000, and “Evergreen” held up well at the Uptown for $3,400 in a second week. “The Good Fairy,” another holdover, garnered $6,500 at the Tower.

Bad weather cut in heavily on Sunday and Monday grosses.

Total first run business was $41,000. Average is $3,500.

Estimated takings:

**Week Ending Feb. 28:**

**THE WOMAN IN RED** (F. N.)

Mainstreet—$1,100, 25¢-35¢-45¢, 7 days. Gross: $7,700. Average, $1,100.

**LIVING ON VELVET** (F. N.)


**SWEET MUSIC** (Warner)


**ANNE OF GREEN GABLES** (Radio)

Capitol—(1,200), 15¢-25¢-35¢-45¢, 7 days. Gross: $2,000. Average, $1,667.

**HAT, COAT AND GLOVE** (Radio)

Liberty—(1,090), 15¢-25¢-35¢-45¢, 4 days. Gross: $1,800. Average, $450.

**THERIR BIG MOMENT** (Radio)


Report Cleanup Has Advanced Good Will

Hollywood, March 5—Evidence of nation-wide appreciation of the improvement in the tone of screen entertainment and advertising matter was placed before publicity executives at the Hays office today by J. J. McCarthy and Lupton Wilkinson of the M.P.E.D.A., who reported that the results of a national survey showed that public sentiment in favor of the industry had been in an upcurve since last December.

Many channels are using material that gives a distorted idea of Hollywood and the picture folk, Wilkinson pointed out.

“If clean pictures and clean ads have paid dividends at the box-office, wholesome material will also pay dividends for the columns, fan magazines and other media that derive circulation from copy about Hollywood,” said Wilkinson.

“The trend of the times is that the way pictures and picture ads have prospered by weeding out the nostriculous so can our friends who write about the business equally prosper by presenting heart appeal, wholesome humor and thrilling accomplishment.”

No changes were made in the preview list at the meeting. The request of Fayett Publications that art matter be issued to them directly on the coast was held a matter for each studio to decide for itself.

**Stallings to Speak**

New Haven, March 5—Laurence Stallings, Fox Movietone News editor, will deliver the first of two talks before the Yale University Law School Thursday afternoon. His subject will be “The Camera Eye.” On March 14 he will talk on “The American Newsreel.”

**“Colonel” Is Heavy Detroit Draw, $23,600**

Detroit, March 5—Practically the only big business in town last week went to “The Little Colonel” at the Fox where the $23,600 take was over normal by $6,900. There were five acts of vaudeville on the stage.

“The After Office Hours” was comparatively strong at $21,700 in the Michigan and a dual, “Little Men” and “The Winning Ticket,” was over par at $6,300 in the State. “David Copperfield” slipped to $5,300 in its third week at the United Artists.

Total first run business was $67,300.

Estimated takings for the week ending March 1:

**GRAND OLD GIRL** (Col.)

“WEST OF THE PECOS” (Radio)

Adams—(2,700), 15¢-6¢, 7 days. Gross: $4,100. Average, $600.

**THE LITTLE COLONEL** (Fox)


**MURDER IN THE CLOUDS** (F. N.)

“FORSAKING ALL OTHERS” (M-G-M)

“THE GOOD FAIRY” (Univ.)

Morgan—(6,100), 15¢-5¢-45¢, 7 days. Gross: $4,500. Average, $700.

“EVERGREEN” (G. B.)

Uptown—(2,000), 25¢-50¢, 7 days, 2nd week. Gross $3,400. Average, $486. (First week’s gross, $1,900.)
"Spice of Life"
(Columbia)
A satisfactory eight minutes of jokes, prepared and edited by The Literary Digest with "Doc" Rockwell and Grace Worthington. Among the business of gags, this is Number 5 in the series. Production Code Seal 0300. Running time, 8 mins. "G."

"Meet the Professor"
(Universal)
This Montone production shifts the usual locale from that of a night club to a college and the entertainment handed out is average. The cast includes Joe Browning, Bernice Claire, Clarence Nordstrum, Columbia University Band, The Glee Club Singers, The Four Brachards, Helen and Earl Tucker and the 12 Montenottes. Production Code Seal 0300. Running time, 19 mins. "G."

Legion's Postcards
New Worry in Omaha
OMAHA, March 5.—The Legion of Decency has contrived a new way to create local headaches by the use of the postcard. The lieutenant colonel who have learned that nearly 40,000 cards have been printed with a form an- nouncement protesting against Class C pictures or stage shows. Blanks are left for the protestor to sign. After that he has only to scribble the address of the theatre and drop it in the mail. The Paramount has been the recipient of several hundred of these cards.

Daigler Quits Hamrick
SEATTLE, March 5.—Personnel of John Hamrick's circuit in this city, Portland and Tacoma has been shaken up. Hal Daigler, general manager of the 10 houses, and Joseph Rosenfield, advertising director, have resigned. Daigler has been with the organization for the last three years, and Rosen- field two years. Effective immediately, the active management of the circuit will be taken over by John Hamrick per- sonally. Supervising the advertising department will be Edwin B. Rivers, now in the Hamrick ad office in Port- land. Rivers will establish Seattle head quarters and will direct the pub- licity for all three cities.

Capital Belasco Shifts
WASHINGTON, March 5.—The Be- lascos, for many years No. 1. legiti- mate house, has switched to films as a part of Radin and Levine's circuit of foreign film spots.

The capital attraction was the Amakino release of "Chapayev" (The Red Commander).

L. Stoddard Taylor, who, for nearly 30 years, has been a familiar figure at the house, will continue as man- ager.

Charter Alliance Films
ALBANY, March 5.—Alliance Films, Ltd., New York, announces that he has been named by Maurice Arthur Dent, Robert Clark, Hilda Geier and Arthur J. Homans.

"Strictly Illegal"
(Joe Rock—Gaumont-British)
LONDON, Feb. 21.—First effort of Leslie Fuller Prod., which, with Joe Rock as producer and Ralph Ceder as director, aims to put over Fuller, a sure bet in British neighborhood and provincial theatres, in the London "West End" and in America.

The West End means a lot less than America and doesn't seem to have received particular attention in the shaming of "Strictly Illegal," which, so far as the star himself is concerned, is according to Fuller precedents; in fact, he has been funnier. For America, however, there is a running sequence with the whole cast in a chase in the carriages, and on the running boards and roofs of a speeding train which is very good stuff of its kind.

Fuller is a street bookmaker who thinks he has killed a cop and, stealing the clothes of a clergyman, finds himself guest in a country house in which his own wife, after a quarrel with him, has secured a post as maid. The daughter of the house is preparing to elope with a musician and the story develops on the usual farcical lines of mistaken identity, with a Keystone chase when the police turn up and a further complication when it is discovered that the victimized clergyman was himself a disguised thief after jewels. Finally, thieves, jewels, lovers and the old lady of the house all board the same train for Lon- don, and the chase continues in and out of the carriages and all over the train until things are straightened out.

The railroad sequence should make it a useful programmer on your side. Fuller is a natural droll, and there are plenty of good comedy situations, but the support is weak and it looks as though L. F. Prod. will have to use more polish on the details of production before they can put Leslie over as a Broadway star.

Running time, 70 minutes. "G."

"Dandy Dick"
(Associated British Pictures)
LONDON, Feb. 21.—William Beadmore made this at Elstree and, with- out spending too lavishly either of time or money, has turned out an entertaining, light feature of second attraction category.

A Pinero play provides a good plot, the pith of which is that a clergyman, in order to finance repairs to his church steeple, is persuaded to hack a horse at long odds. Trying to administer a tonic to the steed, he is seized by a cop and, afraid to admit his identity, is being carried to jail when he manages to escape and, in scarce gooer garb, witnesses the victory of the outsider.

Will Hay, big variety and radio name here, is excellent in the lead and the script and director have given him every chance. There is a very funny scene in which, joy-flying at the church bazaar, he is hooked out of his seat by the galloping and descends on the steedle. All through the characterization is amusing. Of the support, Robert Nainby scores as a deaf churchwarden, but the juveniles won't cause any enthusiasm.

Running time, 70 minutes. "G."

"Secrets of Chinatown"
(Syndicate)
This is the sort of melodramatic entertainment that was ground out in the swaddling days of the industry. The film tries very hard to be weird and mysterious, but merely succeeds in being somewhat dull and a little silly.

It is the old, old story of strange going-ons in Chinatown. All the stock devices associated with this type of picture are again put to use. Secret doors through which people vanish as in thin air, hooded figures, clouds of incense, mystic incantations, Oriental daggers, these are but a few of the familiar standbys to be found in this film.

All this hocus-pocus is started by a Chinatown murder that sends the police through a maze of secret passageways before the solution is arrived at. The unmasking of the culprit is not brought about by any brilliant plot development, but by such preposterous means as a Yog's efforts to stir the men of the visiting press out of the clutches of the villain. It is all too improbable for belief.

While this is hardly intelligent entertainment, the kids may get a goose pimples or two out of it.

It doesn't offer the exhibitor much to work with. The only players who may mean anything are Nick Stuart and Lucille Browne.

Fred Newmeyer directed this Northern Films production.

No production code seal. Running time, 54 minutes. "G."

(Additional reviews on page 18)
Motion Picture Herald
1790 Broadway, New York.

Gentlemen:

I would be very much obliged if you would ask your shipping department to send me and debit to my account the latest edition of Motion Picture Almanac, with instructions to send it yearly until further notice.

I should like to congratulate you on your interesting, authoritative and really excellent journal of the world's movie events. Always I find it very useful and informative, and often turn the news in it to account, as you may see even in my article of today's date.

Yours sincerely

[Signature]

MOTION PICTURE ALMANAC
1935-36 Edition Now in Preparation
Film Securities Is Finally Dissolved

(Continued from page 1)

missed under a court order signed yesterday by Federal Judge John Knox.

The company has been preparing for its 1935 dissolution and for the new court realized the purpose for which it had been organized, namely, to end the dual control of Fox and Loew’s by a single interest.

William Fox acquired the Loew’s shares in 1927 at a reported poolate cost of $76,000,000. The government subsequently bought anti-trust proceedings which resulted in the consent decree of 1931 under which Film Securities Corp. was organized to take over the Fox control of Loew’s, represented by the 660,000 shares.

Subsequently, Film Securities is sued notes in the aggregate amount of $18,300,000, secured by the Loew’s stock, and when the notes were defaulted in 1933 the stock was placed on the auction block and bid in by the noteholders, who discharged the defaulted obligations for $3,250,000.

A. T. & T. held $8,000,000 of the notes, as did the three other large holders of shares of the Loew’s stock, the bulk of which is reported to have been disposed of in the open market subsequent to the 260,000 shares sold to Chase National Bank, which held $4,000,000 of the notes; to Dillon, Read & Co., which held $2,000,000; and to Security-South & Co., which held another $2,000,000. An additional 140,000 shares went to small lenders, which hold the remaining $3,300,000 of notes. The three financial houses disposed of their stock in the open market subsequent to the auction at a price of $18,604,335 for the stock at a time at which its market value was $19,827,000.

Its market price has increased more than $5 per share, or a total increase in market valuation of $3,304,500 for the block.

Yonkers Explosion Victim Takes Stand

White Plains, May 5.—Isabella Williams, 11, first to sue as a result of the explosion in front of Proctor’s Theatre, Yonkers, on Feb. 25, testi

ied in her own behalf in Supreme Court here today. Her father is seeking $250,000 in damages, charging that the girl is permanently disfigured.

Defendants are: Yonkers Electric Light Co.; Yonkers Electric Electrical Contracting Co., RKO-Proctor Corp., Yonkers Theatre Corp. and Westhington Electric and Mfg. Co.

Ices Cuts Fee for Zion Park Location

Hollywood, March 5.—As a result of Sol Lesser’s $5,000 fee for permission to use Zion National Park for location purposes Secretary of the Interior Jones has wired that he can have it for $2,000.

Lesser is hesitating. He still thinks he should have to stand by with the idea that he leaves charge in view of President Roosevelt’s appeal last spring to film companies to use national parks to encourage domestic travel.

“Private Worlds” (Wanger Prod.-Paramount)

Hollywood, March 5.—Dramatizing in celluloid that heretofore untouchable area of the mentally deranged, Walter Wanger with guts and courage has produced a great picture, an important picture, directed with heart-breaking tenderness and sympathetic understanding by Gregory La Cava and flawlessly acted by Claudette Colbert, Charles Boyer, Ickes, Williams, Joel McCrea, Helen Vinson and others.

Into its production must have gone painstaking preparation, loving care and a penetrating exploration of this hitherto forbidden field, made evident by La Cava’s treatment on the screen of Lyn Sterling’s screen play adapted from Phyllis Bottome’s best-selling novel.

Miss Colbert and McCrea, as doctors in a lunatic asylum, achieve success by the modern scientific approach of kindness in treating the unfortunate. Boyer, appointed superintendent, swallowing McCrea’s ambitions for his job. He dislikes women doctors and attempts to separate Miss Colbert and McCrea until the former demonstrates her ability to handle the men patients, particularly Big Boy Williams, who goes berserk.

Boyer’s sister, Miss Vinson, steps out with McCrea, causing Miss Bennett, his wife, to go nearly insane. By scientifically eliminating Miss Vinson, McCrea and Miss Bennett come to an understanding, and Miss Colbert substitutes Boyer for her ghost lover.

The production is suffused with beauty and value in every concept of its mood and style. It provides sentiment, and blurs the heart. Its people are all human, likeable, understandable. All their frailties are X-rayed with sympathy and delicate revelation. Laughs blend with sob. Terrible drama is conjured up from the harrowing atmosphere in the background and the human yearnings for love and affection in the foreground.

All performances are of a high order. Besides the leads, Esther Dale, as a matron; Samuel Hinds, as Doctor Arnold, and Jean Rouverol, as "Crazy Carrie," also stand out. Leon Shamroy’s photography is excellent, highlighted by the scene where Miss Bennett becomes unhinged.

"Private Worlds" is one of the finest films of the year. Judging from the audience reaction and inquiries after the preview, women will get a terrific boot out of it. The subject matter is controversial, but people probably will recommend seeing it.

Having been daringly and thoughtfully produced, it demands and merits daring and thoughtful appreciation.

Production Code Seal No. 644. Running time, 85 minutes. "G." "Rugless of Red Gap," tonight’s premiere at the Paramount, was reviewed by wire from Hollywood on Feb. 4.

"Rupert," opening tomorrow morning at the Radio City Music Hall, was reviewed by wire from Hollywood on Feb. 13.

"Enchanted April," tomorrow night’s preview at the Roxy, was reviewed by wire from Hollywood on Dec. 7.

"After Office Hours," which will open at the Capitol on Friday, was reviewed from Hollywood by wire on Jan. 31.

Para. Invites Stars


"Aran" to Be Published

Robert J. Flaherty’s "The Man of Aran" is to be published in book form under the auspices of E. P. Dutton & Co. Pat Mullen, a native of the islands, is the author. The story has already been published in England by Faber & Faber.

N. O. Theatre Raided

New Orleans, March 5.—Police last night raided the Crescent where "Children of the Sun" was being screened with Lady Fox and her nude girls on the stage. The entire house staff as well as the players were arrested.

Bar Portland Pickets

Portland, March 5.—Pickets have been ordered by the court to remain away from the entrance, to the Rivoli which has been picketed for the past four years. "Gold Diggers of 1935" has been hooked by J. J. Parker to open March 9.

Feinberg in Dallas

Dallas, March 5—George Feinberg is here from New Orleans and returns to New York in about 10 days.

Kennedy Board to Get Pathe Change

(Continued from page 1)

approved by an extraordinary meeting of the stockholders Monday.

The step will bring this particular phase of Pathe’s rehabilitation under the control of S. R. Kennedy, former Pathe head, now director of the S. E. C. No decision has been made as to whether the Pathe board on the form of registration will be changed to S. R. Kennedy’s, a change which will be chosen. Several methods are possible. The Pathe board will be increased in number and the new board will be elected by the old board at its first meeting thereafter. Few changes are expected in either the new directorate or the officers.

California Solon Hits Schenck Move

(Continued from page 1)

day by Assemblyman Morgan of Los Angeles to annul a bill calling for a penny tax on each foot of film sold or distributed in the state. Schenck’s bill, passed by the state legislature, would impose a tax of 20 cents on each roll for film sales, and a tax of 25 cents on each roll for film rentals.

 Attorney General Webb has declared unconstitutional a measure providing for a tax on film rentals in California, as being an unconstitutional restraint of interstate commerce. The measure, sponsored by Senator Keough, sets the tax at 20 cents on each roll for film rentals, with the amount being multiplied by the total number of units. Where a circuit operates 12 or more theatres outside the county where it is located, the amount is reduced from $1,100 to $1,000.

M贬s, March 5—Joseph M. Schenck says he will confer with S. R. Kent of Boca Raton on the proposal he has in mind to move studios to the state to escape the heavy taxation imposed on the industry. The two companies have been transferred to the state at an interest rate of about two and one-half per cent and guarantee producers against future heavy taxation.

Hollywood, March 5.—Louis B. Mayer of M-G-M revealed today he discussed with Joseph M. Schenck over the long-distance phone last week the possibility of transferring production activities to Florida. The two company heads and other states offering inducements to the industry to move there is being investigated. The state senatorial committee is considering the measures developed in California effect hardships on the industry that will be the active step, he said.

Carl Laemmle, Sr., had this to say on the idea of transferring production activity to Florida or elsewhere: "I’ve been in California 20 years and I’ve never seen any reason to move." "I don’t think it will ever happen," was the comment of Walter Wanger.
WILL IT be a bull's-eye? Of that the producers of THE MARCH OF TIME cannot be sure. No one can.

But of this much MARCH OF TIME's editors can be sure—are sure: the new release of THE MARCH OF TIME is better than the first.

They have done much to tighten up this month's new MARCH OF TIME. They have made it crisper, faster, cleaner. The rushes more than fulfill promise of that.

It is MARCH OF TIME's determination to make each new release a more complete, a more skillful "News-magazine of the Screen."

GET YOUR SHARE OF THIS GIGANTIC AUDIENCE
For the second release of THE MARCH OF TIME—a national advertising campaign even stronger than last month's! Advertisements in TIME and FORTUNE to a combined audience of more than 2,548,000—advertisements in 109 local newspapers to an additional 17,747,284—spot radio advertising in 38 cities to 20,842,444—and a dramatic 24-sheet campaign in 37 cities to an audience estimated at 25,095,129 daily! All of this advertising will bring customers to theatres showing the new release of THE MARCH OF TIME.

Released by FIRST DIVISION—Harry H. Thomas, Pres., Radio City, N. Y.

THE MARCH OF TIME

SECOND RELEASE MARCH 8TH!
PLAY IT TO WIN!

"Sweepstake Annie"
Now Playing Loews, Warners and RKO De Luxe Theatres
...Booked by Skouras, Rand-Force, Consolidated, Springer & Cocalis, Century Circuits

with
TOM BROWN
MARION NIXON
WERA ENGELS
INEZ COURTNEY
IVAN LEBEDEFF
LUCIEN LITTLEFIELD
DOROTHY PETERSON

Screen Play by W. Scott Darling
Suggested by Evelyn Law
Directed by
WILLIAM NIGH

"Continuous Uproar of Laughter"
"This picture would do credit to any major release and the production as a whole can be recommended to more than hold its own on any bill. The story is quite human and is a hum. It's loaded with good clean romance. The dialogue and action provide almost a continuous uproar of laughter. JOE BLAIR, SHOWMEN'S TRADE REVIEW.

"In The A Number One Class"
"A darn good, entertaining picture and one that seems certain to please. It has plenty of laughs and a good portion of drama. Production, direction and acting of a high order. Put it in the A number 1 class."

FILM CURB.

"Entertaining Picture"
"Sweepstake Annie" is an entertaining picture for mass audiences. Parts are well taken and story includes plenty of meat. Show is okay in all departments and has a saleable title as well.

JAY EMANUEL PUBLICATIONS.

DISTRIBUTED
BY
HOLLYWOOD
FILM EXCHANGES, INC.
New York Philadelphia
Buffalo Albany Washington
B. N. JUDELL, INC.
Chicago Milwaukee
Indianapolis St. Louis
FIRST DIVISION
EXCHANGES, INC.
Atlanta Charlotte
New Orleans

MAJESTIC PICTURES
Denver Salt Lake City

MONOGRAM PICTURES, INC.
Detroit

ALLIED PICTURES CORP.
Los Angeles San Francisco

METROPOLITAN
FILM EXCHANGE
Seattle Portland

MAJESTIC PICTURES CORP.
Des Moines Kansas City
Omaha

SPECIAL PICTURES
Dallas

ELLIOT FILM COMPANY
Minneapolis

EXCELLENT
FILM EXCHANGE
Canada

SACK AMUSEMENT
ENTERTAINERS
Oklahoma City

J. H. HOFFBERG CO., INC.
Latin America

BRITISH & CONTINENTAL
TRADING COMPANY, INC.
Continental Europe

WARDOUR FILMS LTD.
United Kingdom

LIBERTY PICTURES CORP.
M. H. HOFFMAN, President
CULVER CITY, CALIF.

BUDD ROGERS, Gen'l Sales Manager
1776 Broadway, NEW YORK
FWC Petition For Rehearing On Tap Today

Rezoning in Los Angeles Stirs Up Objections

Petition by Fox West Coast for a rehearing on the Los Angeles schedule will be heard upon the morning by Camp. If Code Authority grants the hearing, attorneys for the circuit will appear before the body and present objections to the combination of certain zones and division of others. About 11 situations are involved, including Santa Monica and Los Angeles, where the same exchange serves both cities. Despite the proximity of the two cities, they clear from different focal points. This makes them separate zones.

Julius Charnow's clearing and zoning dispute involving the Leonia. (Continued on page 7)

Ohio Censor Rules He Can Cut "Time"

COLUMBUS, March 6.—Although newsmen are exempt from censorship in Ohio, John W. Bricker, attorney general, and Dr. Beverly O. Skinner, censor chief, have definitely ruled that "March of Time" must be censored before showing in this state. This is looked upon as a matter of formality, as both officials have indicated to First Division that no eliminations will be made.

The second issue, to be released March 8, will be censored the day previous.

Report S. A. Lynch Eyes Detroit Spots

DETROIT, March 6.—It is reported here that a New York combine represented by S. A. Lynch, may invade the local first-run field. Representatives of the combine are said to have been here this week looking over both the RKO Downtown and the Broadway-Capitol theatres, which have been closed for some time. It also was said they were considering leasing the Madison from George W. Trendle. Trendle is operating the latter theatre now as a second-run house.

Taylor Warns Gross Tax Due on March 15

Business concerns in New York yesterday were warned by Comptroller Frank J. Taylor that despite the (Continued on page 10)

Possible Abandonment Of NRA Now Envisioned

First of Bankruptcy Law Staff Evacuates Paramount Building

The first contingent of the small army of attorneys and clerical help which has been working on the Paramount bankruptcy proceedings for more than two years past evacuated the Paramount home office yesterday, offering the first physical evidence of the approaching wind-up of the company's bankruptcy experience.

The departing group included Adrian Leiby, George E. Johnson and Leo Rosen, attorneys of the Root, Clark, Buckner & Ballantine staff, which is counsel for the Paramount Publicx trustees. The group was prominent in handling the estate many of the large creditor claims filed against it and also in the development of many of the reorganization plans for subsidiary companies in bankruptcy. Rosen assisted in the development of the Saenger reorganization plan.

The attorneys and clerical staff assigned to the trustee's activities have occupied the bulk of the eighth and ninth floor space in the Paramount Bldg. While the evacuation is expected to increase in proportions during the next few weeks, it is not believed that it will be concluded before June.

Bill to Stop Block Booking Reaches House

By CLARENCE LINZ

WASHINGTON, March 6.—Legislation to outlaw block booking and blind selling was introduced in the House today by Congressman Petten of Indiana.

Declaring that his measure is not a censorship bill but simply permits the exhibitor to select his pictures, Pettengill explained that it would prohibit the offering of films in groups.

Report 9,000 Shares Favor Para.'s Plan

The Paramount stockholders' protective committee reported yesterday that 9,000 additional shares had been deposited with it to be voted in favor of the company's plan of reorganization. The committee also reported that none of its original representation of 1,800,000 shares had been withdrawn by depositors since its notice of acceptance of the plan was sent out a week ago. Stock depositors (Continued on page 7)

Sunday Opening Measure Suffers Defeat in Kansas

TOPEKA, March 6.—A Senate bill to legalize Sunday shows in Kansas has been killed by the committee on Federal and state affairs. Introduced by Senator Miller of Tonganoxie, ostensibly to benefit the exhibitor in that community, the measure failed to receive the support of exhibitors.

The industry in Kansas did not deem the time propitious to move for repeal of the blue law. The procedure whereby theatres operate on the Sabbath, where local sentiment permits despite the state prohibition is considered satisfactory for the time being.

California's Circuit Tax May Be Changed

SACRAMENTO, March 6.—Answering the protests of independents, Senator Keough said today that if unaffiliated theatre men can show they come under (Continued on page 10)
Randel Is Chairman Of Film Board Group


Robert J. Fannon has been named as chairman of one on free shows, Myron Sattler, on transportation, and Schneider, entertainment.

The board will call a special meeting of his committee within the next few days. Because Lee is in Europe on a vacation and Strimmer is upstate on business, the regular meeting of the local board scheduled last night was postponed until March 20.

Burea Files Denial Of “Ecstasy” Charge

Eureka Prod., Inc., yesterday filed an answer in the action by the U. S. District Court here Tuesday to exclude “Ecstasy,” the motion picture which the company is seeking to exhibit in this country.

A copy of the answer, filed through the firm’s attorney, Henry Pearlman, has been served on U. S. District Attorney Martin Conboy, who is handling the case for the Government. Denial is made by Eureka that the film is obscene or subject to confiscation or destruction.

Some time ago the Treasury Department ruled against importation of the film.

Flint Deal on Duauls Will Start April 1

Detroit, March 6—Flint exhibitors have not begun the dual-billing campaign to be put into effect on April 1. The agreement calls for the use of one double-bill program a week, and some may show a “guest” picture on one program each week. No double billing can be shown on the other program.

Some exhibitors already are grumbling over being forced into the agreement and doubt if the plan will be carried out. Exhibitors in that city have reached such agreements several times before but have never put them into effect.

Paper Town on “Ruggles”

Boris Morros and Jack McNichol of the Swampscott, Mass., firm, are planning the town with billboards on “Ruggles of Red Gap,” which opened last night, and is slated for a two-week run. The billboard stands for 20 28-sheet stands, 500 sheets, 1,000 three-sheets, 5,000 one-sheets, window cards and junk cards.

Mickey Shown at Club

Walt Disney’s first Mickey Mouse in color, “The Band Concert,” was shown Tuesday at the regular weekly meeting of the Dutch Treat Club. Among the guests were: Feodor Chaliapin, Charles Winninger and General Hugh S. Johnson.

Heavy Lineup for Ampe

Twenty-three headliners will grace the Ampe rostra at the M. P. Club today, marking one of the biggest programs put on since the induction of William Ferguson as president. Among those scheduled to appear are Frank Morgan, Constance Cummings, James Barton, Sylvia Fros, Walter Comely, Bob Hope, Jane Wyatt, Buster Collie, Howard Keel, Jack Powell, Charlie Barnard, Teddy Bergman, Mickey Harmon, Adele Ronson, Adela Kuznetzoff and Rudy Davis.

Schenck Move Stirs New Tax Proposals

SACRAMENTO, March 6—Senator Colbert Olson, a Los Angeles Democratic leader, has answered Joseph M. Schenck’s threat to move studios to Florida with a proposal to raise $10,000,000,000 through an income tax levy in California.

Olson has asked the Legislature to reject Governor Merrim’s budget and to pass a new tax plan, which, in addition to an income tax, would place taxes in the bank and franchise taxes on net profits and business and franchise taxes to raise $283,500,000.

Wall Street

Eastman Ptd. Up on Big Board

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Sentry SafETY

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(R. D.) Defeated in principal but not in interest.

It’s an Heir

Hollywood, March 6—The vigil is over and the LeRoys and Warners have an heir.

A six-pound son was born to Mervyn and Mrs. LeRoy (Doris Warner) late Tuesday night. Mother and child are doing well; Mervyn is now a father as well as a director and executive. His wife and uncle are grandparents. That also makes Jack and Major Albert uncles. Warner Lewis is the boy’s name.

Film Daily’s 17th Year Book Appears

Its cover embossed in tan and blue and its page total running to 1086, the 17th edition of The Film Daily Year Book made its appearance yesterday.

The volume, once again edited under the supervision of J. H. Allston, breaks down into six different sections and classifications. Production, including detailed lists of feature releases with credits for cameramen, editors, etc.; exploitation classifies various types of standard stunt for celluloid ballyhoo; theatres by cities and states, as well as by area, with tickets filled over 100 pages in addition to which there are lists of equipment dealers to which the exhibitor aid. The foreign section discusses each country in the world in detail.

For the most part, the comprehensive scope of the volume has been stepped up to include a discussion of the code by Louis Nizer and an array of code enforcement decisions by various exchange centers.

An interesting feature is a history of the industry starting in 1824. K.

Schenck Move Stirs New Tax Proposals

Sacramento, March 6—Senator Colbert Olson, a Los Angeles Democratic leader, has answered Joseph M. Schenck’s threat to move studios to Florida with a proposal to raise $10,000,000,000 through an income tax levy in California.

Olson has asked the Legislature to reject Governor Merrim’s budget and to pass a new tax plan, which, in addition to an income tax, would place taxes in the bank and franchise taxes on net profits and business and franchise taxes to raise $283,500,000.

Is Taking No Chances

Hollywood, March 6—In anticipation of the passage of legislation detrimental to the industry, Joseph M. Schenck is understood to have ordered Darryl Zanuck back to Hollywood from Florida with instructions to abandon all plans for the $250,000 construction program at United Artists and to make studio improvements for the time being.

The construction project was to have started Monday.

Stromberg Heads East

Hollywood, March 6—Hunt Stromberg, production head for “Naughty Marietta,” his last supervisory effort, rampant at the studio, is en route to New York to see current plays.

Friedlander on “Raven”

Hollywood, March 6—Universal has switched Louis Friedlander from the direction of serials to “The Raven” which will get underway March 18.
TO HEADLINE THE

COMIC SECTION

OF YOUR PROGRAM

An uproarious new laugh-star sensation . . . .

Discovered and developed to continue the comedy leadership of Vitaphone . . . .

Sky-rocketed to fame by the millions who go to the movies for the fun of it!

If you've never seen him, ask for a screening of one of his "Big V Comedies" . . . .

Be your own preview audience . . . . test him on yourself . . . .

You'll see why his name on your front is going to mean money in your cash-drawer!

SHEMP HOWARD IN VITAPHONE SHORTS
MacDonald, Eddy
Charm in Operetta
“NAUGHTY MARIETTA”
(MGM)

Direction: W S Van Dyke
Original Operetta: Victor Herbert and Rida Johnson Young.
Screen Play: John Lee Mahin, Frances Goodrich and Albert Hackett.

Lifting music that trills its way throughout the picture and thrills by its performance. The lovely, familiar Victor Herbert arias are at once the hero and heroine and raison d’etre of the production, and, as sung by Jeanette MacDonald and Nelson Eddy, they are something one can’t afford to miss. It’s a picture that should be labelled, “Must See.”

There is in the picture another debt the public owes itself and that is the privilege of hearing Nelson Eddy. He sings his way through with the greatest of ease, with a voice that has a surprisingly great range, with a personality that is easy-going and charming, and he has all the physical attributes of a hero. There’s gold in that thras voice for Mr. Eddy, the producers and the exhibitors.

Those are the outstandingly important features of “Naughty Marietta.” The plot doesn’t matter, because it’s delightfully hidden by the music and direction, the acting and the spare dialogue. The whole thing is necessarily made up of individual credits. Van Dyke turns his hand to a musical and manages to give it the same moving pace that he injects into all his pictures. The big song numbers have been staged very well and he has gotten that same feeling of the actors having fun while working that impresses in everything he does.

Herbert Stothart is the one to thank for the grand scoring of the picture. It must have been a terrific task and he has done a gorgeous job. And to continue with the music, Gus Kahn has contributed fresh lyrics that help tremendously in the pleasure of renewing acquaintance with old favorites. The screen play has been cleverly and amusingly done by John Lee Mahin, Frances Goodrich and Albert Hackett.

Jeanette MacDonald has the happiest role that’s been handed her in a long time. She looks so beautiful in the costumes and her voice is an inspiration. Frank Morgan, good old Frank Morgan, is a joy as the governor trying to forget what he married. What he married was Elsa Lanchester in her first sizable part on the American screen and there’s an actress who should become a very valuable factor in our fair business. She’s grand, she’s so realistically awful Harold Huber and Edward Brophy as a couple of palsy walts in Daniel Boone outfits are unexcelled. Cecilia Parker is lovely and very charming as a little maid. Joseph Cawthorn, Douglas Dumbrille, Walter Kingsford, Akim Tamiroff and Greta Meyer are all excellent in supporting roles.

William Daniels’ photography does much to enhance the beauty of the picture. Not only is the production itself Hunt Stromberg may take a bow. He seems to have clicked along behind the camera. If this is all, this picture is something to shout about for the whole family.
Looking 'Em Over

“Soviet Russia Today” (Ankino)
Red Russia attempts to justify its political philosophy in this Soyuz-filmworks production by offering a camera record of what has been accomplished there under the effect of gaining sympathy for Communism has been flung into the film.

Needs to say, the picture presents a one-sided view of Soviet Russia. It tries to do for Communism what “Mussolini Speaks” tried to do for Fascism—simply to reveal the bright side of the picture.

The evidence of the achievement of the Soviet peoples, such as the reduction of illiteracy, the rehabilitation of the criminal and transformation of Moscow into a seaport through an elaborate system of canals. There are times when the photography is extremely effective; there are others when it is quite ordinary.

The only conceivable interest this film can have for American audiences lies in its travelogue qualities. The production has English titles, and a spoken commentary in English accompanies the early part of the film.

No production code seal. Running time, 67 minutes. “G.”

N. H. Board Decides Two Clearance Cases

NEW HAVEN, March 6—The clearance board has ruled on two cases involving Bridgeport and Hartford. The first was the protest of the Black Rock, Bridgeport, and the Ritz, Hartford, and the Globe and Lyric Theatres. The board decided unanimously that the Black and Rock are not in competition and ordered that Bridgeport first runs shall have a maximum clearance over the complaining theatres.

Joseph Shulman presented the case of the Rivoli, Hartford, vs. Warner's and was ruled that the protest was originally filed last June, and decided as part of the Hartford clearance and zoning schedule set up by the local board. Since there is little hope that a schedule will be approved for Hartford by Campi, the protest was reheard locally. The protestant expressed willingness to continue under an existing compromise arrangement and withdrew the complaint.

Indignation was expressed by a number of exhibitors present over the complaint refusal of the Dickwell complaint against College, exclusive second run, and of clearance and zoning schedules in general.

Find K. C. Discharge Violated Section 7A

KANSAS CITY, March 6—Violation of Section 7-A of the National Re- covery Act was charged to Edwin S. Young, Central Theatre, in a decision of the Regional Labor Board. The first time the local board heard such a case.

The board found Blackmore was dismissed from the booth not because of unfair labor practice but because Young wanted to employ a member of Local 170. After the hearing, Young retained him as assistant manager at the same salary, later dismissing him entirely because of his union affiliation. The board found the latter act in violation of Section 7-A.

The labor body found itself unable to order Blackmore's reinstatement as assistant manager because the position apparently has been abolished. It recommended, however, that should Young employ an assistant within the next six months, he offer the position to Blackmore before employing any one else.

The independent union has announced it will file an appeal to the National Labor Board.

Fifth RKO-Century Hearing Due Today

KANSAS CITY, March 6—Warning its action to a last attempt to obtain clearance relief before resorting to legal measures, the local I.T.O. today filed a complaint with the zon- ing board attacking the protection schedule here.

The complaint, which did not mention Fox Midwest by name, was directed at all theatres having pro- tection over independent subscribing houses. Among these is a negotiation between the theatres who, however, was rejected by Mid- west. The same proposals were sub- mitted for New Century, Mid- west, and the board was adverse to the consideration in the drafting of a new schedule.

The board meets Monday to discuss the complaint and decide if under code procedure a hearing can be held, since Campi is already pondering a schedule for Kansas City. If a hearing is granted, it will be held on March 13.

All of Frisco Bank Nights Under Fire

SAN FRANCISCO, March 6—Bank night business is up in the city here. The Sutter, the Castro, the Arts and Strand theatres have upped the ap- peal cart by filing with the grievance board against every theatre in San Francisco using bank night or race night. The whole situa- tion will be ventilated next Monday at an informal hearing. The situation is getting out of hand, and the wrangling was going on between the neighbor- hoods, with suits, counter suits, rev- enue returns, and so on. Mr. clubhouse was gradually preparing for his big offensive. This action brings the theatres into every theatre run by the Levi's, the Nasser Brothers, Robert A. McNeil and in- dependents. All these theatres are principals in bank night litigation now pending.

Coast Board's Order Again Goes to Court

LOS ANGELES, March 6—More litiga- tion looms over the grievance board's film stoppage orders, but the new battle is unfolding at the Oxnard and the San Ga- briel at San Gabriel.

The two homes that defied the board's ban on bank nights some time ago and lost an injunction in local courts have since stated that they still had an appeal to Com- pliance Director Sol A. Rosenblatt which they had not used. Since then they have withdrawn the appeal, and they have again gone into court, but the temporary injunction arrived after the board has issued a new order yesterday. Now they must go into court again to get the order extended to apply to distributors.

The board ruled against the Fair- fax on a premature advertising charge brought by the Hollywood Pantages. It also ordered the Park in Colorado, Pasadena, to stop script books. A request by the York Theatre for an extension on all exchange contracts on grounds of overbuying was dismissed by the board on the theory that it had no jurisdiction.

Neth Is Ordered to Stop Premature Ads

CINCINNATI, March 6—The griev- ance board has ordered J. Real Neth, Columbus, to discontinue premature ad- vertising in the Post, Eastern, State and Clinton, neighborhoods. Complainant was Loew's Ohio and Broad, same city.

A cease and desist order also was issued to Neth on premature adver- tising in the Clinton, neighborhood. The board found that, while complaint was within his rights in cancelling the picture, respondent also had the right to reallocate it from a higher to lower classification. The board, in this case, was the RKO Palace, Columbus.

Complaint of premature advertising in the 16 mm. houses against P. J. Perkas, Ritz, neighbor- hood, Columbus. A cease and desist order was ordered.

In the case of Frank Cole, operat- ing the Lincoln, Cincinnati colored house, against Universal, complainant was charged with raising the adver- tising price on “The Good Fairy” after it had been cancelled. The board ruled that, while complaint was within his rights in cancelling the picture, respondent also had the right to reallocate it from a higher to lower classification. The board, in this case, was the RKO Palace, Columbus.
FWC Petition For Rehearing On Tap Today
(Continued from page 1) N. J., is on the docket for the ninth time and again will be delayed. The committee trying to effect a settlement which is hoped for the disposition by Adam Adams, of the Park Lane, Palisades Park, N. J., would remedy the situation, but this has not worked out and now another means of settlement will be sought, it is stated.

Although no resolution has been passed, Morrocco developments no action will be taken on New Haven, Kansas City and Milwaukee schedules for some time. Campi members first want to see how the Los Angeles plan works out before others are approved. With the N. I. R. A. expiring on June 16th, Code authority is not anxious to upset territorial clearance schedules generally until it knows whether the act will be continued, and if it is, what extent, if any, are in store for the film code.

Distributors are still holding out admission prices, with the factor in schedules. While this angle was permitted in the L. A. plan, sales heads conceded it for experimental purposes.

Certification of the resolution adopted last week approving the extra registration list in Hollywood is also on the calendar.

Report 9,000 Shares Favor Para's Plan
(Continued from page 1) who oppose the plan are permitted to withdraw.

New deposits with the Paramount Broadway bond committee and the Vanderlip debenture committee are also reported received daily. It is not anticipated that any difficulty will be encountered by the committees in obtaining the necessary stock and bond representation required to make the plan effective; that is, two-thirds of the bonds and a majority of the outstanding stock.

Paramount Hopeful Cuban Ban Will End
An aerial view of "Kumba" left New York last night for Havana, showing today to Cuban officials in the hope entertained by Paramount that the government's decision banning the film will be revoked. Cuban officials demand the picture be destroyed and an apology made if Paramount persists in refusal to be barred from future distribution in the island republic.

Paramount stated yesterday the ban was ordered despite the fact Cuban officials had not seen the picture.

Paramount Meet May Go to Coast in May
Paramount is considering holding its annual sales meet in Hollywood late in May. The last convention was held on the coast, but because of the changes in personnel, the company is figuring on taking the sales forces to the studios again to get acquainted with the men making the pictures.

For his also planning on a coast convention, but definite decision is awaiting return of S. R. Kent from Florida. One may convene its sales forces on the coast sometime in June, but last minute switches may bring the men together in Chicago.

Paramount is talking convention with some men preferring the east and others Pinchurt, N. C., sometime in May or June. The decision, however, rests with Harry Cohn.

Pari-Mutuel Hearing Draws Boston Group
BOSTON, March 6.—Organized industry attended a public hearing on pari-mutuel racing yesterday and heard the internal fight between horse and dog men bust open into the open.

The most important development of the day was Corporate Counsel Foley's ruling that recently passed referenda do not repeal the laws of 1856 relative to local jurisdiction over any racing location. Foley contends the permits granted by the State Racing Commission are invalid without local consent. The ruling is held important as citizens who voted for the tracks do not want them near their homes.

Theatre men elsewhere who are faced competition from tracks are looking to developments in Massachusetts.

Hamrick Shifts Policies
SEATTLE, March 6.—John Hamrick's Music Hall next week will become a third run, double feature spot at 10 and 15 cents. Dan Redden, assistant manager, will replace James O. Clemmer as manager.

On the same date, the Music Box will again become the key house, with an elaborate opening of "Roberta." The scale will be 25 to 50 cents.

Sparks Dropping Shows
TAMPA, March 6.—The unit companies of about 20 people which have been played by Sparks Victory here for the past three years will be discontinued after this week.

For some time the shows were given a run of three days each week, but for the last six weeks the show have been cut to two days weekly.

Hollywood Personalities
Hollywood, March 6.—Wallace Beery to New Castle, Del., to pick up his new plane. . . . Errol e Bartholomew back in town. . . . Dorothy Deering and Alma Shaff have both natural sorrel tops, spotted in Fox's "Redheads on Parade."


Beverley Stothart, left for New York on one hours notice. . . . Dr. and Mrs. Will Durant luncheon guests of Pat & Burkle Bumke hosts to cast and crew of "Star of Midnight." . . . Stuart Stewart of the Edison-Stinson office another "fl" victim.

Artists cameraman, to Palm Springs as soon as "Les Miserables" finished. . . . Garbo is taking lessons in the "Mazurka." . . . Bob Taylor is recuperating from a tension operation at Palm Springs.


Para. Buys Herbert Yarn
HOLLYWOOD, March 6.—Paramount has bought the life story of Victor Herbert from his estate along with about 500 of Herbert's musical compositions. Ernst Lubitsch says he will make an all-star musical for next year's program, using the Herbert story and music.

Barrons Take Another
HOLLYWOOD, March 6.—Mr. and Mrs. Charles H. Barron, who operate two theatres here, have acquired an interest in the Novelty at Anthony, Kan.

Now Envision Possible NRA Abandonment
(Continued from page 1) Williams, chairman of the National Industrial Recovery Board, was soon to follow General Hugh S. Johnson into private life. Williams took the position on a purely temporary basis. During his administration, the cigarette code was adopted with a 20 cent minimum wage, arousing the bitter opposition of organized labor. Aside from this, the Recovery Board has apparently done little and the NRA has been steadily slowing down. The Capitol today was awaiting the words of Donald Richberg, executive director of the National Emergency Council, slated to appear before the Finance Committee Thursday, confident that he would speak the mind of the President and that he might outline in more detail the definite form of legislation desired by the White House.

If Richberg indicates the President's acceptance of the plan to scrap the NRA, no further investigation will be necessary, it is believed. If, however, the President is represented as still desiring continuance of the Recovery Act as now written, the probe will go on and will be directed toward the major code, to be reviewed in view of the Administration's announcement that codes affecting intrastate commerce only may be dropped.
KEEP TIME OPEN FOR EXTENDED RUNS

THREE OF THE NATION'S FAVORITES
IRENE DUNNE
THE GOLDEN GIRL WITH THE SILVER SONG . . AND
FRED ASTAIRE
GINGER ROGERS
DANCING STARS OF "GAY DIVORCEE"

From the play "Roberta." Book and lyrics by Otto Harbach
Directed by WILLIAM A SEITER. A PANDRO 3000 HERMAN PRODUCTION.
"BUSINESS TERRIFIC. WE NEED THEATRE WITH RUBBER WALLS"
—Coulter & Somma, Byrd Theatre, RICHMOND, VA.

"BREAKS RECORD BY 20 PER CENT. LOOKS LIKE FOUR WEEKS"—Izzy Rappaport, Hippodrome Theatre, BALTIMORE

"CAPACITY BUSINESS. IN FOR INDEFINITE RUN. YEAR'S BEST"
—John F. Kumler, Pantheon Theatre, TOLEDO

"BEST OPENING YEAR AND A HALF. GROSSES SENSATIONAL"
—Wire report from RKO Branch Manager, regarding Stanley, PITTSBURGH

"BREAKS ALL TIME HOUSE RECORDS IN ATTENDANCE"
—Wire report from RKO Branch Manager, regarding Mainstreet, KANSAS CITY

"SATURDAY'S GROSS LARGEST IN HISTORY OF THEATRE"
—Wire report from RKO Branch Manager, regarding Brandeis, OMAHA

"BEST BUSINESS OF ANY PICTURE FOR YEAR AND A HALF"
—Wire report from RKO Branch Manager, regarding Majestic, DALLAS

"OPENING SENSATIONAL. THOUSANDS TURNED AWAY"
—Wire report from RKO Branch Manager, regarding Keith's, DAYTON

"MR. CONSTANT AND I BELIEVE WILL DO SENSATIONAL BUSINESS"
—George A. Delis, District Manager. Constant's Ohio Theatres, CANTON, OHIO

"A TOP GROSSER. BACK IT WITH EXTENDED RUNS"—Chick Lewis, Showmen's Trade Review

"SWELL. WOMEN WILL RAVE. WORTH EXTENDED PLAYING TIME"
—Emanuel, Jay Emanuel Publications

"WORTH TWICE AS MUCH AS KERN'S STAGE PLAY"—Pittsburgh Post-Gazette

"IT IS UNMATCHED. IT'S THE TOP"—Pittsburgh Press

"TAKE OFF YOUR HAT. RKO HAS DONE IT AGAIN"—Pittsburgh Sun-Telegraph

"THE BEST TUNE TALKIE AS YET FROM RKO-RADIO"—Memphis Commercial Appeal

"POLICE HAD TO BE CALLED TO HANDLE CROWDS AT ORPHEUM"—New Orleans Tribune

ROBERTA
JEROME KERN'S DAZZLING MUSICAL ROMANCE ... SURPASSING ON THE SCREEN ITS MIGHTY STAGE SUCCESS ... with RANDOLPH SCOTT * HELEN WESTLEY * VICTOR VARCONI * CLAIRE DODD
Kansas Sunday Opening Bill Meets Defeat

(Continued from page 1)

At some future session, when general demand for Sunday shows is sufficiently strong, industry may get behind a movement to bring about seven-day operation.

Exhibitors interested in legislative battles over proposals to impose a sales tax and hike the income tax levies in the New York State Assembly are responding by a concentrated push for a bill that would prevent the state from renewing its income tax law.

Bills killed by committee action include: To establish a state NRA; to prevent state raids on building and construction; a bill that would allow the state to renew its income tax law.

PORTLAND, March 6.—Regular film shows will be permitted Sundays after 3 P.M. if the bill of Representative Udell Bramson is passed by the legislature. Not waiting for action, theatres are now escaping legal action by running as benefit shows and allotting a percentage of the take to charity.

ALBANY, March 6.—A bill has been introduced in the New York State Assembly by Albert D. Schanzer, Democrat of New York, making it a misdemeanor to fail to give a benefit performance in a theatre at time and place printed on ticket without refunding moneys received therefor.

A bill introduced by Asamblyman J. E. Stephens, Democrat, of New York City would permit the adoption of local ordinances admitting children to theatres unaccompanied by adults in the daytime outside school hours and on Sundays to witness films suitable for children.

A bill would have one female attendant for every 75 children and every child would have to be provided with a seat.

BALTIMORE, March 6.—Senator John G. Callan has introduced a bill in the Senate at Annapolis calling for the doubling of the present license fees for theatres. The new bill would also add an additional tax to circuits. All houses charging more than five cents admission will be affected by the new bill.

Taylor Warns Gross Tax Due on March 15

(Continued from page 1)

The city recently passed a two per cent sales tax, the tax of one-tenth of one per cent. Sales receipts are still in effect, and the first payment is due March 15. Tax forms to make returns on gross receipts mailed to 60,000 business firms which paid the tax last year.

The tax on grosses applies regardless of operating expense, profit or loss. Local exhibitors have been complaining about the impost for months, alleging it to be discriminatory.

L. O. SPITZ leaves for Chicago today.

J. J. UNGER leaves for Miami today in order to attend a board meeting for the Motion Picture Daily.

P. A. MILLER arranges his return trip for September 9th.

The New York Times has reported that the New York motion picture industry has decided to strike out for a national campaign to combat tax evasion in the industry.

The strike will begin on April 1, and all employes in the motion picture industry will be required to sign a pledge not to evade taxes. Those who refuse to sign the pledge will be discharged.

Bill to Stop Block Booking Reaches House

(Continued from page 1)

at a group price only and the requiring that an exhibitor lease all of the company's films in order to get any of the films. The bill further makes unlawful such variation between group and individual rates which would produce coercion of choice or tend to restrain trade.

The bill also would require that an accurate synopsis be furnished the exhibitor at the time of leasing a film, the synopsis to be made a part of the contract and be sufficiently comprehensive to permit the exhibitor to determine whether it is suitable for his patronage.

At present there is no substantial variation in a film from its synopsis the exhibitor would be permitted to cancel the contract with the producer for damages for the variation, or to exhibit the film despite the variation and recover damages as for a breach of warranty.

The enforcement provisions of the act provide for criminal penalties and injunctions to be ordered. The sanctions under the act are in the judgment of the film producer or exhibitor who is injured by the violation of the act.

Rumor Brandt After Six More Spots Here

(Continued from page 1)

are the Beacon, Tivoli, Times, Columbus, Arena and Ideal.

All but the Beacon are operated by Consolidated Amusements. Lawrence Bologhino, head of the circuit, yesterday stated he had "never heard of such a deal." The Beacon negotiations are under way, but no deal has been reached with the other theatres. Brandt would not discuss any deals yesterday, but stated: "We are negotiating for a number of theatres in the Times Square sector and hope to close them shortly."

California's Circuit Tax May Be Changed

(Continued from page 1)

the provisions of the measure, he will amend his bill setting a license fee for each unit operated by a chain organization outside the county where it has its headquarters.

The independents assert they can be the only group allowed under the provisions of the measure through a clause stipulating that each such group will introduce a bill for the purpose of the act to be treated as being under a single or common ownership, supervision or management if directly or indirectly controlled by a single person or any group of persons having a common interest in such

Von Stroheim to M-G-M

HOLLYWOOD, March 6—Eric Von Stroheim, who has been signed by M-G-M to adapt an original he wrote himself, will also assist Clarence Brown in the military sequences of "Anna Karenina."
UNIVERSAL FORCES RADIO RETRACTION OF GOSSIP
the motion picture's first victory over a growing evil

COMPLETE TEXT OF SUPREME COURT TRI-ERGON DECISION
another important document now presented in full in the Herald's manner of coverage

and all the other news and all the departments of the film industry's great service journal

MOTION PICTURE HERALD

There is no substitute for circulation.
**“Sweet Music” Hits $35,000, Boston Smash**

Boston, March 6—“Sweet Music” was a sensation at the Metropolitan, helped by a stage show with Milt Green behind the camera. Of the $15,000 gross was over by $13,000.

It was a big week all around despite variable weather with snow flurries. The greedy followed up $9,000 up on a take of $21,000 at Keith’s Memorial; a dual, “After Office Hours,” and “The Best Man Wins,” took $14,500 at Loew’s State; another dual, “All the King’s Horses” and “The White Cockatoo,” was $3,000 up at $8,500 in the Paramount.

Total first run business was $97,000. Average is $5,920.

Estimated takings for the week ending March 1:

- **ALL THE KING’S HORSES (Para.)** at the Metropolitan — $3,600, 7 days, Stage: Muriel Green leading cast of 6.
- **THE GOOD FAIRY** (Radio) at the Central — $4,730, 4 days, Stage: Muriel Denison & Co. Stage: $8,000.
- **NIGHT LIFE OF THE GODS** (Univ.) at the Boston Light & Tammers — $4,000, 7 days, Stage: Muriel Green.

**“Spring” Portland Leader at $8,600**

PORTLAND, March 6—“One More Spring” secured the heaviest take for the week which was over $8,000 at the Paramount, with the assistance of stage show, by $3,000, securing $8,600. Total first run business was $31,000. Average is over $25,000.

Estimated takings for the week ending March 1:

- **MYSTERY OF EDWIN DROOD** (Univ.) at the Broadway院 — $4,912, 25-c-40c, 7 days, Gross: $3,060. Average: $4,443.
- **THE LITTLE COLONEL** (Fox) may be $1,000, 25-c-40c, 7 days, Stage: Muriel Green, leading cast of 5.
- **GOOD FAIRY** (Univ.) at the Metropolitan — $4,500, 7 days, Stage: Muriel Green.
- **ONE MORE SPRING** (Fox) at the Strand, $3,500, 7 days, Stage show. Gross: $3,000. Average: $3,000.

**“Colonel” Is Frisco Smash; Gets $28,000**

SAN FRANCISCO, March 6—Getting off to a flying start with a big matinee business which held the picture, “The Little Colonel” rabbled $28,000 at the Warfield. This is $5,000 above normal. All the other first runs were weak, except for the Warner’s “Red” and “Little Men” at the Fox which took $10,500.

Total first run business was $76,000. Average is $8,200.

Estimated takings:

**Week Ending Feb. 26**:

- **THE NOTORIOUS JUDGE** (Univ.) at the Golden Gate $4,280, 25-c, 20c, 7 days, Stage: 25c-40c. Average: $6,500.

**Week Ending Feb. 27**:

- **WOMAN IN RED** (Warner) at the Little Mite, $4,130, 25-c, 40c, 7 days, Stage: $10,000. Average: $5,000.

**Week Ending Feb. 28**:

- **FREDDIE FIELDS (Fox)** at the 40th Street, $4,000, 25-c, 40c, 7 days, Stage: $6,000. Average: $8,500.

**“Pimpanel” Washington’s Hit, $18,000**

WASHINGTON, March 6—The Scarlet Pimpernel” skyrocketed RKO-Keith’s into top position last week. It ran for the last time at Loew’s Palace, where the Dickson’s story took $11,000, which was $3,500 under average for the first week.

First week under the screen policy, Belasco Theatre took in $1,000. "Chapayer" was the inaugural attraction for the Belasco, which will be devoted to the showcasing of foreign-made pictures.

Total gross for the week was $77,300. Average is $7,120.

Estimated takings, exclusive of tax, for the week ending Feb. 28:

- **IMPOSTER** (Fox) at the Belasco $5,720, 25-c-40c, 7 days, Stage: Muriel Green.
- **THE LITTLE COLONEL** (Fox) at the Belasco $5,720, 25-c-40c, 7 days, Stage: Muriel Green.
- **GOOD FAIRY** (Univ.) at the Strand $3,000, 25-c-40c, 7 days, Stage: Muriel Green.

**“Woman in Red” Indianapolis Wow**

INDIANAPOLIS, March 6—“Woman in Red,” with Earl Carroll’s “Vanities” on the Indiana stage, ran away with the big business last week. The $12,000 gross was over par by $5,000.

“The Scarlet Pimpernel” was strong at the Circle, going $9,500 over the line for a total of $20,000. Total first run business was $29,750. Average was $2,450.

Estimated takings for the week ending March 2:

- **ONE MORE SPRING** (Fox) at the Apollo $11,380, 25-c, 40c, 2nd week, Stage: $1,500. Average: $5,700.
- **SCARLET PIMPERNEL** (Univ.) at the Circle $2,000, 25-c-40c, 7 days, Stage: $5,000. Average: $2,800.
- **WOMAN IN RED** (Warner) at the Indiana $1,050, 25-c-40c, 7 days, Stage: $2,000. Average: $300.

**Pens Are P poised in Memphis Palace Deal**

MEMPHIS, March 6—M. A. Lightman’s deal for the Palace here is expected to be closed in time to assume operation of the theatre Saturday. It is reported that the first film will be “The Good Fairy.” It is understood papers will be signed Friday.

Francis Deering, Loew’s State manager, left tonight for Houston to manage Loew’s State there. Col. Secrest in town. Deering moved his office today from the Palace to the State, where he will continue in charge.

This deal marks the final dissolution of the Loew-Panama pool here. Paramount will be Lightman’s partner in the operation of the Orpheum and Palace, but not the Strand.

Calls Nudist Film Clean

New Orleans, March 6—Eddie Chittenden, operator of the Crescent, who was arrested along with the rest of the members of his troupe for showing “Children of the Sun,” nudist film, entered an affidavit before Judge William H. Cross and turned in his injunction and return of the film and claiming that the picture was decent and was being shown in many theatres of the country.

Oliver Garver Made President of Wampas

Hollywood, March 6—Oliver Garver has been elected president of the Wampus Organization. He has been named vice-president; Joe Reddy, second vice-president; Lindsey Parmenter, treasurer; John R. Honey, secretary; Leroy Johnston, Fred Stanley, Mark Larkin, Thornton Sargent, Sam W. B. Coln and Al Parmenter, directors.
Para. Setup
Gets General
Creditor Aid

Munger Group Only One
Still Not Assenting

The Paramount Publix general credi-
itors’ committee, representing claims
of more than $300,000, yesterday
recommended acceptance of the Par-
amount plan of reorganization to all
merchandise and other general credit-
ors whom it represents. This leaves
the Munger debenture committee as
the only organized group which has
decided upon the plan.

In a letter sent out over the signa-
ture of R. E. Anderson, chairman of
the general creditors’ committee and
treasurer of Erpi, notice is given that
general creditors who favor the plan
should execute their acceptances in
the form approved by the court and for-
ward them either to the committee for

Production Gains;
41 Features Going

Hollywood, March 7.—Production
increased last week over the preced-
ing week with 41 features and four
shorts before the cameras as compared
to 38 and five for the previous week.
In addition, a total of 16 features and
13 shorts were in the final stages of
preparation, while 38 features and 19
shorts were in the cutting rooms.
Fox took the lead with eight fea-
tures in work, three preparing and
seven editing. Radio reported eight,

Balcon Nears Coast
On a Talent Search

ALBUQUERQUE, March 7.—Michael
Balcon, Gaumont British production
head, passed through here today on
his first trip to Hollywood, where he
will remain three or four weeks look-
ing over the field for talent. He has
small hope of getting any desirable
American artists tied up by a con-
tact, however. He said he had no
intention of raiding American studios,

Licenses Seen for
Television Makers

A license system for manufacturers
of television equipment under patents
developed in the industry will be
adopted to aid the orderly development

Richberg Asks 2 More Years
For NRA with Modifications

By CLARENCE LINZ

WASHINGTON, March 7.—Continu-
ance for two years of the Industrial
Recovery Act, with such changes as
will meet criticisms which have been
directed at the present law, was asked
today by Donald R. Richberg, former
chief counsel of the NRA and now
executive director of the National
Emergency Council.

Appearing before the Senate Finance
Committee, Richberg outlined the de-

Fox May Ask
Rehearing on
Patent Cases

William Fox may avail himself of
his last legal resort in his effort to
establish the validity of the Ameri-
can Tri-Ergon double print and fly-
wheel patents, namely, a petition to
the U. S. Supreme Court for a re-

Code Objectathon Hears
About a Card by Hours

Testimony revolving around a win-
dow card, jointly advertising the Ri-
voli, Hempstead, and the Fantasy,
Rockville Center, L. I., which ap-
ppeared in a dairy store in Far Rock-
away consumed most of the four and
a half hours in the fifth day’s mara-
thon hearing yesterday of the Cen-
tury clearance complaint against RKO
in Long Island. During the course

Rosenblatt Coming
For New Wage Talk

With the NRA fact-finding com-
mittee failing to get together on a
basic schedule for operators in this
territory and reports prevalent Local
306 is planning to restore pickets,
Compliance Director Sol A. Rosen-
blatt is due here today from Wash-
ington for a series of conferences to end
the stalemate on the local union
situation.

Van Schmus Asserts
Rivoli Deal Chilled

Negotiations between the Music
Hall and United Artists for acquisi-
tion of the Rivoli in connection with a
United Artists franchise for the Radio
City house are in status quo, W. G.
Van Schmus, managing director of

Industry May Flee
Tax, Says Giannini

LOS ANGELES, March 7.—That the
industry may be driven out of Cali-
ifornia should the state’s tax program
meet with success in the legislature
was the warning sounded by A. P.

Controlling 4% in
Paramount, Richberg
will be using the ad-
dition to his efforts.

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Continued on page 5

Continued on page 6

Continued on page 7

Continued on page 6

Continued on page 7
HAVING tallied an impressive count in publicity for his suggestion that Hollywood talent be accorded representation on the New Paramount board, Mr. Morris L. Ernst, member of the Vanderlip bondholders' committee, now has a lively topic of letter to shuffle across, over and around the board's doors: "Is it on the line?" The out-town reader probably will have to be told these are two lively and expensive New York restaurants (nee speakeasies) where many wise-crackers and wisecrackers hold court. The letter aiming at and doing entourages. Of definite gag, if no more, value is his suggestion that the Screen Writers' Guild, as well as the Screen Actors' Guild, prepare a panel of nominees. Whether or not it will be determined if they do, the guilds will be guilty of the worst kind of sucker play for reasons obvious, including what follows.

How they will go about presenting their candidates, if the name any, or obtaining consideration for them, which they won't get, are twin mystery facts of the situation. Moreover, Ernst appears to be giving both questions otherwise. The Writers' and Actors' Guilds have no standing, legal or otherwise, in Paramount's reorganization. How they might hope to get a hearing on their recommendations at the reorganization meeting slated for April 4 not evident. This is the point. Yet having thrown out the suggestion, he adds he himself does not expect to make any presentations from those offices to the court. Left hand, right hand, simple, sadly lacking in coordination.

Less indefinite by his own words is Ernst's declared intention of opposing the board at large and John D. Hertz, in particular. The obvious inconsistencies in his stand lead to natural speculation as to exactly what he is driving at. Leaping bravely from speculation to something perhaps more concrete results in this: Ernst is a well-known lawyer. His clients include a number of Hollywood writers. Could all his baldersdash be construed as prosanganda on the part of writers per se? Could it be designed to convince those on the Ernst retainer list that he was wittingly on the case, carrying their fight forward for princely salaries and option renewals? Or could it be that Ernst, owning a perfect headline name, so brief is it, is conspiring with newspaper clipplings and scrapbooks?

At the moment, there is no evidence of serious consideration to indicate any change whatever will be made in the presently agreed upon 16 members of the board. There is some sentiment that this is a sign of reorganization quarters, favoring a board of 18. But the opposition to it is so strong that the objective could not be attained without throwing open again the entire and highly controversial subject of the board's membership. None of the responsible creditor groups is likely to pay so big a price to gain its point.

Opposition to Hertz continues more pronounced than to any other single member of the board. It is based on the part the former chairman of Paramount's financial committee, in 1937, played in the bank credit transaction of 1932, which later became the subject of litigation by the trustees, and of course that Hertz has been made a defendant in another action for recovery of Paramount assets by the trustees. Other criticism charges the bulk of the management, a group that has been named to represent was acquired late in the reorganization. The opposition, however, is confined to small, disorganized groups, the most important elements of which are Ernst and the Munger debursement committee.

Pitted against them in Hertz's favor are the impressive security holdings of Lehman Bros. and Lehman Corp., the support of the important Fortington creditor group and the inclination of all major creditor groups not to re-open the subject of board membership unless it becomes necessary through the exercise by Federal judge Alfred C. Cooxe of the right he reserved for the court to veto any member of the initial board proposed. This remains as the one possibility of a change in the board membership occurring prior to reorganization. The conclusions are now yours to draw.

While the Fortington group presently is in the market for acquisition of the entire $13,800,000 claim of Paramount's bank credit, Ernst cite, as a spokesman for the group puts it—even the transfer of that claim would not alter the initial membership of the board as now plotted. The Fortington group could not vote its newly acquired holdings until the first board

Amelia Meet Big Success

William R. Ferguson was welcomed back to the Ampe yesterday with a swell turnout, both in talent and attendance. He opened the session and expressed his gratitude to the members for the fine vacation taken in Miami. After the short speech Ferguson turned the gavel over to Major Walter Brown, who introduced a number of celebrities.

Teddy Bergman then was declared master of ceremonies for the day and he introduced Adelle Romanoff, Dorothy Brown, Mickey Harmon, Pauline Starke, William Collier, Jr., Walter Connolly, the Dixie Four, Frances Drake, Noel Beery, Melville Cooper, Louis Waldman, George Bancroft, Harry Hershield and Buck and Bobbies.

All did a little something to keep the members entertained.

Shows $127,470 Loss

Century Circuit, Inc., of Delaware and its subsidiaries, showed a loss of $127,470 for the year ending Aug. 31, according to a report made public yesterday. The figure is $10,863 less than the ex cessive depreciation for prior years, expenses and other charges. The statement for the corresponding period last year showed a loss of $80,825.

Laemmle Signs Sheriff

Hollywood, March 7—Carl Laem mell, jr., has signed R. C. Sheriff to a dramatic original for Irene Dunne. It will be made following "Snowboat."
The crowning triumph in a career aglitter with triumphs... George White comes through with a show 365 times better than his last year's hit... sprinkled with stars and beauties... sparkling with gaiety, romance and sheer gorgeousness!

George White's Genius Has Never Shone Brighter!

George White's 1935 Scandals

Alice Faye • James Dunn
Ned Sparks
Lyda Roberti • Cliff Edwards • Arline Judge
Eleanor Powell • Benny Rubin • Emma Dunn
George White

Entire production conceived, produced and directed by George White

LAUGHING!
BETWEEN TWO OPPOSITION HOUSES HE'S PLAYING
"THE LITTLE COLONEL"!
'Twas a Busy Day for Campi-Pinch Hitters

(Continued from page 1)

alternate, F. Thomas Murray, was not present either. He appeared before the local clearance board on behalf of Century circuit which has a dispute against RKO in Long Island. Lewen Florox, managing director of M.P.T.O.A., head being confined to his home in Columbus, Miss., recuperating from the recent New Orleans convention. Max Levinson alternated for Nathan Yamsin, Allied member.

Felix F. Feist of M-G-M substituted for J. Robert Rubin, also alternated for Nicholas M. Scheneck; Felix A. Jenkins alternated for S. R. Kent, now vacationing in Florida; Sidney Justin sat for George J. Schaefer; Leslie E. Thompson, for M. H. Aylesworth; Edward Golden, for W. Ray Johnson; E. B. Thomas, for R. H. Cochrane; Harold S. Bareford, for Harry M. Warner.

Up to yesterday's meeting there has been at least one open quorum of the President at each camp session.

Five FWC Men Are Heard

Five Fox West Coast representatives appeared to protest the Los Angeles schedule. They were: Charles Stourna, president of the circuit; Mike Rosenberg, a partner in a number of the coast houses; Edward Alpers, buyer for Charles Buckley and William T. Powers, attorneys.

After a lengthy discussion of F. W. C.'s objections, John C. Flinn was delegated to the League's regional office, and to investigate the several situations involved. He plans to leave by plane tomorrow morning. When his return is in sight, the schedule must go into effect before March 31, but not before March 15, as previously ruled by Campi.

A rotating chairmanship for the Extras' Standing Committee in Hollywood ended yesterday. Following the resignation of the post by Mrs. Mabel Kinney, who still continues as one of the 15 on the committee.

No date for the next hearing has been set. Thompson was chairman yesterday when 33 appeals were decided. The ruling was made on the Leonia clearance and zoning dispute or on appointment of impartial men as permanent chairman of local boards.

Rosenblatt Coming

For New Wage Talk

(Continued from page 1)

...months ago no processiveness has been made by circuit and independent exhibitor heads and I.A.T.S.E. representatives on the two operators' schedules presented previously by Charles L. O'Reilly, president of the T.O.C.C., and the other by the independents.

Independent exhibitors have threatened to withdraw from the fact-finding committee and negotiate a deal of their own with the I.A.T.S.E. if no unified plan is adopted. Leslie E. Thompson, chairman of the fact-finding

Richberg Asks 2 More Years
For NRA with Modifications

(Continued from page 1)

strengthened by providing for the prevention of violations by equity procedure; making violations punishable by fine only and making the remedies of the Federal Trade Commission Act available for enforcement.

The President, for his part, is content with making a formal statement outlining the desires of the President and on Friday will appear before the same committee and attempt to make a more detailed explanation.

Discussing the charges which have been levied at the NRA, Richberg asserted that the general proposition that codes of effect upon small enterprises has been harmful cannot be sustained.

Continuity be true,” he told the committee, “that under some codes small enterprises have continued to suffer from disadvantages under which they have withstood the war years. This is said it is true that the detailed record of code after code shows that new proposals have been made by large enterprises and, in many instances, the major purpose and effect of code provisions have been to protect the smaller enterprises against their large competitors.”

Suggestions that the best method of handling the situation would be to continue the operation of the act over to the Department of Labor and Federal Trade Commission and the current drive for American Federation of Labor which announced that such action would be unacceptable to labor.

The President of the NRA was laid before the President Wednesday by Senator George of George. While it has considerable support in Congress generally considered the act could not be put through in the face of Administration opposition, but the President still plans to explore by the Finance Committee during its consideration of the legislation.

The President’s power to impose his approach to a code or to require amendments of modification thereof, Richberg also said, should be explicitly given but “the proponents of voluntary codes should have the right to withdraw their consent from codes so modified as to be unacceptable to them.”

There should be a clear grant of power to the President to impose a special code whenever there is no code in effect,” he continued, “which limited codes should contain only certain requirements, such as minimum wages, hours on the job, the prohibition of unfair labor practices. The Congress should itself set the standards for minimum hours and maximum hours for administrative enforcement in limited codes. Some flexibility in these standards is absolutely necessary, but the area of executive discretion should be rather narrowly defined.

In order to maintain the continuity of present codes and, at the same time, insure any necessary revisions, Richberg recommended a requirement that codes be extended for a limited period within which they shall be re-rigged to conform to the requirements of the new act.

Bank Nights General

In Kansas—Missouri

KANSAS CITY, March 7.—Despising ballroom, schedule, and child labor provisons of the NRA. "The impression prevails generally at Capitol Hill that the NRA has outlived usefulness, if any, and now may be regarded as just another new deal experiment that failed to work.”

Code to Stay; Theatres End

Undetermined

One month ago no processiveness has been made by circuit and independent exhibitor heads and I.A.T.S.E. representatives on the two operators' schedules presented previously by Charles L. O'Reilly, president of the T.O.C.C., and the other by the independents.

Independent exhibitors have threatened to withdraw from the fact-finding committee and negotiate a deal of their own with the I.A.T.S.E. if no unified plan is adopted. Leslie E. Thompson, chairman of the fact-finding

Cod Uphold Shea Clearance

BUFFALO, March 7.—The 21 days' protest against Shea's Seneca, Buffalo, over the Ridge, Carry-in, in subcommittee. While here he is expected to confer with George Browne, head of the L.A.T.S.E., in an effort to stop the return of pickets and also try to work out a common operators' schedule.

Charge Chiseling on Pay

Charging violation of the wage cause of the code during their engagement in "Romance of a People" on the Roxy stage last September, 32 chorus girls yesterday appeared in Commercial Frauds Court here against Meyer W. Wiesgal and M. W. W. Prod, whom they charged with paying them $12 for a week's work when the industry NRA pact specifies a $30 minimum for dancers.

The theatre was absolved of any blame by "blue snare", Fay Shroyer, F. & M. Stage Shows, booker of the production, who said that Wiesgal had been at the girls when they were receiving code wages.

Would Permit Fight Film

WASHINGTON, March 7.—A bill seeking to lift the Federal ban against interstate transportation of fight films was offered in the House today by Representative Quinn, Pennsylvania Democrat.

Stop Wisconsin "Nights"

MILWAUKEE, March 7.—The grievance board ordered the Venetian and Princess, Milwaukee; the Parkway, Madison, and the Grand, Green Bay, to discontinue book nights. The Wisconsin Amusement Enterprises, Inc., and the complaints were brought by the Wisconsin Amusement Enterprises, Inc., and the Grand is operated by George Hannon, and the Wisconsin Amusement Enterprises.
New Gross Tax Gets Study in California

Sacramento, March 7.—The flood of tax bills being sent to land owners in Central California by the State Equalization Board has offered four bills to the Legislature designed to increase treasury receipts by assessing sales tax against leases and rentals or automobiles, office and accounting equipment, films made available to theatres and other tangible property.

State Controller Ridley is working for a low estate tax. The State Equalization Board has offered four bills to the Legislature designed to increase treasury receipts by assessing sales tax against leases and rentals or automobiles, office and accounting equipment, films made available to theatres and other tangible property.

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Pennsylvania: Fulton To Raise Its Scale

Pittsburgh, March 7.—After a month at a 15-25c scale, the Fulton next week will return to its former admission prices, 15, 25 and 40 cents. It is the first time in 20 years that the admission price war is expected to send at least one and perhaps two more houses out of the old scales.

Theatre has found that, despite low scales, grosses haven't shown any improvement. In many cases they have fallen off and even attendance figures have proved that it's still the attraction around here. They'll buy at any price if they want it. If they don't want it, you can't give it to them for nothing.

Duffy to 20th as Associate Producer

Los Angeles, March 7—Henry Duffy, for several years a legitimate producer on the coast, has signed a long-term contract as an associate producer for 20th Century and special advisor to Darryl Zanuck. The pact becomes effective June 1, when 20th Century starts its new program.

Duffy made no statement regarding disposition of his lease on the El Capitan.

Research Group to Meet

Hollywood, March 7.—The sub-committee of the Academy research council, composed of sound engineers and appointed to devise ways and means of establishing closer contact between studio sound men and theatre projectionists, will hold its first meeting Monday night.

The council believes it essential to map some form of educational campaign this year when so many improvements in recording are taking place. It feels that best results will be obtained in sound reproduction in theatres by bringing projectionists with technical data regarding these new developments.

Safety Short Finished

George Gullette and Emerson Yorke, producer and director, respectively, have completed production of "Stop-Look-Live." The picture has been made in association with Welfare Prod. to cooperate with the New York City Police Department on safety. The picture will have its initial showing at the Skouras, Jamaica, and will be shown in selected areas throughout the city.

Code Objectathon Hears About a Card for Hours

(Continued from page 1)

by Motion Picture Daily. Although the board made a special plea to the attorneys to eliminate as many objections as possible in an effort to get through with the case, Louis Nizer and Arnold Klupt chalked up 14 in the forenoon and five after lunch, making a total of 21 for the day by Nizer and 19 for Klupt. The grand total of objections made by both lawyers during the five hearings in now 168.

Four of the witnesses put on the stand by Nizer during the morning were photographers who testified to the authenticity of a photograph taken of the Far Rockaway dairy. They were Harold Harrison, who accompanied his father, who took the picture; Joseph Heppner and Maurice Haralson. They all agreed that the photograph in question was a true picture of the actual subject and no superimposition was involved. Nizer brought in the quarter as a result of a remark made at the previous session by Klupt that the window card was a "plant."

Walter Landes, manager of the RKO Strand and Columbia, Far Rockaway; Emanuel Friedman, manager of the Fantasy, Rockville Center; William Hauser, distributor of window cards for Century, and George Lang, bill poster man for RKO's Far Rockaway houses, were examined and cross-examined on the window card.

Albert L. Foy, an employee at the Fantasy, was questioned about four different lists of automobile license numbers he took down on three different occasions at a Far Rockaway parking space. Albert J. Burns of Century and Marie Egan of Shelock & Arnold also testified on these lists.

Ed Peskay, buyer for Skouras, was quizzed on Columbia and U.A. contracts which involved pictures bought and clearance for the Fantasy.

There was much ado about credibility of witnesses. The lawyers were warned about eliminating remarks other than objections, but regardless of Abrams' admonition both attorneys took occasion now and then to inject sarcasm and other biting words into the record. Exclusive of yesterday's session, there are 700 pages of testimony with expectations that the final record will total more than 1,000 pages.

Before adjourning until next Monday, Abrams asked both sides to try and complete the case at the next hearing.

Industry May Flee Tax, Says Giannini

(Continued from page 1)

Giannini, chairman of the executive committee of the Bank of America N.A., in an article on the front page of the Los Angeles Times today, asserting the industry "in virtually being kicked out of the state," Giannini declares that film leaders are cocking an ear to the "blaniemonts of other states and nations which seek to win them away from us," adding that he knows it "to be a fact" that "Arizona, Texas, Florida, New Jersey, Connecticut and New York are making strong bids" to attract the studios, with some states "offering tax exemption for 20-year periods and others "going as far as offering to erect studios for producers free of charge."

"I know it to be a fact," writes the banker, "that any studio wishing to move can erect buildings elsewhere for one-tenth of the cost of the structures now housing them here. Changes in property values and building costs make this possible."

Slice Income Tax Limit

Sacramento, March 7.—Joseph M. Schenck's threat to move studios to Florida is believed to have actuated a caucus of Democrats and progressive Republicans today in cutting the proposed maximum in an income tax bill from 75 per cent to 15 per cent on $30,000 and up incomes. The rate on $20,000 incomes was at the morning session.

This reduced the estimated receipts for this tax from $300,000,000 to $150,000,000. The group also proposed triple bank and corporation taxes to raise $30,000,000 biennially.

Justice Dept Warns On Kidnapping Hoax

Hollywood, March 7.—Actors and actresses here have been warned by Joseph E. P. Dunn, local director of the Department of Justice, that the government will not tolerate kidnapping and extortion hoaxes.

The warning was issued as Dunn prepared to investigate the $100,000 extortion threat which Thelma Todd reported she received Feb. 24.

"This Thelma Todd matter reached my office Tuesday night in a round-about manner," Dunn said. "If it is a bona-fide case, my office will work day and night to solve it. But I want it distinctly understood that our office will not tolerate nor be used in any cheap Hollywood publicity stunt."

Van Schmus Asserts Rivoli Deal Chilled

(Continued from page 1)

the Hall, reported yesterday on his return from a two-weeks trip to the coast. No discussions on the impending deal occurred during the trip, Van Schmus said, and indicated that none were on tap for the next few days.

"I had hoped the trip would be a vacation one," he said, "but I had to come home to rest. I found Hollywood working hard, seriously and sincerely. What I saw encouraged me greatly on the outlook for the coming months. There are some excellent pictures on the way."

Watch for in Universal's the Bridge of Frankenstein
TO THE MORE THAN 100
OPENING "ROBERTA"
BUSINESS THRILL AWAITS YOU!

have been pouring in from
RUBBER WALLS," from
BY 20 PER CENT," from
FOR INDEFINITE RUN,'
paper critics will be wri
PLAY."—Pittsburgh Post
RADIO"—Memphis Con
New Orleans Tribune...
show to the skies!

THAT'S WHY
WE SAY...

RKO-RADIO PICTURE WITH
THREE OF THE NATION'S FAVORITES
IRENE DUNNE
THE GOLDEN GIRL WITH THE SILVER SONG... AND
FRED ASTAIRE
GINGER ROGERS
DANCING STARS OF "GAY DIVORCEE"

JEROME KERN'S DAZZLING MUSICAL ROMANCE... SURPASSING
ON THE SCREEN ITS MIGHTY STAGE SUCCESS... with RANDOLPH
SCOTT • HELEN WESTLEY • VICTOR VARCONI • CLAIRE DODD

From the play "Roberta." Book and lyrics by Otto Harbach.
Directed by WILLIAM A. SEITER. A PANDORE S. BERMAN PRODUCTION.
You, too will be sending wires similar to those that all over this week—wires like "WE NEED A THEATRE WITH Coulter & Somma, Byrd Theatre, Richmond...."BREAKS RECORD Izzy Rappaport, Hippodrome, Baltimore...."YEAR'S BEST. IN from John F. Kumler, Pantheon Theatre, Toledo....YOUR newsw- ing raves like these: "WORTH TWICE AS MUCH AS THE STAGE Gazette...."THE BEST TUNE TALKIE AS YET FROM RKO- mercial Appeal...."POLICE CALLED TO HANDLE CROWDS)— YOUR crowds will storm your doors and come out boosting your TIME OPEN FOR DED RUNS!

BERTA THEM ALL
Para. Setup Gets General Creditor Aid

(Continued from page 1)

filing or direct to The N. Y. Trust Co., as agent for the special master designated by the court to receive the acceptance.

The letter states that "the slate for the board of directors of the reorganized company has been determined by consultation and negotiation among the various committees representing the principal groups of stockholders, and stands approved by the court."

Erpi, with its claim of $1,200,000, is the largest single creditor represented by this committee. Acceptance of the plan by it leaves only the Munger debenture committee among the significant creditors, and it has not given its assent to the plan. This group represents about $800,000 of the Munger debentures under agreement of attorney rather than under certificates of deposit and therefore it is not required to provide its bondholders with an 11-day period for withdrawal as are the other bondholders and stockholders' committees.

The general creditors' committee also represents its members under powers of attorney.

An assent to the plan already has been given by the Vanderlip debenture committee, Paramount Broadway bond committees and the stockholders' committee. The several portfolios of Allied Owners, the bank group and the large security holding interests within the so-called Fortinco group, have approved the plan and will file individual assents with the N. Y. Trust Co. in advance of the next scheduled court hearing, April 4, for final confirmation of the plan.

Order Lasky to File Bill of Particulars

An order directing Jesse L. Lasky to file a verified bill of particulars within the next 10 days in connection with his claim against Paramount Publix of $282,000, plus an indeterminate amount, for alleged breach of an employment contract, was signed yesterday by Federal Judge Alfred C. Coxe.

Judge Coxe also signed an order authorizing the Paramount trustees to employ Myer & Greene, special accountants, to determine the probable financial responsibility of former Paramount officers and directors of Paramount and associates of Kuhn, Loeb & Co. under the action making them defendants. If, after reviewing the accounts brought in last December to recover for Paramount alleged losses as a result of certain transactions under the so-called double production purchase plan of 1928 to 1931, compensation for the firm of special accountants making the audit is not to exceed $3,000, according to the order.

Momm, Allison Shifted

CHICAGO, O. March 7—Robert Morley has been transferred to The Shubert theatre. Chal- man, who has been transferred to the Ohio, at Sidney, exchanging posts with Ray Allison, who now has charge of the local house.

Fox May Ask Rehearing on Patent Cases

(Continued from page 1)

the advisability of asking for the rehearing, but had not reached a decision yet. Pending that action, from March 4, the date on which the Supreme Court handed down its decision declaring the patents to be invalid, in which time it may file a petition for a rehearing. Thus the petition could be made at any time up to March 24, and the rehearing is rarely sought by unsuccessful litigants, but could be obtained if it could be shown that the high court had failed to consider any important facts which had been before it or had misinterpreted significant evidence.

David Sarnoff, president of RCA, yesterday issued the following comment on the recent patents' decision of the Supreme Court:

"The flywheel patents suits were brought by the American Tri-Ergon Corp. against Altona Publicit Theaters, Inc., Witmer & Vincent Corp., and Locust Street Real Estate Corp., alleging infringement in theatre reproduction of inventions by the defendants from RCA Photophone Inc. The suits were decided by the Radio Corp. on behalf of Photophone.

The Supreme Court's decision afforded substantial relief from additional litigation, not only to the Radio Corp., but also to the picture industry which makes extensive use of the apparatus to which the patent relates. The industry is now assured that it can continue to use the recording and reproducing equipment that has been furnished it by RCA without any liability for infringement of this patent.

"We are equally pleased with the decision in the companion suit on the so-called double production patent. This decision likewise relieves the industry of problems and difficulties involved in the litigation that has been pending on this patent."

Production Gains: 41 Features Going

(Continued from page 1)
two and one: Warners, six, one and eight: Paramount, four, one and six: Columbia, five, four and seven: M-G-M, two, three and seven: Universal, two, zero and two; Roach, one, zero and zero; Century, one, zero and two, while the independents had six, five and six.

In the short subject division none of the majors reported a single picture in work, yet the independent group showed a total of four before the coming week: two and two and two: Universal, one, zero and zero; Columbia, one, zero and two; while Roach shows, zero, zero and two.

Rangers See "Sequoia"

Hollywood, March 7—M-G-M previewed "Sequoia" before more than 300 industry forest ranger and public officials.

MOTION PICTURE DAILY

Friday, March 8, 1935

Purely Personal

THAT southern cruise lure gets 'em sooner or later. Here's a list of those who go out on the Lafayette for Port-au-Prince, Martinique and other spots. Its call is liberating. Besides the Cleveland Plain Dealer, and her husband, Frank Hubbell; Visconti, assistant editor of the Daily Mirror; A. W. Smith, Jr., of Warner; Harry Shaw, in charge of Poli operations for Loew's, with Mrs. Smith; Goldwyn, Mrs. Margaret; Hugo Mayer, vice-president of Wilbur Photo Engraving, and Mrs. Mayer.

Nelson Edgy will be guest and trade, magazine and newspaper writers the audience at a cocktail party which Metro will throw Monday. The Elysee will be the place.

Quip of the Day

Sam Goldwyn is waxing enthusiastic over his proposed musical revue. "It's to be the Goldwyn Folies," he said. "Are you sure it won't be Goldwyn's folly?" he was asked. "Not at all. The title will positively be registered. It's The Goldwyn Folies."

Al and Henry Nasser, two of seven brothers operating the Nasser circuit in California, are visiting for a few days. They came on from the New Orleans convention.

Tom Haflin has been made a member of the theatricals' Hearst Fire Department. He looks swell in his new red helmet.

Paul Perry is off for Lansing which is in Michigan, then Dallas, Austin in Texas and finally to Hollywood.

Rochelle Hudson, scheduled to arrive here tomorrow, will see New York for the first time.

Balcon Nears Coast On a Talent Search

(Continued from page 1)

but would continue his policy of importing American talent as well as from other countries.

Arthur Lee, head of the company's American office, who is accompanying Balcon, said that despite the prevailing impression that foreign product does not measure up to domestic in view of its own films G. B. pictures doing excellent business in Kansas, Minnesota and other middle western points. So far no talk of the pictures shows results where the exhibitor is willing to put the money up there will be no talent search.

Balcon added that the greatest exhibit problem in England is the same as here, which is the problem of advertising, and also to provide sufficiently profitable operation. Gaumont British desires to use color, Balcon continued, but this is impossible because of the only perfected process, Technicolor, it is not available for his company and in addition G. B. hasn't the necessary facilities.

Licenses Seen for Television Makers

(Continued from page 1)

defendants. The licensing system is expected to avoid a recurrence of the "many costly patent litigations, scores of poorly financed manufacturing units resulting in destruction of some, and huge losses on the part of the investing public" experienced in the development of the radio industry, the article observes.

"Diggers" Sets Record

NEW ORLEANS, March 7—"Gold Diggers of 1935" has set a new house record here at the Saenger, outgrossing the previous high made by "22nd Street" by 13 per cent, according to local Warners.

Panorama Shifts
Tell only the best people

Only 1000 Tickets will be sold this year...

490 sold to date
You and 509 others can still go if you hurry!

No speeches ... no speaker's table ... but beaucoup dancing and music ... and plenty of big time entertainment ... 

See Paul Benjamin for tickets ... at National Screen Service, 630 Ninth Avenue ... and bring your money with you ... reservations will be made as they are paid for ... $7.50 each ticket ... 

Tell only the best people about

Layout and copy by Milton Silver—National Screen Serv. 
Typography by National Typography Inc. 
Engraving by Pioneer-Moss Inc.
Looking 'Em Over

“The Florentine Dagger” (Warners)

It's a mystery story with a variety of psychological, not to say psycho-
pathic twists, but the peculiar mental motivations are not allowed to
mar the suspense or slow up the action. The yarn holds the interest
and most of the principal roles are well handled.

In other words, “The Florentine Dagger” is good entertainment, espe-
cially for the mystery story fans, without being a so-called epic or super-
special.

Scenes are laid in the Alps and in Vienna with Donald Woods play-
ing Juan Cesare, one of the last of the Borgias. He happens into an
Alpine town in the same train with C. Audrey Smith, an English physi-
con, a psychiatrist, director of the Amateur Cinema League, Inc., spoke
at this meeting on “Personal Motion Pictures” and illustrated his talk with
16-mm pictures.

The conference will resume this
morning with an open discussion to
be followed by addresses in the after-
noon by Mrs. Jessica G. Coegrae, prin-
cipal of the Lenox and Finch Schools, and Dr. John A. Hollinger, dir-
ector of Visual Education, University of Pittsburgh.

MOTION PICTURE DAILY

FRIDAY, MARCH 8, 1935

Los Angeles, March 7—“Sequoia” was
something of a sensation in a pre-
Lenten week that seemed to lift
grosses slightly above their recent low
level. The picture piled up $7,000 at the
900-seat 4 Star. This is $3,750 above
normal.

“Restoration” of the Paramount was
strong. It reached $19,500, over the line by $1,500.

Estimated running business was $76,000.

Average was $91,200.

“ONE MORE SPRING” (Fox)

CHINESE—(2,500), 34c-S, 6 days.
Gross: $6,120.

“UNFINISHED SYMPHONY”

FILMARTES—(3,500), 34c, 7 days.
Gross: $7,700.

“(Average, $1,050)

“SEQUOIA” (M-G-M)

4 STARS—(2,500), 6 days.
Gross: $7,000.

“(Average, $2,900)

“ONE MORE SPRING” (Fox)

LOEWS STATE—(2,500), 34c-S, 6 days.
Gross: $6,000.

“(Average, $1,000)

MURDER ON A TRAIN TIES” (F. N.)

PARAMOUNT—(3,500), 34c-S, 7 days.
Gross: $7,000.

“(Average, $1,000)

“LIVING ON VELVET” (Warners)

MALOY—(2,500), 34c-S, 7 days.
Gross: $7,000.

“(Average, $1,000)

“EVENSONG” (Gaumont-British)

LAFAYETTE—(4,000), 6 days.
Gross: $1,309.

“(Average, $218)

“LIVING ON VELVET” (Warners)

WASSER BRODS—(2,500), 6 days.
Gross: $9,000.

“(Average, $1,500)

“MURDER ON A HONEYMOON” (Radio)

WASSER BRODS—(2,500), 6 days.
Gross: $7,000.

“(Average, $1,167)

“MURDER ON A HONEYMOON” (Radio)

REPUBLIC DOWNTOWN—(2,000), 34c-S, 6 days.
Gross: $9,200.

“(Average, $1,533)

“MURDER ON A HONEYMOON” (Radio)

F. N.—FILMEX—(2,000), 34c-S, 6 days.
Gross: $7,200.

“(Average, $1,200)

Wall Street

Cons. Pd. Up on Big Board

Columbia wto (1), 49c 43c 49c +4

Consolidated

pfd (250) 20 20 20 +1

Eastman pfd (60), 117c 117c 118c +1

Fox “A” 150 150 150 +1

Loew’s (2) 154 145 154 +1

M-G-M pfd (1,700) 27c 27c 27c +1

Paramount .... 65c 65c 65c +1

RKO 121 145 145 +1

Warner pfd 18 17 17 +1

Technicolor Up ¥ on Carb

Cons High Low Close Change

Columbia wto (1), 49c 43c 49c +4

Warner Bonds Gain ¥

Cons High Low Close Change

Trans Lux (100) 29c 29c 29c +4

Warner Bonds Gain ¥

Cons High Low Close Change

General Theatre

Radio City 90 75c 75c 75c +1

Keith B. P. 68 68 68 8

Loew’s 64 ‘41

M-G-M Rights 105 105 105 +1

Paramount F. L. 72 72 72 +1

Paramount Public 27 27 27 +1

Pathé 71c 77c 77c +1

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Pettengill’s Booking Bill
Allied Move

Myers Helped Draft It, Bulletin States

WASHINGTON, March 8.—The anti-block booking bill in Senate by Legisla-
tor Samuel B. Pettengill of Indiana is Allied’s much-discussed move
on this subject, it is disclosed in the late Allied Bulletin.

Abram F. Myers, general counsel, writes that it was “drafted by a dis-
utined and influential group of
public spirited people with the aid of the Legislative Drafting Service
of Columbia and the advice of the gen-
eral counsel of Allied.”

Typewritten copies have been fur-
nished to “a few interested leaders,”
the bulletin states.

New forms of individual mem-
berships for exhibitors in sections where

(Countries on page 3)

Cullman May Hear
Labor Tangle Here

Howard S. Cullman, trustee of the
Roxy, who was recently appointed a
member of the Regional Labor Board
covering New York, New Jersey and
Connecticut, may be called in to
straighten out the local situation.

Under his appointment, Cullman
will handle labor cases coming under

(Countries on page 3)

Locke Made Lubitsch
Production Assistant

HOLLYWOOD, March 8.—Eric Locke,
who was formerly a production and
business manager for various Para-
mount units, has been appointed pro-
duction assistant at S. Lubitsch, a
supervisor of production at Para-
mount, it was announced today.

Chandler Sprague, it was said, will
continue as Lubitsch’s story side.

Radio Nights Help
New England Houses

BOSTON, March 8.—Radio audition
nights at M. and P. Publix houses
are lifting grosses as much as 300 per
cent in a number of situations, ac-
cording to the local circuit head-
quarters. Nearly 20 houses are al-
ready using the tiptop. Bringing the

(Countries on page 3)

Lightman Out Front in His
Circuit Moves

Palace Acquisition Gives
Memphis Dominance

The deal, long pending whereby
Loew’s Palace in Memphis will be
operated by M. A. Lightman of Malco
Theatres, Inc., under a partnership
arrangement with Paramount was
finally closed late Thursday night.

Joe Vogel of Loew’s, Inc., informed

MOTION PICTURE
DAILY

VOL. 37, NO. 57
NEW YORK, SATURDAY, MARCH 9, 1935
TEN CENTS

Lightman’s latest effort to extend
his interest to the South, the deal
marks a new and more strenuous
move to establish the Palace in the
company’s circle of theatres.

In Milwaukee, Lightman, who
exists to the theoretical south of
his home, has gone so far as to
claim the city as his own and
theatres in the area his property.

Good business, however, has
always been the redeeming feature
of Wisconsin’s theatre district.

Cinemas, Inc., became the
Major’s representative in the
area.

Emergency decree was
secured by Lightman, thus
breaching the film from
other dishes.

Both of these theatres, the
Western and the Stark, carry
the ‘Em’s schedule.

Under the terms of the
emergency decree, Lightman
was informed that he could
not be held responsible
for
breaches of the law
by
his employees.

killed by fire.

(Bertram F. Linz
WASHINGTON, March 8.—Abandon-
ment of the NRA and transfer of
the enforcement of NIRA to the Depar-
tment of Labor and the Federal Trade
Commission was proposed by Don-
ald R. Richberg, executive direc-
tor of the National Emergency Coun-
cil, before the Senate Finance Com-
mittee.

Neither body, Richberg said, is
equipped to undertake such work, and
it would be impossible to carry out
the purposes of the law under the

Plans for the transfer, however,
will be pressed by senators who
believe this to be the best way to
protect the interests of the smaller
establisments, and it was announced by
Senator Nye of North Dakota that
he would prepare and introduce a

(Countries on page 3)

Skouras-FWC Deal
Is Again Delayed

Another delay in signing of the 10-
year contract with Chase National
for operation of the Fox West Coast
circuit has set back the departure of
Charles Skouras and Charles Buc-
kleymen; the latter part of next week.

The contracts are all set but are

(Countries on page 2)

Ohioans in a Drive
For Playdates Ban

COLUMBUS, March 8.—A drive is
being conducted by the I.T.O. of Ohio
in behalf of the bill on designated
playdates. Having passed the State,
the bill is now pending in the house.

Two bills are being fought. One
calls for a restoration of the 10 per
cent ticket tax and the other requires
an operator for each projection
machine.

(Countries on page 3)

That Para. Board May Get
Screen Tests Any Day Now

The idea of tying a Hollywood
name of 14-karat publicity value to
the new board of directors of Para-
mount appears to be gaining adher-
cents, at least within the Manhattan
legal circle which has—or hopes to
have—fat-salaried Hollywood talent
for its clientele.

Morris L. Ernst of the Vander-
bilt committee of Paramount bondholders
originated the idea. Marc Connely
or George Kaufman would suit him
personally, but he also suggested that
the Screen Writers’ and Screen Act-
ors’ Guilds prepare a panel of 25
names to submit as nominees for di-
rectors of Paramount. Now comes
Louis M. Levy, perhaps inspired by
the heavyweight publicity which

(Countries on page 3)

Richberg Hits NRA Transfer
To Trade Body

Not Equipped for Job, He Tells Senators

By BERTRAM F. LINZ

WASHINGTON, March 8.—Abandon-
ment of the NRA and transfer of
the enforcement of NIRA to the Depar-
tment of Labor and the Federal Trade
Commission was proposed by Don-
ald R. Richberg, executive direc-
tor of the National Emergency Coun-
cil, before the Senate Finance Com-
mittee.

Neither body, Richberg said, is
equipped to undertake such work, and
it would be impossible to carry out
the purposes of the law under the

Plans for the transfer, however,
will be pressed by senators who
believe this to be the best way to
protect the interests of the smaller
establisments, and it was announced by
Senator Nye of North Dakota that
he would prepare and introduce a

(Countries on page 3)

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(Countries on page 3)

Kansas City I. T. O.
Joins Claims Fight

KANSAS CITY, March 8.—The I.T.O.
will actively support the Liability Protective Ass’n, Inc.

(Countries on page 3)
Dorgan Bill Defeated
BOSTON, March 8.—Representative Thomas A. Dorgan's bill to prevent attendance by persons under 18 years of age at theatres located in buildings where liquor is sold has been killed by the House Committee on Education. A measure would have hit the Metropolitan and other houses.

Decide to Hear Moley
Members of the Cheese Club will switch meetings places next Monday from the Friars to the M. P. Club, where Raymond Moley, editor of "Today," will discuss the New Deal and its bearing on the film industry.

Goodman on the Coast
Hollywood, March 8.—Morris Goodman, vice-president of Mascot, in charge of foreign sales, is here for conferences with Nat Levine. Goodman expects to be here about two weeks.

Wolf Heads New Outfit
Jerome H. Wolf, former sales manager and director of publicity for Rastron Prod., has formed a new distribution company called Wolf Film Enterprises. It will handle domestic and foreign product.

Col. Cole Visits Detroit
DETROIT, March 8.—Col. H. A. Cole, head of the Allied unit in Texas, stopped here for a few of several days this week with H. M. Richey and other local Allied leaders. He returns to Texas at the end of the week.

GARY COOPER, accompanied by MRS. COOPER, arrived here this morning from Palm Beach. He'll stay in town until March 15 for the opening of "The West Wind." He and his wife, Nata Riva, and then return to the coast.

ABRAM F. MYERS sailed yesterday on a West Indies cruise. Snoopy Samelson, president of Allied States, will be the big news in the association while the general counsel is holiday-making.

RALPH ROLAN and DAN LONGWELL of "The March of Time" have returned from Detroit, where a sales meeting was held. Harry Thomas, who stopped off in Cleveland, is expected in today.

Quip of the Day
Telling about her embry- oment at the Ambassador in Hollywood when she was recalled from the train to receive the 1934 acting award—"said embarrassment caused by the fact that she wasn't appropriately attired—Claudette Colbert relates: "I didn't think of anything right then except how out of my place I was. I guess I kissed Irene S. Cobb when he gave me the trophy, but I really don't remember."

HARLEY RAINEs, due back from his vacation in Miami yesterday, reported into M-G-M home office publicity department yesterday ahead of schedule. The reason: He ran out of money in New Orleans.

MARLENE DIETRICH creating quite a furor walking 5th Ave. yesterday. Maybe it was the flaming red gloves she was wearing that really drew crowds.

MOLLY LAMONT, British film actress signed by Radio, arrives on Tues- day and is here for a week. She's abroad the Olympic.

HUGO HERBERT and Mrs. Herbert arrived in town yesterday on a month's vacation. They are at the Warwick.

HAL SOAN is feeling pretty good these days now that the pressbooks on Mickey Mouse's latest in color are out.

JOHN C. FLINN flies to the coast to confer with weather people on the Los Angeles clearance schedule.

W. S. VAN DYKE and his recent bride arrive from New Orleans on Monday.

ROBERT MITCHELL, editor of THE STORY Magazine, arrives in town today.

JOE LEE of Fox is due back from his European vacation next Thursday.

ARIE LUFF and MRS. LEWIS MAYER have returned from three weeks in Miami.

BILLY SCULLY returns next week from Chicago and is here in New York.

HUNT STROMBERG gets into New York Monday from Washington.

CLAUDETTE COLBERT is complaining of the cool weather these days, but her dancing at El Morocco the other night drew applause. She said Joseph Rochak would make a swell rhumba team.

GUS SCHAEFER, on his arrival from Paris yesterday, made several inquiries as to some fishing streams. He intends to do a lot of fishing and golfing during his five weeks' vacation here.

ARTHUR LOW is back from the coast after conference with M-G-M and office in New York. He will probably sail for Europe in the fall.

JACK COHN, accompanied by MRS. COHN, left town yesterday for Miami. After several attempts to get some of that Florida sunshine he finally made it. His return is expected in two weeks.

ARTHUR MAIER will have a partner, silent, when he takes over operation of the new studio of the Paramount steps out of the picture when the building starts to come down.

ALBERT HACKETT and FLORENCE GOODRICH, M-G-M writers, are in New York working on the adaptation of a sequel of "The Thin Man," which they also adapted.

NOEL COWARD, who plays one of the leads in "The Miracle on 49th St." for HECHT-MACARTHUR, left for China, via the steel rails to San Francisco yesterday.

LOUIS HAYWARD, under contract to M-G-M, leaves for Hollywood by plane today. He was a member of the cast of NOEL COWARD's "Point Valaine."

HARRY BUXBAUM sails for Liver- pool on March 21 and from there will fly to South Africa, where he has an uncle in the diamond business.

BENITA HUME arrived here yesterday on the Bremen. She isn't going out to Hollywood, however. Miami is her next stopping place.

MARITZA GERVAY, Hungarian actress, has reached the coast, where she will work for M-G-M under a long term contract.

FRANK EARLEY, foreign talent and story scout for Paramount with offices here, arrives next week on the Champlain.

WILLIAM FERGUSON didn't go to Washington last night after all. He plans to make the trip some other time.

AL ALTMAN of the M-G-M home office heads for St. Petersburg, Fla., on vacation today.

MRS. JENNIE LAWRENCE, mother of LEROY OF M-G-M, is here from Paris.

E. C. GRAINGER wins up another short tour of Fox exchanges Monday.

MITCH KUSELL flew to Buffalo last night and will return Monday.

European Theatres
Hard Hit—Schaefer

(Continued from page 1)
Bulgaria, Turkey, Greece and Russia are reported to have foreign offices in any of these places.

With the exception of Warners and RKO, all major companies have distribution offices in Germany, Schaefer added. Warners pulled out altogether some time ago, while United is still represented by its subsidiary, the RKO Film Co., but has Rudiger von Etzdorf as its representative in the company. Both companies have a plan to withdraw from the country, it was stated.

Schaefer said that the central and eastern European countries, with the exception of Germany, are going through the financial crisis America passed through about two years ago. He added that since last September, conditions in Germany have picked up a lot and the city is a great show place.

Distribution of American made pictures with superimposed titles varies in different countries. In Holland, Paramount's local representative in the same holds number true for Poland, Roumania and Yugoslavia. In Hungary, Paramount's local representative is the Baltic provinces, 45. In Germany 12 are released and in Austria, 25. Eight dubbel versions in German are released each year in the last two countries. Schaefer's supervision covers 15 countries. No changes in personnel have been made in the last four years, he said.

Skouras-FWC Deal
Is Again Delayed

(Continued from page 1)
being finedom by Chase attorney.

Mike Rosenberg, partner of F.W.C. in several spots, plans to leave within the next few days. He originally intended to remain in the Buckley west, but since Skouras is not set on his departure date Rosenberg wants to get back on the coast as soon as possible, which means he hopes to be in Los Angeles when John C. Flinn is there investigating the F.W.C. clearance schedule complaints.

Hoyt Services Today
Funeral services will be held this morning for Richard F. Hoyt, financier, who died early Thursday morning at Doctor's Hospital.

As partner of Hayden, Stone & Co. until his resignation in October, 1933, to become vice-president of the Haystown Securities Corp., Hoyt was identified with a number of important film transactions, principally in the theatre field. The most notable, perhaps, was the group known as the Richard Hoyt Syndicate which obtained control of West Coast Theatres on Christmas Eve and subsequently sold it to William Fox and the companies he headed at that time.

No Saenger Opposition
NEW ORLEANS, March 8.—No opposition developed today at a hearing before Judge Borah in U. S. District Court on the Saenger reorganization plan. The court took the plan under advisement.
Richberg Hits NRA Transfer To Trade Body

(Continued from page 1)

That Para. Board May Get Screen Tests Any Day Now

(Continued from page 1)

Kansas City I.T.O. Joins Claims Fight

(Continued from page 1)

Massachusetts Dog Track Gets Permit

(Continued from page 1)

Pettengill's Booking Bill Allied Move

(Continued from page 1)

There are no Allied units been arranged for. Dues have been fixed at three cents a seat annually. The procedures are similar to those in the Kansas City trade. The agreement is to make the new union a complete unit.

Cullman May Hear Labor Tangle Here

(Continued from page 1)

Section 7A only if the NRA can't handle them.

So far the NRA fact-finding committee has been successful in settling the basic wage situation, despite personal efforts of Compliance Director Curley, and Edward J. Rosenblatt, assistant chairman.

Les E. Thompson, chairman, yesterday called a meeting of the committee. As no independent member put in an appearance indicating that they are not interested. Reports have it that the I.A.T.S.E. will resume picketing.

Radio Nights Help New England Houses

(Continued from page 1)

Shaft, Kusell Plan Four

(Continued from page 1)

Having turned "Dealers in Death" over to Majestic for distribution in the United States and Columbia, Monty Shaft and Buddy Kusell plan four more features, two to be made in the east and two on the coast. Finances and distribution arrangements for the new quartet are now being arranged. Negotiations are now on with George Bancroft to appear in the initial film which is on the pattern of "Min and Bill."

"Lillom" for Cameo

The French version of "Cameo" starts an indefinite run at the Cameo March 16. Charles Boyer is starred. The Spanish version of "The First World War" opens today at the Spanish theatre, 110th St. and Lenox Ave.

Boston Clearance Up

Boscox, March 8—Another clearance problem is set for hearing here next Wednesday. The Strand and the Metropolitan, South Boston, whose clearance came instead of 14 days after Dorchester. The complaint is directed against the operator of the Dorchester Strand.

Rowson an Exhibitor

Lotnox, March 8—Simon Rowson, former managing director of Ideal Films, Ltd., entered exhibition with a 1,500-seat theatre in Whitefield.

Ernst's idea garnered, who is all ready to join forces with the original for a new contract in the Paramount's directorate of the fire publicity names from out Hollywood and from the number of managers among his clients. However, there is room for more. He has also contacted some are the personal favorites for the board are Clark Gable and Adolph Menjou. He said so himself and added that he would throw the Paramount stock that represents—amount undisclosed—his way if it came to a vote. "But," protested his interview, "Gable is under contract to a competitor of Paramount."

Ernst's suggestion of a compromise that aside with "We're not even considering that.

"But do you imagine," the report read, "that we would sign a contract which nets him several hundred thousands annually to sit on the Paramount board at $5 a day?"

"We don't know that Gable will serve," was Levy's reply. "We hope he will consent. If he wants to stop being a director and get into the ex-culsive class all those obstacles could be taken care of."

Representative of Paramount bondholders also known to be nursing objections to the proposed board, was informed of Ernst-Levy views and told whether they coincided with his.

"Those so-and-sos will have this re-organization on the funny page of the day as long as they run for the financial section, if they keep it up," was the only print able answer obtainable.

Meanwhile, definite indications were made that a movement for the Screen Writers' and Screen Actors' Guilds that neither would carry out Ernst's suggestion of submitting a panel of the state will get. 

"In the first place," he said, "we have no idea who would be a proper candidate and whoever it should be a New York man."

While the administration officials express confidence that the Recovery Act will be continued, they may be forced to wage a bitter fight to get their legislation through. On the face of the agitation for the scrapping of the NRA.

Leaders in the fight against the NRA are planning to bring out definite accusations against code administra- tion.

While the public liability rate for theatres was raised from 12 cents a seat to 46 cents, the L.T.O. some time ago obtained group insurance coverage for a number of theatres at a rate of 20 cents, in conjunction with burglary and holdup coverage.

There is evidence that the racket is still strong, despite concerted efforts to eradicate it.

The new bureau is sending out a questionnaire to business firms requesting information as to claims for personal injury filed since Jan. 1, 1934. The data will be entered on a central index file and em- ployed in running down false claimants, professional witnesses and unethical lawyers and doctors.

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Maxwell Says He'll Acquire More Theatres

(Continued from page 1)

built by the late E. E. Lyons, and has other similar deals in hand.

It is thought that the H. D. Moor-
house circuit of over 50 northern the-
aters may figure in a deal shortly.

Nine theatres controlled by Walter
B. Allen, and chiefly in Chicago and
areas, have also figured in trade talk.

Union Cinemas' recent activity led
to their name being mentioned as
freely as that of A. B. C. in connec-
tion with current theatre deals.

Purchase of the six Wainwright
theatres, and announcement of big
building plans, is likely to be followed
by further purchases.

Sigvard Bernadotte
In Town with Bride

Prince Sigvard Bernadotte of Sweden, who arrived on the Breman
yesterday, leaves Monday for the
M-G-M studios in Culver City on a
six months' contract for directorial
work, and to royal duties.

Bernadotte has been an assistant
director at the Ufa studios in Berlin
and was signed by Louis B. Mayer
with the latter was abroad last year.

Bernadotte is grandson of King Gus-
tav of Sweden. Yesterday he con-
tered with J. Robert Rubin on his
contract and duties.

M-G-M Drops Chevalier

Hollywood, March 8.—Although
Maurice Chevalier was slated to do
a picture for Irving Thalberg, the
contract has been canceled.

Wall Street

Eastman Gains 2½ on Big Board

High Low Close
Net

Columbia vte. (1) 444 454 455 1
Com Film ...... 565 565 565 +2

Eastman (5) 206 20 20

Fox Film "A" 96 96 96 + 3

Loew's (2) 355 355 354 + 4

Loew's pfd (500) 194 194 194 + 3

Paramount

Pathes 31 31 31

Pathes "A" 126 126 126 +2

Warner 36 36 36

Technicolor Rises ½ on Curb

High Low Close Change

Technicolor 33 32 34 1½

Trans-Lux (300) 273 273 273 + 1

Para. B'way Bonds Up 1¼

High Low Close Change

General Theatre 77 76 75 16

Loew's 61 58 58 16

world theatres 1505 15 10 10

Paramount B'way 50 50 50 +30

Paramount F. L. 61 61 61 +3

Paramount Publics 71 70 70 1

BKO 64 64 64 1

Wagner Bros. 64 64 64 1

(1) Paid this year, (2) Defaulted in prin-
cipal but not in interest.

Variety Club Chatter

Albany

ALBANY, March 8.—New of-
cicers of the local tent will be
desired on April 1. They are: Chief Bakker, RALPH FRE-
low; first assistant chief baker, C. R.
HALLIGAN; second assistant, CHARLES
SMIRKIN; property man, JOSPEH GARY;
ward master, RALPH FOSTER; eap-
ner, WILLIAM C. SMALLEY, WILL-
IAM BELTON, MEYER SCHINE, M. J. KALLE, M. GRASS-
ON, GARDNER, H. WEBBER, and J. ROE.

Cincinnati

CINCINNATI, March 8.—Local
barkers and their guests experienced
a thrill equalled only by holding four
fold, and being among the barker's
ad at an Orpheum, to begin the
regular Saturday night shindig.

Cincinnati barkers circulating
around Columbus capital and sta-
last week included: STAN JACQUES, PAUL KRIEG, AL SHIMKIN,

KRAMER, with GLADYS TONNE
KNOLLE and CHARLIE WHEEL.

Milwaukee

MILWAUKEE, March 8.—The first
King for a day luncheon was held
March 4 at the plankinton with E.

Lightman Out Front in His Circuit Moves

(Continued from page 1)

he has moved up from a small town and neighborhood show to a chief place in the local first run

Lightman now operates the Or-
phen, largest Main Street theatre, run unsuccessfullly by various inter-
s since RKO defaulted on its
and operated by Loew's, the former owner of Paramount, and since 1927 Loew
again. Only opposition remaining
town is defended by the Warner
and Loew's State.

Three years ago Loew ran the
Palace, State and Strand, RKO had
went out of business, and now it is
Warner. Lightman had a few sub-
urb urban subsequent runs here and se-
veral months' run in the territory. Tod-
daughter operates 10 theatres outside
Memphis, the six choice neighbor-
hoods of the town, and four loop spots.

It is anticipated that Lightman will
have shortly Paramount, RKO, Uni-
versal, Columbia and possibly a split on the Fox. It is considered likely
that he will make the Orpheum or Palace the sce house, playing the
best product with a better house, with the next best bets in the other
of the two houses, probably with
vadaville, using the Strand as a schlus
house. Loew will probably be better off
the deal, being able to concentrate
M-G-M and Universal, along with at least half of Fox, in the
State. The Warner position remains
unchanged.

Weisfeldt and J. B. Schuyler in charge.

The club's house committee has been named to consist of SAM SHU-
MAN, chairman; HAROLD MEYER,
GEORGE LEVINE, HOWARD HAZZER,
E. L. WEISFELD, JACK FRACKMAN
and CHARLES BRAUN.

Wednesday afternoons have been set aside for ladies' day at the club from
11:30 A.M. to 6:30 P.M. and Sun-
day nights from 6 o'clock to closing as opened for men and friends.

A special luncheon table has been
side at the Sky Room of the plankinton for barker to congregates
daily.

Revamped Criterion Opens in Oklahoma

OKLAHOMA CITY, March 8.—The
Criterion reopened here last night
after a face-lifting operation costing
$75,000 with "After Office Hours.

The house has been done over in
the latest modernistic style. A con-
crete floor and new seats, stage equip-
ment and projection apparatus are among
the improvements.

The theatre was closed for renova-
tion on Nov. 1 by Pat McGee, new
head of Standard Theatres Inc., who
done up as an usher there the
day he opened in 1920.

Ban Still Unsettled

"Rumba" was to be screened for
Cuban officials in Havana at mid-
night last night. Paramount today
expresses doubt as to whether the ban
duced on Paramount because of objection to "Rumba" will be maintained, revised
or lifted.
Purely Personal

WHITNEY BOURNE, completely recovered in health, returned from Palm Beach over the week-end. She will be in the next Ben Hecht and Charles MacArthur picture if she isn't tied up with a show by that time.

FRANK MORGAN, who is vacationing here from Hollywood, is busy these days catching up on the Broadway shows. His niece, CLAUDIA MORGAN, is usually his companion at night.

MIRIAM HOPKINS plans to fly here from the coast for a short vacation when she finishes work in "Debby Sharp.

Quip of the Day

All Gaga, eavesdropping on the colloquy between two exhibitors after a preview:

"First Exhibitor—Well, what did you think of it?"

"Second Exhibitor—Pictures certainly have advanced. First, they were silent; then they talked. This one is odiferous."

EVERETT FREEMAN has sold his Saturday Evening Post farm, "A Thousand Dollars a Minute," to Mascot.

WILSON COLLISON's story, "The Second Mrs. Lynton," has been bought by M-G-M.

DIANA BOURBON has sold the screen rights of her nobilette, "Atlantic Adventurer," to Columbia.

COMPLIANCE DIRECTOR SOL A. ROSENBLATT was in and out over the week-end.

MORT SPRING has returned from a flying trip, to and from the West Indies.

ALICE FAYE is still around town. She plans to return to the Fox studios on the coast in about a week.

J. J. SHUERT, Jr., is back from Hollywood where he worked for DARCY ZANUCK and 20th Century.

CLEMENCE DANE, author, sailed for London Friday.

ALBERT LEWIN, associate producer under IRVING THALBERG, has returned.

Features with Code Seals Up To 342 Total

Forty-one Given Approval During February

HOLLYWOOD, March 10.—The Hollywood office of the Production Code Administration issued certificates of approval for 41 features and 27 shorts. The first was introduced in the General of 342 features and 313 shorts approved from this end since the code went into effect July 15, 1934.

Titles and releasing companies of the pictures passed during the last month are:

Celebrities (Shorts)

"Bremen Town Musicians"

Chesterfield (Feature)

"Shot in the Dark"

Columbia (Feature)

"Aqua, En El Nudo," "I'll Love You Always," "Devil's Cargo" and "Gypsy"

(Sound)

"Screen Snapshots" Numbers 6 and 7

"Make Believe Review" "Gun Shoes"

(Continued on page 12)

Code Seals Footage For Shorts Reduced

The production code seal will appear in shorter and briefer form on short subjects beginning this week. The official seal of the M. P. P. D. A. with the word "Approved" and the certificate number will be shown on an introductory frame, instead of being on the screen.

Illinois House Gets Bill for Censoring

CHICAGO, March 10.—A bill for state censorship of films and stage shows has been introduced in the General Assembly by Representative John R. McSweeney of Chicago. The state board would abolish all city censor.

(Continued on page 9)

Surprise Tax Bills Defeated in Kansas

TOPEKA, March 10.—Surprise bills to impose a four per cent on gross business of film theatres and levying a 10 per cent tax on admissions were defeated this week by the adroit foot-

(Continued on page 9)

Moley on Crime

Instead of talking on the New Deal, Raymond Moley, editor of Today, has changed his subject for his talk today at the M. P. Club forum and will discuss "Crime in the Movies."

Other speakers on the program will include Frank Tichenor, publisher, and Franklin Watkins, editor, of New Outlook; and Martin Wey- rauch, managing editor of the Brooklyn Eagle.

Lumiere Uses Color Filters To Gain Depth

By PIERRE AUTRE

PARIS, March 2.—Details of the Stereoscopic film demonstration put on recently before the Academy of Sciences by Louis Lumiere, film pioneer, indicate that spectators have to view the pictures with colored lenses. One glass is yellow and the other blue. Projection is also done through a double lens with the same color arrangement.

General interest in the result has been shown by the French industry.

(Continued on page 12)

See Missouri Sale Tax as Compromise

JEFFERSON CITY, Mo., March 10.—A heavy tax on theatre admissions is believed to have been incurred by preliminary passage in the Missouri House of a two per cent sales levy. Perfection of the measure now awaits amendments, following which it will be sent to the Senate.

Part of the revenue is to be used.

(Continued on page 9)

Bank Nights Gaining In Chicago Theatres

CHICAGO, March 10.—Bank nights and screeno, along with the generally widespread use of premiums are gaining vogue here as business stimulants. Screeno in the past few months has gone into many theatres and is being advertised in the newspapers.

Bank night has gained a more recent foothold. So far no competitive situations have arisen to bring the matter before the code board, but protests are expected.

Fox Met Offer Is 75¢ on $1 For the Bonds

Twenty Cents in Cash; Plan Is Well Liked

Bondholders of Fox Metropolitan Playhouses are offered 75 cents on the dollar for their $12,600,000 claim under the revised plan of reorganization developed by Fox Theatres and Joseph M. Schenck, it was learned over the week-end. The offer constitutes a payment of 20 cents on the dollar in cash and 55 cents on the new bonds of the reorganized company, to be issued by the 86 theatre leases and fee properties comprising the Fox Met circuit.

The plan, now in its final stages, is regarded in well informed circles as being acceptable to the Fox Met bondholders' committee and is described as probably close to the committee as "a very strong offer." In any event the plan in its final form has reversed the indifference to the original Fox Theatres' offer displayed recently by representatives of the Fox Met committee, which is now reported as regarding the offer "most favorably."

Strengthening of the offer is also regarded as dispelling some of the (Continued on page 5)

"Ruggles" Is Hit; "Robertra" Also Big

"Ruggles of Red Gap" and "Roberta" are the potential money-getters this week, the former at the Paramount, heading for a $50,000 to $55,000 week, while the latter, at the Music Hall, has all the earmarks of coralling around $90,000. Week-end business at both houses was what the managers ordered.

Last week grosses were so-so.

(Continued on page 9)

Expect Mason Will Testify About NRA

WASHINGTON, March 10.—Lovell Mason, former counsel for the Darrow Review Board, is expected to be among the witnesses called by the

(Continued on page 5)

Flinn Reached Coast To Study Clearance

HOLLYWOOD, March 10.—John C. Flinn arrived here early this morning by plane from New York to investi-
Insiders’ Outlook

By RED KANN

WE take Allied down the rocky road this morning, hoping to bruise its shins and skin its nose for inaccuracies which run rampant through its latest press release.

From its bulletin: Motion Picture Daily, February 25 gush M. P. T. O. a space than it gives Allied in the course of a year.

So it’s publicity Allied’s after! We never even suspected it. Now that we’re told, we remind the author of the association’s bulletin of the approximate 10,000 words wired by this writer from the scene of the organization’s Detroit convention of several years ago. Also of the voluntary thanks for the complete coverage volunteered by Abram F. Myers and H. M. Claypool—exhibitor, of course—address, Fox Theatre Building, Motor City—the day following the close of that session. The facts can easily be checked.

From the bulletin: The headers were wonderful, but they slipped a little in the items mentioning the delegations (or lack of delegations) from the various territories. A review of these items reveals more blanks than delegations and more distributors and accessory men than exhibitors.

Schoolboy stuff. The headlines were based on what M. P. T. O. A. leaders had to say. Allied’s objection, therefore, is with the harangues of Ed Kuykendall’s associates. The nation-wide check delegation plan, as conducted by this publication’s news staff, made it very apparent many territories would not attend. The survey said so, for all, including Allen men, to read.

From the bulletin: Nevertheless, we must chide the likable (and our embarrassment) Red Kann for his editorial lamenting the lack of effective, aggressive exhibitor organization. Red knows full well that, as soon as our organization gets really aggressive, it immediately arouses the opposition of the trade press, which opposition is reflected not merely on the editorial page, but in misleading headings, misplaced emphasis, and dirty dogs and pokes at the leaders of any such organization.

Kann knows and conceives nothing of the kind. What he said editorially is way above the post-mortem on the M. P. T. O. A. convention was nothing less than a paean.)

Mayor Appears at Reviewers’ Luncheon

Approximately 1,500 persons attended the 20th annual luncheon which marked the 11th annual conference of the National Board of Review at the Hotel Pennsylvania on Saturday.

Mayor LaGuardia headed the list of speakers, which included Howard Dietz, advertising and publicity chief for Metro-Goldwyn-Mayer, state assemblyman; the Rev. Thomas L. Harris of the Philadelphia Catholic archdiocese; LeRoy E. Bowman, director of the Guild of the United Parents’ Ass’n, and John Collier, United States commissioner of Indian affairs and an officer of the board.

Also at the speakers’ table were Gladys Swarthout, Irene Rich, Walter Connolly, George Bancroft, Blanche Sweet, Rudy Vallee and Otto Harbach.

Dr. George W. Kirkwey, chairman of the National Board of Review, acted as toastmaster.

G. B. Would Swap Talent

HOLLYWOOD, March 10—Gaumont British is prepared to enter upon a reciprocal agreement for American picture exchange for Milestone Picture Company, according to Darryl Zanuck, Jesse Matthews and Conrad Veidt, said Michael Balcon, G. B. executive, upon his arrival here yesterday from New York.

He conferred with George Arliss, who left later in the day for London to make two films for the first of which will be based on the life of Cecil Rhodes. M-G-M is planning a picture along the same lines, but has deferred to G. B. Balcon will be here six weeks, Arthur Lee, who accompanied him, will remain a week and will visit G. B. exchanges on the way back to New York.

Consolidated Dividend

Consolidated Film Industries, Inc., has declared a regular quarterly dividend of 50 cents on the preferred, payable April 1, to shareholders of record at the close of business on March 18.

Flu Gets W. C. Fields

HOLLYWOOD, March 10—W. C. Fields is down with influenza. He is expected to be back at work in a few days.

Scott did not author it, will the result be “Ivanhoe”?

Paramount and Universal are reported pouting at each other. Crosby’s “Mississippi” is ready. Laemmle’s “Show Boat” hasn’t even reached the cameras.

With 1,000 new season contracts signed and filed, Fox Film’s aim is 4,000 by June 1. If it’s attained, will be the big noise of the company’s sales convention late in May.

Ad Universals,” A Chicago bankroll is reported willing and now it’s reported Manny Cohen is after Universal. Uncle Carl is the industry’s most sought after dowager.
"PRIVATE WORLDS IS ONE OF THE GREAT PICTURES OF THE YEAR!"

"Private Worlds" starring Claudette Colbert with Charles Boyer, Joan Bennett, Helen Vinson, Joel McCrea
 Directed by Gregory La Cava
 A Walter Wanger Production
 A Paramount Release

-Hollywood Reporter

A STRONG STATEMENT!

There must be reasons for it. Read them on the next page...
Why the Hollywood Reporter Thinks "PRIVATE WORLDS" is Great!

A Magnificent Cast!
"Claudette Colbert gives a performance that rates three Academy Awards!... Charles Boyer superb!... Joan Bennett amazing!... Helen Vinson and Joel McCrea magnificent!"

A Great Story!
"The drama is intense... the humor is gracious... the story is exciting, thrilling, chilling and romantic!"

Superb Direction!
"Gregory La Cava has gotten the most out of every scene and emotion... has succeeded in getting superb performances out of every actor!"
Purely Personal
(Continued from page 1)
to Hollywood after looking over a number of plays and stories here.

W. Ray Johnston is looking for an excuse to go away for a rest. He has had a threat cold for the last two weeks, but isn’t satisfied that that’s a good enough reason to get away.

Harry H. Thomas arrived yesterday by plan and spent the day at his office, disposing of a lot of business which accumulated during his two weeks’ absence.

Sam Goldwyn may not go to Europe after all. He cancelled his reservations Saturday because of a bothersome tooth and is due back on the coast April 1.

Harry Hershfield, president of the Cheese Club, is bringing the members of his organization over to the M.P. Club today to hear Raymond Moley talk.

Moe Steiner is finding it hard making trains on schedule. He missed a couple of them last week while upstate, but he’s back and glad that trip is over.

Al Friedlander, who was scheduled to return from Los Angeles on March 17, has changed his plans and will remain on the coast indefinitely.

John Flinn didn’t stay awake all night on that plane going to the coast. He changed for a sleeper at Fort Worth, Tex.

Lynn Farnol thinks a trek to Virginia around Easter would be pleasant as who would not?

Reginald Barlow of Associated Talking Pictures is due back from the coast on March 22.

Lup Velez is due in New York in about two weeks for a series of personal appearances.

Edwin Martin, M-G-M director, is at the Watervile Hotel. His wife is with him for a vacation.

Emie Cantor leaves for Hollywood the first week in May to start work on his next picture.

Walter Ehrhardt will spend several days this week in Bridgeport on Erpi business.

Herb Bebe’s pipes have been deflated. Nothing to do with vocalizing.

Bill Fiske may go abroad this summer for Paramount.

Abe Waxman may yet make that trip to London.

Films on Dollar Liners
R. Stanley Dollar, president of the Dollar Steamship Lines, has completed plans for the installation of sound equipment on all his ships now cruising on round-the-world tours. The President Polk, which sailed from San Francisco recently, is the first of these vessels to be equipped and films will be sent to meet it at its various ports of call. Other liners, as they put into San Francisco, will be equipped.

RKO-Century Battle Goes on Again Today
With more than 900 pages of testimony on record for the five previous hearings, the local clearance and zoning board today starts its sixth session on the Century-RKO clearance and zoning dispute in Long Beach. Although attorneys for both sides have been urged to complete the hearings, indications are that unless more than the usual four or one-half hours is allotted, the lawyers will not be able to wind up with substantial progress.

Twenty hours have already been spent by the board hearing the case and during the last hearing 12 different witnesses were put on the stand. Four of them were photographers and the bulk of the testimony hinged on a window card jointly advertising the Rivoli, Hempestad, and the Usine Center, L. I. These are Century houses.

Marie Egan of Sherlock & Arnold was on the stand Thursday explaining how she checked up on automobile licenses, the numbers of which were taken by Albert E. Foy of the Century in the course of his investigation. Another girl from this office will testify today on the lists.

Nizer and Klupt have banded threats, innuendoes and inferences as to integrity of “plants,” “gyping” and “playing games.”

Klupt himself took the stand last Thursday when a question of the slips of paper Nizer and Klupt have been written up. Nizer cross-examined him and asked him what paper was on the top of the sheets. Klupt replied: “I don’t know.”

At the end of the session Nizer told Klupt: “Now don’t play games.” Klupt responding: “Oh, Ho.”

Ross Wins on Clearance
BOSTON, March 10.—The clearance and zoning board has decided in favor of the clearance application of Charles Ross of the Strand, Windor, Vt., petitioner against Peter D. Latchis of the Latchis in Claremont, N. H., and has ordered the clearance of the theatre. The board has granted a temporary order and has ordered that M-G-M insisted that his theatre play its pictures at Latchis, writing the demand into the 1934-35 contract, whereas such protection had not been mentioned previously. The decision handed down is: “On the evidence submitted, Windsor, Vt., Claremont, N. H., are non-competitive and Claremont, N. H., shall have no clearance over Windsor, Vt.”

Koenig to Aid Levine
MILWAUKEE, March 10.—Benjamin Koenig, local code board secretary, left here today on a temporary leave of absence to work with Nat Levine in the organization of the new MASCOT studios in Hollywood. The local board have asked Campbell to permit Benjamin J. Miller, Koenig’s associate, to carry on the work here.

File Boonville Charge
KANSAS CITY, March 10.—The Lyric, Fox Midwest house at Boonville, Mo., is made respondent in a $3,000 suit filed by J. Ernest Malone, Casino, same city. Malone also lodged a complaint against the Lyric’s Byer Fox children matinees on Saturday at a nickel.

Flinn Reaches Coast To Study Clearance
(Continued from page 1)
gate several situations in the Los Angeles clearance and zoning board Tuesday to discuss further the F.W.C. complaints. Tomorrow he will visit the individual situations involved. The Campi secretary will leave by plane Tuesday and arrive in New York on March 18 to report back to Code Authority on his findings. About 450 theatres are covered in the schedule, representing an investment of approximately $25,000,000.

Expect Mason Will Testify About NRA
(Continued from page 1)
Senate Finance Committee during its NRA probe last week may also call Mason, originally slated to conduct the investigation proposed by Senator William H. Douglas of Utah, but will be asked to tell some of the things he discovered when Clarence Darrow undertook to clean up the code situation.

Richberg will complete his testimony Monday, following which officials of the National Industrial Recovery Board will be called. After they have been questioned it is possible the hearing will be thrown open to all who have a grudge.

Cincy Receiver for RKO Asks Discharge
CINCINNATI, March 10.—Concurrently with filing of his final report showing repayment of $6,413.50 borrowed for taxes, and a balance on hand of $746.53. Ben L. Heidingsfeld, receiver for the Fox’s, has asked that he be discharged. The Treubis Realty Co., New York, which filed receivership application, has endorsed a report for discharge.

Judge Robert R. Nevins of the U.S. District Court will give a hearing next week. The Shubert was taken over under lease by RKO on March 1 and is playing pictures and unit stage shows.

Franklin Wins $7,000
Sidney Franklin’s suit against Columbia Pictures, for $300,000 netted him a verdict of $7,000 in Supreme Court. Franklin contended his reputation as a bullfighter was injured by a quip in a spoken title in a short.

Stop Kenosha Nights
MILWAUKEE, March 10.—The grievance board has ordered the Kenosha at Kenosha, operated by the Sinopad Theatres, Inc., to discontinue bank nights. The complaint was entered by the Vogue Theatre Co. of Kenosha.

Deny Waterville Change
BOSTON, March 10.—The grievance board has refused to make any change in clearances at Waterville, Me. A complaint by H. H. Paul of the State, that city, sought a cut in clearance now held by the City.

Fox Met Offer Is 75¢ on $1
For the Bonds
(Continued from page 1)
competitive bids for the circuit which were definitely in the office up to a few days ago. The possibility of competitive bids being made still remains, but indications are that they will not develop until after May. Fox and Theman have a Schenk plan has been presented for court approval. What develops following a hearing on the plan will probably guide prospective bidders’ policies. The prevalent impression is that the offer will provide little for competitors to shoot at, however.

Authors of the plan already have outlined the principal phases of it to Federal Judge Julius W. Mack, who has jurisdiction over Fox Met’s reorganization, and to Federal Judge Martin T. Manton, whose jurisdiction is the Fox Theatres’ receivership. A date for a hearing of the plan will be sought of Judge Mack today and may be earlier than this. The old plan will propose that Schenk be elected president of reorganized Fox Met and that Schuermann and Randofe be continued as operators of the circuit at least until May 1, 1936.

May Run Ads in Advance
CINCINNATI, March 10.—Despite the fact the receivership board issued a desist order against the Salem, Dayton, on complaint of the Riverdale, same city, which charged premature advertising, the respondent has been granted permission to advertise 13 days prior to his 52-day period.

Contracts of both houses contain a 45-day availability clause after the first run when the admission is 20 to 52 to 60 days on a 15-cent admission plus tax.

La Hiff’s Tavern
A chophouse of exceptional merit
516-8 West 48th St., N. Y. C.
The Voice of Shouts

National Screen Scores

New trailers, which National Screen Service is now making, are an innovation in trailers that should prove a boon to audiences. New idea is to take the main theme of the pictures being exploited on the screen and build a short dramatization around them. Title of the picture and the names of the stars and featured players are worked into the story. In short, it takes the stereotyped forms of advance ballyhoo and presents them in a visual manner that is ten times less obvious and considerably more lasting in the memory of the movie-goer. National Screen is to be congratulated for this new departure.
**New Trailers That "Sell"**

Trend From Stereotyped "Ad" Reels Provide Pleasure and Sales Punch

**TRAILERS DELUXE!**

Faced with the necessity of furnishing the theatremen with trailers that have real punch and seat-selling power, National Screen Service has effectively risen to the occasion and prepared "plot" trailers which are by far the sweetest yet offered.

At a private screening held in New York early this week, the trade press was afforded its first opportunity of seeing a group of these new trailers that are designed to overcome the loss of "action or scene" trailers due to the fact that Metro and Warners are making and servicing their own.

The idea has been in the works for a long time. As a matter of fact we first saw these new trailers over six months ago, but we did not consider them sufficiently perfected for actual release to theatres. But today (4th), we saw the finished product and we can honestly say that they are true to an innovation in advance advertising for any picture.

The first five screened included the following: "Sequoia," "Black Fury," "The Night Is Young," "Devil Dogs of the Air," and "Biography of a Bachelor Girl." Each one is an advance plug for the picture that will certainly mesh with audience approval for any and every theatre. Best of all is the fact that they do not give the slightest "tip-off" on the pictureplot in any manner whatsoever.

The first part of each of this new form of trailer is devoted to a little "plot" in which the picture is approached in a subtle, yet convincing manner. The second part is the musically synchronized, animated titles that definitely "sell" the picture. The two ideas combined go to make up a swell plug for the picture. Just wait until you've had a chance to see these new trailers yourself. You will be just as enthused as we were.

Surrounded by fine production, they constitute a marvelous introduction to the coming attraction with an appeal heretofore never utilized for screen trailers. We recommend them and predict that they will be greeted with loud and long approval by theatremen all over the country.

"Chick"
**“Spring” Gets Minneapolis’ Lead, $4,700**

MINNEAPOLIS, March 10.—In a week of split bills on both sides of the river "One More Spring" was the clear winner in the Minneapolis situation. It went $700 over the line on a take of $4,700 at the Century. "Living on Velvet", with a vaudeville bill, was $500 up on a $5,000 take at the Orpheum. The State switched to attraction of "Living on Velvet".

**Motion Picture Daily**

MOTION PICTURE DAILY

Monday, March 11, 1935

**Hollywood Personalities**

Hollywood, March 10.—Bing Crosby invited by Governor of Washington to enter his equines in races up there. Harry Macdonnell, who has been in "Pot of Gold" and "Dance til you Drop" now is down in "Pot of Gold" again. 

**"Duke" on a Dual $8,000 in Buffalo**

BUFFALO, March 10.—The Iron Duke did not improve on any dual with "Transient Lady" pulled the fans in and the Lafayette led the parade at $3,000. "Living on Velvet" was over $1,000 over par. The arrival of Lent in the midst of spring-like weather was followed immediately by a roof blizzard and takings were comparatively low. Total take was $4,000. Normal was $2,800.

**"Choose" and Show Top in Providence**

PROVIDENCE, March 10.—All houses in town handled duals with smash scores for the week, top gross going to "Bing" which caught $9,300 with the film, "She Had to Choose," and a repeat run of "Blondes." This is $2,300 over par.

Next in line was the RKO Albe, which played very well and "Wives" and Blackstone behind the footlights. "Rumba" scored at the Strand with $7,200 and the Majestic chalked up $7,200 with "One More Spring" and "Baboon.

Loew's was $500 to the good, book- ing "Vanessa", and "Shadow of Doubt," the take being $1,250.

Total first run business was $47,300. Estimated takings for the week ending March 7:

- **RUMBA** (Para)...
- **SING SING NIGHTS** (Paramount)...
- **STRAND** (2,200), 15c-25c, 7 days. Gross: $7,400. (Average, $7,400)
- **THE SCARLET PIMPERNEL** (U.A.)...
- **HIPPOLYTA** (2,200), 15c-25c, 7 days. Gross: $7,400. (Average, $7,400)
- **THE WOMAN IN RED** (Warners)...
- **THE IRON DUKE** (Gaumont British)...
- **LAFAYETTE** (2,200), 15c-25c, 7 days. Gross: $6,700. (Average, $6,700)

**Shoot Jersey Works**

In the production of the institutional film for Public Service Corp. of New Jersey, shots of the Cornwall Soap Co., Lenox Pottery, RCA Manufacturing Co., Clark Thread Co., Crucible Steel, Fisher Baking Co., American Can Co., Standard Brands, Ford Motor Co. and the Jersey City Journal Factory were included by Audio Producers, producers of the picture.

**Judd Gets Pictures**

CHICAGO, March 10.—B. N. Judd has closed a deal to distribute the Howard Hughes pictures in the state of Illinois for Atlantic Pictures Corp., which was formerly World Wide.
“Ruggles” Is Loop Smash; Gets $23,000

Chicago, March 10.—“Ruggles of Red Gap” captured the loop for the entire week and piled up $23,000, which is more than twice the normal take for the house.

Other houses were strong. “Rumba” was over the line by $9,400 on a take of $44,000 at the Chicago, with Jack Benny, Mary Livingston and Frank Parker on the stage. “Murdur on a Honeymoon” was $8,000 up at $30,000 in the Palace, and “David Copperfield” was still doing well in its fourth week at the United Artists at $12,000.

Total first run business was $152,000. Average is $172,000.

Estimated takings:

**Week Ending March 7:**
- **RUMBA**
  - CHICAGO—$4,000, 25c-35c-70c, 7 days.
  - Stage: Jack Benny, Mary Livingston, Frank Parker, Grace Valentine. Gross: $34,000. (Average, $4,857).
- **BORDERTOWN** (Warner’s)
  - ORIENTAL—$3,900, 25c-35c-50c, 7 days.
  - Stage: Ruby Tomlin and vaudeville. Gross: $15,000. (Average, $2,143).
- **MURDRUR ON A HONEYMOON** (Radio-Film Palance—$2,900, 25c-35c-50c, 7 days.
- **AFTER OFFICE HOURS** (M-G-M-G)
  - GARRICK—$2,900, 30c-35c-40c, 2nd week, 7 days. Gross: $6,400. (Average, $914).

**Week Ending March 8:**
- **RUGGLES OF RED GAP** (Para.)
  - ROCKEFELLER—$3,600, 25c-35c-50c, 7 days.
  - Gross: $22,000. (Average, $11,429).
- **A DAY AT THE FAIR** (Fox)
  - APOLLO—$4,000, 25c-35c-50c, 7 days.
  - Gross: $8,000. (Average, $1,143).
- **THE SILVER STREAM** (Radio)
  - STATE-LAKE—$3,200, 25c-35c-50c, 7 days.
  - Stage: Jackie Green and vaudeville. Gross: $2,500. (Average, $357).

**Week Ending March 9:**
- **DAVID COPPERFIELD** (M-G-M)
  - UNITED ARTISTS—$1,700, 30c-35c-50c, 7 days. Gross: $3,100. (Average, $443).

Illinois House Gets Bill for Censoring

(Continued from page 1)

boards. It is proposed that it consist of five members appointed by the Governor.

While local exhibitors and exchanges have not had an opportunity to study the bill, the disposition is to regard with favor any plan which would eliminate the present censor board as far as Chicago is concerned. After a short talk the local board is again on a rampage with its shears. Cost to exchanges of the local board runs much too high for comfort, it is generally admitted.

Want Tax Reconsidered

St. Louis, March 10.—The Middle- ton Theatre Co. of St. Louis, has petitioned the Board of Tax Appeals in Washington for redetermination of a 1925 income tax claim and penalty against it. The company was assessed taxes of $4,000 and penalties of $2,000 for alleged fraud.

The petitioner, saying the tax was levied in 1929 in a District which did not take place until 1932, charged the Board of Internal Revenue unlawful assessed the deficiency in order to prevent the statute of limitations from barring its collection.

Wall Street

| Pathe “A” Gains 3/4 on Big Board |
|-----------------|-----------------|-----------------|
| High | Low | Close Change |
| Columbia vte. | 4/3 | 3/4 | 3/4 |
| Columbia | 3/5 | 3/4 | 3/4 |
| Com. Film pld. | 1/4 | 1/4 | 1/4 |
| Loew’s Inc. | 7/10 | 7/10 | 7/10 |
| Loew’s | 7/10 | 7/10 | 7/10 |
| M-G-M pld. | 7/10 | 7/10 | 7/10 |
| Paramount | 7/10 | 7/10 | 7/10 |
| Pathé | 7/10 | 7/10 | 7/10 |
| RKO | 7/10 | 7/10 | 7/10 |
| Warner | 7/10 | 7/10 | 7/10 |

Columbia Up 4½% on Curb

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See Missouri Sale Tax as Compromise

(Continued from page 1)

for old age pensions. If the program passes the upper house, no action is expected on a bill by Representative Lindhorst of St. Louis to levy 10 per cent on theatre tickets and other amusements, as well as tobacco, candy and chewing gum.

The two per cent proposal was adopted as an amendment to a bill extending the present one per cent tax on a broader base, sponsored by the House Ways and Means Committee. The measure was supported by real estate and school property owners and favored by administration forces. It was defeated by a narrow one-vote margin, 69 to 68.

The committee bill was a substitute for four other measures calling for higher levies. A two per cent sales tax bill is also pending in the Senate.

To make the two per cent tax acceptable to merchants, an amendment was made to extend the tax from the business to the person, it being made mandatory to pass it on. How this will be done in the case of theatre admissions and other small purchases has not been figured out.

Surprise Tax Bills Defeated in Kansas

(Continued from page 1)

work of friends of the industry in the Kansas legislature.

The measures caught industry representatives off guard. They were eleven hour proposals, filed on the day introduction of all but appropriation bills ceased and a day’s work Monday. The bill passed second reading at the Kansas legislature and was to consideration of its own bills. When the nature of the proposals became known, film men started things rolling and through last-minute and almost frenzied efforts were successful in bringing about the defeat of the drastic taxation.

Men in close contact with the legislation asserted this was the closest Kansas exhibitors ever came to being heavily taxed.

The apparent intent of the bill sponsors was to whippass the measures through at the last minute, banking on the fact the opposition had no time to rally a defense. The four per cent of the gross measure singling out film theatres was brought in by the House Committee on Taxation. Representives opposed were able to delay passage and the bill automatically expired when consideration of House bills ceased.

The second proposal, sponsored by the House Committee on Education, was camouflage as a bill to tax malt and malt beverages, including 3.2 beer, to create a school aid fund of $750,000. Tucked away in the bill and one source of revenue for the fund was a provision for a 10 per cent levy on tickets. Led by Representative E. A. Briels, who owns and operates a theatre at Stafford, Kan., opponents fought the tax on the floor.

Clark to Join Einfeld

Chicago, March 10.—Sam Clark, who has been district publicity manager for Warners here, has left for New York, where he has been promoted to assistant to Charles Einfeld in charge of newspaper publicity and promotion.
When a theatre GUARANTEES a motion picture

...then you may be sure that its management has found the perfect entertainment!

Such a picture is Universal's

"IT HAPPENED IN NEW YORK"

...Seldom is a theatre privileged to give its audiences a better time than this delightful entertainment affords!

As for its stars, it is easy to predict that GERTRUDE MICHAEL, HEATHER ANGEL and LYLE TALBOT will become your new favorites after you have seen them in this picture.

As for its story, there is only one word to describe it... delicious!

We urge you to see this picture on the strength of our promise of a grand time. We know you will thank us for it.

(Signed)

P. S. ..."IT HAPPENED IN NEW YORK" opens on BLANK THEATRE
WHEN YOU RUN THIS PICTURE!

... Because we have just seen it and we KNOW we have a hit!

... There's only one word to describe it

... DELICIOUS!

It Happened in NEW YORK

A Universal Picture with GERTRUDE MICHAEL, HEATHER ANGEL, LYLE TALBOT, HUGH O'CONNELL

Presented by CARL LAEMMLE
Directed by ALAN CROSLAND
EDMUND GRAINGER, Associate Producer
MOTION PICTURE DAILY

Monday, March 11, 1935

Features with Code Seals Up To 342 Total

(Continued from page 1)

“Graduation Exercises,” “Pop Goes the Weasels” and “Bride of the Sweetheart.”

First Division (Feature)

“Sunset Range.”

Fox (Features)

“Jijjou” (French), “Great Hotel Murders,” “Little Colonel,” “When a Man’s a Man” and “Angelines” (Spanish).

(Shorts)

“Hayseed Romance,” “Hall Brother.”

Gaumont British (Feature)

“The Man Who Knew Too Much.”

Invincible (Feature)

“Public Opinion.”

Liberty (Feature)

“Dizzy Dames.”

Majestic (Feature)

“Munty Ahned.”

Mayfair (Feature)

“Get That Man.”

M-G-M (Features)

“Vanessa,” “ Naughty Marietta,” “Times Square Lady” and “Casino Murder Case.”

(Shorts)

“Windy,” “Donkey Baseball,” “The Lost Check,” “Sing and Sing” and “Anniversary Trouble.”

Monogram (Feature)

“Great God Gold.”

Paramount (Features)

“Monument Albert,” “La Perle” and “Cole Zhang,” all French productions; “Mississippi,” “Car 99,” “Love in Bloom,” “The Devil Is a Woman,” “Private Worlds” and “McFadden’s Flats.”

Radio (Features)

“Roberta,” “The Dog of Flanders” and “Laddie.”

(Shorts)

“Kennedy Series No. 5.”

Select (Feature)

“The Blind Road.”

United Artists (Features)

“Folks Berger,” “Her Wedding Night” and “Brewhouse.”

(Shorts)

“The Band Concert,” “The Golden Tomb” and “Mickey’s Service Station”—all produced by Dyer.

Universal (Features)

“It Happened in New York.”

(Shorts)

“Law and Order,” “Two Little Lambs,” “Do a Good Deed,” “Old Age Pension” and “Call of the Savage” serial episodes one and two.

Walters (Features)

“King of the Ritz,” “The Florentine Dauger” and “Singer of Naples.”

(Shorts)

“I Haven’t Got a Hat” and “Booby’s Pony Express.”

Code Seals Footage For Shorts Reduced

(Continued from page 1)

a separate frame as it has been heretofore.

This change will be made to meet the objection to the length of time required for the frequent repetition of the longer form of approval because of the number of short subjects on one program.

There will be no change on features, however.

Issue La. Tax Ruling

New Orleans, March 10.—Out-of-state corporations doing business in Louisiana, but having a net income of less than $3,000 from sources within the state, do not have to pay income taxes under the new income tax law, according to the office of the Supervisor of Public Accounts in a communication to the Association of Commerce, received in reply to a request for information.

This fact, however, would not necessarily exempt the foreign corporation from being liable for filing income tax reports with the state, it was added.

Ohio Bans “Playthings”

Columbus, March 10.—The censors have banned “Playthings of the World” from Ohio on the ground that it contains “too much harmful hot stuff.”

The film was produced by Kennedy Prod. on location in Florida, with Ohio release through Selected Pictures, Cleveland.

Variety Club Chatter

Buffalo

BUFFALO, March 10.—An appeal that Variety join in a movement to aid the 3,000,000 young men graduated every year from high schools and colleges to find opportunities for employment was made to Variety Club of Buffalo by Erie County Judge George A. Rowe at the club luncheon.

It was newspaper and radio day for the organization, which was host to editors and business and bookers of three Buffalo dailies and to executives of two broadcasting companies here. Judge Rowe declared steps must be taken to ameliorate the unemployment situation through experimental farms expected to be established in Erie County, through allocation of Federal work relief and through other steps.

SYDNEY SAMSON and CARL KEMPE were king and queen for the day. Approximately 80 attended the luncheon.

Mrs. LOUISE BOK, mother of BARKER WILLIAM F. BOK of the Universal office staff here, is dead.

Barker Joe Miller of Columbus and his wife have returned from their annual trip to the West Indies.

Barker HARRY SEEDE, Warner-First National district manager, has gone to Florida to join a group there in April, including A. CHARLES HAYMAN of the Lafayette.

CONVERSATION MURPHY is the guest for a story of ticket sales that put 200 tickets in the hands of one man through a series of Ill-Match You game winners. It could be a winner, but he did succeed in adding no little to the club’s independence campaign.

Kansas City

KANSAS CITY, March 10.—GEORGE S. BAKER, newly-elected chief banker, announces these standing committees to serve under his administration:

House: R. R. BIECHER, J. A. CAMERON, F. E. RITTER, A. F. BAKER, JOHN MUCHMORE. Chairman is to be announced.

Finance: ER. SHANBERG, chairman, HARRY TAYLOR, IRWIN DURINSKY, F. HAYES, L. J. McCARTHY, WILLIAM WARNER.

Publicity: BARNEY JOFFE, chairman, PAUL BATEMAN, AL. FINSTONE, KENNETH FORSE.

Entertainment: I. DURINSKY, CHAIRMAN, WILLIAM WAGNER, G. L. CARRINGTON, SAM BEND, ENTER MEHL, HARRY TAYLOR.

Welfare: A. H. COLE, chairman, HARRY BAKER, IRWIN DURINSKY, WARD SCOTT, T. R. THOMPSON, JAY MEANS. This committee is to have charge of charitable activities.

A large committee is considering new quarters, which will shortly be selected. It is planned that formal installation of the new officers will be held in conjunction with housewarming of the new club rooms, probably in May.

Heading the new quarters committee is PINTON JONES, the new first assistant chief banker. Others on the committee are CHARLES JONES, GEORGE COLE, BIECHER, JOE MANFRE, I. DURINSKY, HENSEL, MEANS, BILL AZLMUS, L. E. POPE, PERK BAKER, CHARLES SHAPER, R. C. LIEBEAU, W. WARNER, SHANBERG and RITTER.

Lumiere Uses Color Filters To Gain Depth

(Continued from page 1)

since the demonstration was made on "La Tosca" at the National Opera Comique. He was enthusiastically received and requested by the audience for three of his film scenes—"Tell Me Tonight," "Madonna" and "Ninon." He was a chevalier of the Legion of Honor by the government for his contribution to French art.

Four American-made pictures are grossing heavily here. "The Gay Divorcee" is in its 10th week at the Modern, "One Night of Love" is in its third week at Cinema Edna and "VII" is the original version with French subtitles. "The Merry Widow" has played eight weeks in a French version at the Belle Etoile, and a dubbed version of "The Lives of a Bengal Lancer" has just gotten off to a good start at the Paramount.

New French Tax Bill Worries U. S. Films

PARIS, March 10.—American film interests in France stand to suffer another blow because of a measure recently adopted by the Chamber of Deputies. Finance Commission which calls for a decrease in taxes on exhibitors showing French pictures. The proportion of French films that must be shown to benefit by the new decree has not yet been fixed, however.

American exhibitors here look for a sharp drop in the number of their pictures shown if this new measure passes in the Chamber.

Legislation Topic Of Bay State Group

BOSTON, March 10.—Legislative progress from Ohio on the ground that it contains "too much harmful hot stuff."
Lewin’s Dual Attack Stirs Independents

Golden Replies Warmly; Others Disturbed

Repercussions from the attack on duals made by Dr. William Lewin at the National Board of Review meeting here late last week are still echoing in independent distribution circles yesterday.

Lewin, who is chairman of the motion picture appreciation committee of the National Council of Teachers of English, appears to be in for a large amount of correspondence during the next few days from distribution champions of duals, which he termed the most serious drawback to the better film movement, and from dual featurists whom he referred to as “the most pernicious race of

Report S. & C. Seek Circuit in Florida

Reports current yesterday had it that Sam Cocalis and Jack W. Springer are negotiating for a circuit of independent theatres in Florida. The two partners are now in Miami, ostensibly on a vacation.

Meanwhile Springer and Cocalis are understood in a move to acquire a number of additional houses in the local area, believed to be competitive to Harry Brandt. Brandt is also said to be after theatres in S. & C. neighborhoods.

Moley Hits ‘Absurd’ Criticism of Films

Declaring that the research processes which result in such works as “Our Movie-Made Children” can be reduced to the “greatest absurdity” and so are meaningless, Raymond Moley, editor of Today, and formerly a prominent figure in New Deal councils, defended the industry at the Motion Picture Forum yesterday.

Film Cleanup Forced Big Changes-Zanuck

Hollywood, March 11.—That the readjustment forced upon the industry by the clean film drive was the most drastic ever experienced by it, the change from silence to sound not excepted, was the belief expressed today by Darryl Zanuck, who declared

Nizer’s Nanny Gallops; Klupt Objects to “Snort”

Mitchell Klupt, attorney for Century circuit, yesterday got Louis Nizer’s “goat” as the sixth round in the Century-RKO Long Island clearance objectaction added another four hours to the previous 20. Nizer became annoyed at Klupt’s persistent remarks and charged the Century lawyer with being “smart” and using “cheap” and “shyster” methods. The rift between the two attorneys became so tense in the afternoon that Nizer threatened to withdraw from the proceedings unless his opponent acted like a “gentleman.”

In the forenoon, Eugene Picker of Loew’s, a member of the board, made a noise that Klupt called a “snort,” and Klupt, always on the alert, objected. Picker objected to Klupt’s objection and added a few words with the result that Harry Shifman, another board member, wanted a “snort” defined. No one could qualify as an expert, and the board skipped it.

Doubts Power To Levy Code Assessments

Richberg States Views to Senate Probers

BY BERTRAM F. LINZ

WASHINGTON, March 11.—Admission by Donald R. Richberg, former chief counsel of the NRA, that there is grave doubt whether code authorities have the right to force contributions for administration costs marked today before the Senate Finance Committee.

Questioned by Senator Clark of Missouri as to whether code authorities were exercising the right, in effect, to levy taxes, Richberg said be did not think they had such authority, explaining that in most cases costs were being met by voluntary contributions.

Criticisms that the investigation of the Recovery Act threatens to become a whitewash were voiced today by senators opposed to the NRA after Senator Harriman, chairman of the committee, over the opposition of Senator

“U” Turns Loss to Profit of $238,791

Universal Pictures Co., Inc. and subsidiary companies yesterday reported a net profit for the fiscal year ended Oct. 27 of $238,791 after provision for Federal income taxes and after providing for a non-recurring loss of $178,295 account settlement of note receivable from a company in receivership and $10,000 for estimated loss of funds in closed banks.

This compares with a net loss of $1,016,893.20 for the fiscal year ended Oct. 24, 1933.

Schenck for Study Of Florida Locale

A survey of the possibilities for production in Florida was urged upon the industry by Joseph M. Schenck upon his return from a visit there yesterday. The United Artists head announced his intention to request Will H. Hayes to call a meeting of producers so that a committee might be appointed to study Florida conditions.

Features in Work Fall Off Slightly

Hollywood, March 11.—Production activity receded slightly last week with a total of 39 features and four shorts before the cameras as compared to 41 and four the preceding week. In addition, the past week’s schedule registered 21 features and 10 shorts in the final stages of preparation with 38 features and 16 shorts in the cutting rooms.

Walters led the field with seven features in work, one preparing and six editing; Fox has six, one and five; Radio, five, two and three;

Television in Theatres Gets British Study

LONDON, March 11.—Inclusion of televised items in film programs will be possible this summer according to a statement from Capt. A. D. G. West of Baird Television Co., associated with Gaumont British.

Recent improvements in the systems, he declared, would make it possible to project on full size screens. Also under consideration is the practicability of the development of a service of televised news pictures, demanded by many exhibitors, says Captain West. There is no technical difficulty, he declares, and Baird may televise this year’s race for the Derby direct to theatres, if the permission

Code Transfer To Trade Body Seen as Easy

WASHINGTON, March 11.—Transfer to the Federal Trade Commission of the administration of the trade practice provisions of the recovery codes, which may be pressed in Congress by the Administration, was considered by the National Recovery Administration, could be accomplished easily and would require only an extension of existing machinery in the commission.

It would not be necessary for codified industries to go through the routine of applying for a trade-practice conference and discussing proposals, as required under the plan followed by the commission, since the codes represent the results of general conferences at which all members of the industry involved were

Schlaifer Quits as G. B. Sales Manager

L. J. (“Jack”) Schlaifer, sales manager of Gaumont British, resigned yesterday, the resignation to take effect immediately.

The step comes on the heels of a

New Setup Approved By General Theatres

LONDON, March 11.—Approval of a reorganization plan for General Theatres Corp., Ltd., has been given

(Continued on page 5)
IRENE DUNNE, accompanied by her husband, Dr. F. D. GIFFRIS, arrives today from the coast on the Santa Paula. Mrs. VERNER Z. REECE, mother of JOSEPH VERNEE REED, and Mr. and Mrs. MESSMORE KENDALL are on the same boat.

SAM CLARK, moved up from Chicago to New York, becomes a member of the Warner publicity department handling newspapers and syndicates and not assistant to S. CHARLES ENGLISH.

NATE BLUMBERG developed a sudden passion for crackers and cheese after spending two hours yesterday afternoon listening to testimony in the Century-RKO Long Island clearane digest.

**Quip of the Day**

From Vic Shapiro:

"Telephone courtesy at Harry COLUMBUS COUGHLIN annually circulates of the telephone operator stating 'Good morning. Columbia Pictures Corporation,' but the day after the Academy banquet, someone called up Bill Perling, Columbia's casting director, who, upon lifting the receiver, stated that his first telephone nibble is:

'Good morning. Academy Awards Winners!'

MRS. ELLA H. MCCORMICK has completed her tour around town and is now back in Detroit where she is the picture editor and critic of the Free Press.

OTTIE HARRAB, who wrote the book and lyrics for "Robertra," will be interviewed over an NBC hookup by NELLIE RINEL Nexus next Friday.

ALICE FAYE answered a call from the Fox studios and took a plane Sunday for the coast to start work in "Adios, Argentina."

ETHYL MERMAN leaves the cast of "Anything Goes" shortly for a brief vacation before going to Hollywood for her next picture.

IRVIN MARDEN, Monogram representative, is in town for conferences with W. RAY JOHNSTON and ED GOLDEN.

J. J. McCARTHY quits the coast tomorrow on his homeward trek. Due in Saturday for St. Patrick's Day epics.

SHEP HOWARD, who has just finished work in a Vitaphone short, leaves today for the coast.

GEORGE ARLEES is due in town from the coast tomorrow. He has just finished work in "Cardinal Richelieu."

NELSON EDY held court, as it were, yesterday. Nelson New York gave him a cocktail party at the Elseyce.

SYLVIA SIDNEY reached town yesterday on a vacation trip.

STAN SHUFORD is in Bermuda. A brief vacation—one week.

SAM RINLER blossomed out in his new gray, spring tweeds yesterday.

CAPTAIN RICHARD NORTON, British and Dominions producer who arrived here several weeks ago, plans to sail for London early next week. A slight cold laid him low over the week-end and caused a slight delay in his return home.

CLAUDETTE COLBERT, MARLENE DIETRICH, CLAUDIA MORGAN and FRANK MORGAN were unsuccessfully photographed by newspaper cameramen while seated at various tables in El Morocco over the week-end.

MARSHA SLEEPER finishes work this week, is lining in a group for ROBERT HECHT and CHARLES MACARTHUR's latest now being filmed on Long Island, and leaves for Hollywood next week.

ROCHELLE HUDSON, who is in town on her first visit east, is showing the city's sights, and shops, by MARY ROGERS, daughter of WILL.

**Delay M. & S.-RKO Case**

Hearing on the M. & S.-RKO arbitration proceedings, slated for tomorrow, will be postponed until a later date, it was learned yesterday.

Bruce Bromley, representing RKO, is planning to go to St. Louis to attend a preliminary meeting before Federal Judge Charles B. Davis on March 15.

"Robertra" a Big Draw

"Robertra" is heading for $100,000, at the Music Hall, having garnered $6,000 for its first four days. It's been reported to grow over $25,000 to $30,000 over the weekend, "April" at the Roxy is aiming for a $35,000 tally. The picture has grossed over $20,000 since opening last Friday, and is RKO Radio film.

Mrs. Al Soberer Dead

CHICAGO, March 11.—Mrs. ELIZABETH ZAVENTZ, widow of AL SOBERER, is dead following four days' illness. She was 32 and is survived by her husband, two daughters and her mother who lives in New York.

Fordham to Celebrate

Charles MacDonald, RKO division manager, reported today that Al Soberer's death had not affected the picture and sales units, and that there was no reason for the audience to believe that the picture would be changed.

Mrs. Al Soberer, a member of the purchasing syndicate, was known for her willingness to pay the highest price for every picture that was released.

Buy "The Matchmaker"

World-Kin Corp. has bought from Aminko the United States and Canadian rights to "The Matchmaker," based on the novel "Menchman Mendel" by Sholom Aleichem.

**Stampede Injures Four**

JACKSON, Ky., March 11.—Four persons were injured yesterday here when a race in the Pastime started an audience stampede.

"Diggers" Portland Hit

PORTLAND, March 11.—"Gold Diggers of 1935" got off to a sensational start here by grossing $1,700 opening day. The weather was ideal.

"Diggers" Into Strand

"Gold Diggers of 1935" opens at the Strand Thursday morning.

**Pickets Return to Broadway Theatres**

After an admission of several months, pickets have returned to Broadway as the result of a failure by the fact-finding committee to prepare a basic operators' schedule for the metropolitan area. Three independent houses were picketed yesterday, and it is reported that all the circuits theatres will find the sandwich men parading up and down in front of their houses.

The Mayfair and Astor, Walter Reade units, were picketed by men with American Federation of Labor signs while the Comedy, a burlesque house which sandwiches pictures between stage shows, was paraded by Empire State in K. pickets. In instance there were from two to three men with signs.

Reports were current yesterday that the fact-finding committee has disbanded and it would not be long before Broadway breaks out in a rush of picketing.

**English Group Buys RKO Vancouver Unit**

VANCOUVER, B. C., March 11.—RKO disposed of its local Vancouver interests with the sale of the Vancouver Theatre and Orpheum Office Building for an aggregate price reported to be close to $250,000. H. V. Sharpes of Vancouver, acted with Empire State in K. pickets. In instance there were from two to three men with signs.

**Another Censor Fee Increase Up in Ohio**

COLUMBUS, March 11.—The General Assembly is "double billing" in its current legislative program.

A bill introduced by Senator Zoul of Cleveland to increase censorship fees to $3 for the first $1,000-foot reel, and $2 for each successive foot, was referred to the bureau's committee. Carey of Toledo is sponsoring a bill to make the fee $5 for the first $3 and $4 for additional reel. The present fee is $1 per reel.

Distributors estimate that the Zoul bill would increase the cost of censors $100,000 per year, while the other would add $200,000 annually.

**May Buy U. S. Films**

Aminko was advised by cable from Moscow yesterday that the Soviet was considering purchase of the American films shown at the 20th anniversary of the Russian film industry. If the pictures include "The Invisible Man," "Our Daily Bread," "Gentleman Jim," "Are You a Bigamist?" "Little Women," "La Cucaracha" and Disney cartoons.

**Eastern Enlarges Plant**

Rochester, March 11.—The Eastman Kodak Co. has awarded contracts for construction of a large additional addition to Cannabis Park here it was learned today. Several buildings are contemplated.
'WOMEN WILL GET A TERRIFIC BOOT OUT OF THE FINEST PICTURE OF THE YEAR!'

—Motion Picture Daily

and the reasons why appear on the next page
HERE'S WHY:

1. The theme of "Private Worlds" is REPRESSION—a topic of vital interest to ALL women!

2. "Private Worlds" vividly dramatizes the eternal conflict of the sexes! It asks the question, "Can a woman compete with a man on an even basis in a man's world?"—and answers, "YES!"

3. . . . Women will go for CHARLES BOYER! The Hollywood Reporter says: "Charles Boyer is superb! There is no question that America—especially female America—will be at his feet."

Remember that A WOMAN'S PICTURE is always a BOX OFFICE PICTURE!
MOTION PICTURE DAILY

Code Transfer To Trade Body Seen Easy

(Continued from page 1) given an opportunity to express their views. Interest in the possibility of a transfer of NRA functions to the Federal Trade Commission has been heightened by Senator Nye's announcement that his intention is to introduce a bill calling for this change in spite of the fact that the Senate Finance Committee has already investigated the drafting staff to get in touch with Donald Richberg for the purpose of embodying Administration suggestions.

A report to Congress on the trade-practice plan by the commission shows that following the 1930 amendments the procedure and of the recovery act. The trade-practice conferences, the commission explains, are the logical development of efforts of the commission, cooperating with industry, to protect the public against unfair methods of competition and standardize business practice.

The plan of this dealing with unfair trade practices has been in operation for several years, and during the last fiscal year alone rules thus devised were voluntarily accepted by approximately 2,400 individuals, firms and corporations.

Choice to Correct Abuses

These conferences afford representatives of an industry the opportunity to assemble voluntarily to discuss the suspicions of the Federal Trade Commission, consider methods for the correction of unfair and unethical practices and trade abuses, the report declared.

"The procedure is to deal with an industry as a unit. Concern is solely with practices and methods. Agreements reached terminate on a given date. If unfair practices continue, unethical conduct or any trade abuses condemned at the conference, and thus place all competitors on a fair competitive basis.

"Procedure is predicated on the theory that the primary concern of the Federal Trade Commission is the interest of the public," the report continued.

Recognition is given of the principle that the public is entitled to the benefits which flow from competition, and that each competitor is entitled to a fair competitive opportunity. The legitimate conduct of business is in perfect harmony with the best interests of the public. That which injures one undoubtedly harms the other, and the commission, in the trade-practice conference, provides a procedure which protects the interests of all.

Held for a Fourth "The Lost City" is being held for a fourth week at the Globe.

Brisbane, March 11.—"The Lost City" goes into Poli's the week of March 29.

SYRACUSE, March 11.—The Strand will run "The Lost City" for a week beginning the 15th.

Nizer's Nanny Gallops; Kluft Objects to "Snort"

(Continued from page 1) in four of his own witnesses, Mrs. Toots Pauker, Adolph F. Boldt, Herbert Schiessel and Gerald Kaufman. All but Kaufman talked about the card for an hour and a half.

Howard Weiss, Charles MacDonald, Fred H. Griffin, Patrick J. Walsh and John G. Heine were on the stand in the morning, while most of the afternoon was given over to the window card witnesses with the exception of Kaufman and Moe Sanders of Fox, the board went into informal huddles on certain issues.

The Pacific Northwest was anything but mild. At one time, Kluft asked for a showdown. Nizer agreed and said, "Let's have it." Then followed a verbal barrage which included "dis- courteous," "shyster," "credibility of witnesses," "snorting," etc.

Next meeting is slated for Thursday at which time testimony is expected to be completed with summations to follow.

Box Score by Days

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Bank Night in Md. Is Declared Lottery

WASHINGTON, March 11.—Bank nights were declared lotteries in a decision handed down today by the local Abrahamson Board, which ordered E. L. Moore of the Ridgely, Ridgley, Md., to cease and desist from the practice.

The complaint was brought by M. H. Schwarz of the Downtown, Denton, Md.

Joseph C. Grant of the Dunkbar company and the Star Investment Corp., Baltimore, was distributing passes for advertising purposes. The case was continued for additional evidence.

Adoption of a plan of reorganization by the Star Investment Committee of Investment Trusts and Insurance Companies, which has been looking into the affairs of the circuit.

At the annual meeting shareholders refused to hear a reorganization since prepared by the directors until the joint committee had investigated the company.

Rosenberg Off Tomorrow

Mike Rosenberg, F.W.C. partner in 16 coast situations and also interested in the Evergreen Theatres in the Pacific Northwest, plans to leave for Los Angeles tomorrow.

He is here for conferences with Sypros Skouras on policy changes for Evergreen, of which Frank Newman is operating head.

Film Cleanup Forced Big Changes-Zanuck

(Continued from page 1) of the new conditions has improved the quality of product.

The Pacific Northwest, including first runs for unplayed G. B. product in Seattle, Portland, Tacoma, Los Angeles, Oakland, Sacramento, Stockton, Berkeley and San Francisco.

Schlaifer, for years western district manager of United Artists, stated last night that he believed in a new law being forced.

George Weeks is general sales manager.

Finish Newspaper Yarn

HOLLYWOOD, March 11.—Two former New York newspaper men, H. A. and Major Ross Duff Whynock, "the Row," a saga of New York journalism covering 20 years of the dramatic period in newspapers, many of the historic figures of "the Row" have been woven into the story.
Lewin’s Dual Attack Stirs Independents

(Continued from page 1)

vermin the Lord ever suffered on the face of the earth.”

Golden, in making an unchroned reply to Lewin at the annual luncheon which closed the National Board of Review meeting Saturday, declared that the motion picture industry was

rantedly “mixing an economic with a moral issue.” Golden cited the recent Federal Fair Trade Commission decision which held the contractual restriction of double featuring in that instance to be a “conspiracy in restraint of trade” and declared that any effort to abolish duals was contrary to the spirit of the decision and, therefore, to Federal law.

“Dr. Lewin’s statements strike at the very vitals of independent production,” said Golden.

There is not of the present large companies which did not have its beginning as an independent company such as M-G-M. And double featuring and you abolish the independent and all that his existence means to competition and the public.

Without double featuring there would be no need for more than 365 pictures a year.

Other speakers at the luncheon directed their remarks to the subject of censorship. Assemblerman Herbert Brownell, who sponsored a bill in the state legislature to abolish the New York censor board, said that censorship had “in no way aided in raising the standard of films, accomplished no worthwhile purpose and did practically no good, whatever.”

State Censors on Hand

Among Brownell’s interested listeners were six members of the state censor board. He declared that he hoped his views would enlighten Review Board members from states where no censorship exists.

Mayor LaGuardia, another speaker, stated in his address that there was no real threat of Federal censorship, re-

vealing that during his 14 years in Congress only two Federal censorship measures were introduced which had any serious support “and that soon dried up.”

“The best censorship is that of the box-office,” the Mayor said. He urged special theatre hours for juvenile attendance, with a matron in charge of each theatre section set aside for children, but added that he had had little support for the idea.

Dr. George W. Kirchway, chairman of the National Board of Review, concluded an argument for freedom of expression for films with the plea not to “render them as repulsive to children as school and the home have become.”

The producer of “Hei Tiki,” said he was “the only romantic and emotional outlet for many city children.”

Mr. Marley, producer of “Hei Tiki,” urged the greater artistic development of films. He appealed to the Board of Review to make an effort to establish a clearer or en-

dowed foundation where “creative genius, barred from expressing itself in films by standard production costs, could create and market a new film expression.”

Markley stated that if production

was not taken away from the business men who seized it before it had had a chance to be developed as an art, it never would become an art.

Schenck for Study Of Florida Locale

(Continued from page 1)

program is put through, Schenck does not express a definite opinion as to whether he favored Florida as a production center, saying that a study of weather conditions and other factors would have to be made by technicians first.

“As far as the people of Florida are concerned, I have no doubt they want the motion picture industry there,” he remarked. “They are all anxious to raise money for studios.”

Television in Theatres Gets British Study

(Continued from page 1)

of the Postmaster General can be obtained.

Sir John Gielgud, Home Secretary, has clarified the position regarding the future of non-film films by a statement in reply to a question in the House of Commons.

Confirming his intention to ask for revision of existing safety regulations under the Cinematograph Act, Sir John denied that it was intended to apply the same rules to celluloid and non-film films. “No time has it been said,” he stated, “that the same regulations should be applied to films on a nitro-cellulose base and to films on an acetate base.”

Considerable opposition has been shown by those interested in educational and commercial film production to the possibility of such a prohibition, and Sir John indicated that such films as were subject to the rules obtaining in theatres.

Looking ’Em Over

“Rainbow Valley” (Monogram)

With less action, particularly in the line of hand-to-hand struggles between John Wayne and the villain, and with more emphasis evidently placed on the story, here is a worthy member of the Lone Star series. Wayne presents his usual virile character portrayal and the other members of the cast handle their roles capably.

Sent to prison to get the goods on a bandit gang which is terrorizing the inhabitants of Rainbow Valley. Wayne is pardoned and joins forces with George Hayes, eccentric mail carrier, in an effort to build a road to connect the valley with the outside world. Thrusted at every turn by his enemies, Wayne joins the gang and uses its men and dynamite to bring the road to completion under the guise of stopping them. In the climax of the story, Wayne is bested with Lucille Brown, post mistress of Rainbow Valley, and the fadeout finds them in each other’s arms.

R. N. Bradbury’s direction keeps the film moving at a fast pace. The photography by William Hay is okay.

Western fans and children in particular should get a kick out of this one. Reviewed without production code seal. Running time, 52 minutes. “G.”

Schenck for Study Of Florida Locale

(Continued from page 1)

Emerson Made Producer

Hollywood, March 11—John Em-

erson, M-G-M writer, has been ele-

vated to a producer, his first being “Studio Girl.”

Will Operate on TrottI

Los Angeles, March 11—Lamar TrottI, Fox writer, is at the California Hospital for a major operation.
Day-after-Day
EXCELLENCE

EASTMAN Super-Sensitive "Pan" Negative has played a part in productions that marked veritable milestones in cinematic progress. Yet its success in these outstanding pictures is based upon the same dependability it offers cameramen and producers every day in the year. Unfailing, day-after-day excellence is the quality that makes this film the natural choice for the screen's greatest ventures.

EASTMAN Super-Sensitive
Panchromatic Negative
"Folies" Hits Philadelphia
Top, $13,500

Philadelphia, March 11—"Folies" Bergere and "Little Colonel" set a pace too fast to be followed by the rest of the entries last week, though their combined grosses still sent the total into the profit fields.

The former got $13,500, one of the best figures of the week, when it stayed only two days, its second week at the Fox, the Shirley Temple film gleaned $21,000 and stayed for a third.

Total first run business was $68,600.

Average was $77.56.

Estimated takings for the week ending March 7:

WILLIAM BERGERE" (U.A.)
Aldine—(1,200), 3v-40c-50c, 6 days.
 Gross: $2,050. (Average, $342.)

"WINGS IN THE DARK" (Para.)
Majestic—(2,213), 3v-40c-50c, 6 days.
 Gross: $1,825. (Average, $304.)

"BEST MAN WINS" (Col.)
Earle—(2,900), 2v-30c-40c-60c, 6 days.
 Stage: Berta Davis revue. Gross: $14,400. (Average, $2,400.)

"THE LITTLE COLONEL" (Fox)
Fox—(2,400), 40c-50c-60c, 6 days. Gross: $10,000. (Average, $1,666.)

"THE GREAT FAIRY" (Univ.)
Carlyle—(1,900), 3v-35c-45c, 6 days.
 Gross: $6,624. (Average, $1,104.)

"DEVIL DOGS OF THE AIR" (Warners)
Keith's—(2,000), 40c-50c-60c, 6 days.
 Gross: $4,800. (Average, $800.)

"THE IRON DUCK" (Gaumont British)
Lorch—(1,000), 40c-50c-60c, 2 days.
 Gross: $4,500. (Average, 6 days,$750.)

"WHOLE TOWN'S TALKING" (Col.)
Staley—I,200), 3v-40c-50c, 6 days.
 Gross: $11,000. (Average, $1,833.)

"MYSTERY OF EDWIN DROOD" (Univ.)
Stanton—(1,200), 40c-50c-60c, 6 days.
 Gross: $5,600. (Average, $933.)

Joyce Reserves Rule On Big Para. Claims

Special Master John E. Joyce took under advisement following a hearing yesterday an opposition to the allowance of claims against Paramount Publix aggregating $26,127,000, exclusive of interest, to permit holders of the claims to vote specific amounts on Paramount's plan of reorganization.

Joyce granted another petition closing the docket of claims on March 21 against their further filing or being assigned until such time as the Federal court may reopen the docket. This will enable the special master to make his report showing which creditors may vote on the reorganization plan and in what amounts.

The petitions for the allowance of the claims were filed by Paramount Publix and by creditors of the Paramount trustees. The latter petition asks for the final allowance of the bondholders' claims aggregating $26,127,000, exclusive of interest. While Paramount's petition asks the provisional allowance of those claims and 17 additional claims aggregating $200,000.

The petitions embrace all of the claims to participate in the reorganization except those which have been made a part of the plan itself, such as the Allied Owners, bank group and Paramount Broadway claims.

Features in Work Fall Off Slightly

(Continued from page 1)

M-G-M, four, and seven; Columbia, four, six, and three; Universal, two, two, and; Century, one, zero, and two; Roach, zero, zero, and one; and the independents aggregate six, four, and three.

In the short subject division Roach reports one in work, now preparing and rendering; United Artists, two and two; M-G-M, zero, four, and five: Universal, zero, one and one; Radio, one, one, zero; and Independents aggregate four, three, and five.

Moley Hits 'Absurd' Criticism of Films

(Continued from page 1)

against those critics who amnicate endowments in pseudo-scientific ef-
moving, prove that movies "incite to crime."

These processes, Moley said, usually consist of taking a number of.
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“U” Not Sold, Not Even to Huey: Laemmle

Takes Hot Verbal Shots At Industry Gossips

Hollywood, March 12.—Universal hasn’t sold out. Take Carl Laemmle’s word for it—his emphatic word.

“If you can believe some of the trade papers and certain radio gossip, Universal has been sold out to everybody in the world except Huey Long, Father Coughlin and General Hugh S. Johnson. And the only reason why we have not been sold out to them, he adds, “is because they have been too busy engaged in calling each other political termites, pied pipers, chocolate soldiers, cream puff soldiers, and other kindred names. I must admit that I have been tempted more than once to call names.

Year after year I have seen plain manufacturers lie published about

(Continued on page 8)

Good Friday Closing Demanded in Canada

Toronto, March 12.—A new movement has rolled up on the horizon to harrass theatre proprietors. Unless theatres are closed on Good Friday, adherents of the Roman Catholic faith will be instructed to boycott them during the week following Easter when religious restrictions are generally removed.

The threatened boycott first made itself known in the Atlantic Province of Nova Scotia, but the matter is now

(Continued on page 10)

Attendance at Roxy Up, Cullman Reports

A marked improvement in attendance at the Roxy was noted in the report submitted yesterday by Howard S. Cullman, trustee, to Federal Judge Francis G. Caffey. According to the independent audit, daily attendance at the theatre from May 1, 1934, through

(Continued on page 8)

Bay State Hearing On Race Repeal Set

Boston, March 12.—A public hearing on the bill seeking repeal of the horse and dog pari-mutuel legislation has been set for March 20.

A crowded public hearing at the State house was cut short yesterday when the House Committee on Rules

(Continued on page 10)

Code Changes Get Approval From the NRA

By BERTRAM F. LINZ

Washington, March 12.—Omitting all reference to the problems of interference with lease or compliance of unit show contractors with code wage provisions, the NRA today announced approval of amendments to the film code which were discussed at the hearing last December.

The new matter to be inserted in the code deals with the labor conditions of chorus girls, covering the rehearsal pay of principals, limits the application of the code to the continental United States and Alaska, and eliminates rep, tab, tent, wagon, truck and medicine shows.

The new matter to be inserted in the code deals with the labor conditions of chorus girls, covering the rehearsal pay of principals, limits the application of the code to the continental United States and Alaska, and eliminates rep, tab, tent, wagon, truck and medicine shows.

(Continued on page 4)

Ipswich Clearance Cases Are Quashed

Because it was declared the Boston clearance and zoning board exceeded its jurisdiction in setting up a clearance of 21 days after downtown Boston for Ipswich, Mass., an appeal committee, comprising Dan Michalove, chairman; Charles Casey and Frank J. McCarthy, yesterday refused to hear the company against

(Continued on page 4)

Kansas Law Officer Rules on Bank Night

Kansas City, March 12.—Bank nights are ruled legal in Kansas by Attorney General Clarence V. Beck, who, however, stipulates these conditions: Participants must be permitted to register without purchasing an admission ticket; the winning number

(Continued on page 10)

F fortnight’s Group Delays Para. Bonds

Holds Balance of Power In Naming Directors

The so-called Fortington group, a coalition of Pacific stockholders with claims aggregating $15,000,000, is deferring the deposit of its estimated $4,000,000 bond holdings in favor of the company’s plan of reorganization to insure the election of its nominees to the board of directors of the new company, which was learned yesterday.

Through its bond holdings, the Fortington group occupies a strategic position in the reorganization at this stage. Before the Paramount plan can be made effective it must have the approval of a majority of the stockholders and two-thirds of all creditors, including bondholders. The Vandervelpd debenture committee, principal representative of bondholders, has on deposit approximately $13,100,000 of the

(Continued on page 4)

Para. Trustees Will Get Schulberg Pact

B. P. Schulberg’s new producing and releasing agreement with Paramount will be submitted by the trustees of the company to the meeting of creditor representatives tomorrow for the informal approval of the latter.

The step is being taken because of the imminence of the Paramount reorganization and the accompanying discharge of the trustees. The creditor representatives will act in the nature of an unofficial board of directors in considering the deal which calls for Schulberg’s production of six to eight pictures for Paramount release.

Monogram Policies Being Talked Here

Monogram franchise holders as far west as Chicago are in town confer-

(Continued on page 9)

Checks Fall From Atlanta

New York film men are finding checks in their mail from Alma Wilby, wife of Robert B. Wilby of Valatanga Theatres, Atlanta, and treasurer of the Immunity Club. They represent refunds and a few dollars in interest.

The Immunity Club was organized at the Roosevelt ball in New Orleans during the recent M.P.T.O.A. convention. Each charter member—there were two—sweetened the kitty by $5. Mrs. Wilby became treasurer, held court all day at a corner table and

(Continued on page 9)

Majestic Men Will Convene in Chicago

All Majestic franchise holders, about 25, will convene in Chicago in two weeks to discuss production budgets and sales policies for the new season. The Drake will most likely be

(Continued on page 10)
STORIES, growing out of much conversation, about the theatre situation on Broadway, begin, but will not end, with a blinded white appearing on the second page of the New York Times recently and, for some unexplained reason slipped by the caggle optics of those whose business it is to paint a picture of things for the public and convey the news. It read:

"We represent a client who wishes to contact an individual who will invest $700,000 in a first mortgage on an important piece of improved New York real estate located in the heart of Times Square. The property is assessed for $4,000,000.

"The terms of the mortgage are to include six per cent interest, semi-annual amortization so that the entire amount is repaid within ten years PLUS a participation to the extent of 33 1/3 per cent in the increase of the value of the property. A contract will be entered into, for the operation of the business for which the property is specifically being used, with a nationally known and eminently successful company at present doing the business in excess of $100,000,000."

"This advertisement is directed to principals only and we invite you to contact the entire proposition. No brokers—no promotion schemes on the bond issues will be given the slightest consideration. Our client will discuss the matter only after we are completely satisfied as to the seriousness of purpose and responsibility of anyone who may answer this advertisement."

Donahue and Cee are the "we." This is the advertising agency for Loew's and M-G-M. The property "assessed for $4,000,000, but more likely is the Capitol. And that opens the floodgates of speculation, removed more than a trifle from such an unsatisfactory property classification by some talks which have been held in recent weeks and months. There was the time, as told in this space, by John E. Schenck, who was looking for the Roxy as a first run home for Leo in Times Square and the byways leading immediately from it. Latterly, there have been a few others, who have told the writer and say it's a deal—that Loew's will take over the Mayfair from Walter Reade for the policy now being carried away at Loew's New York.

"Sooner or later, the eminently successful type of operation which is the New York's will have to deposit itself elsewhere. The block from 44th to 45th Street which is that theatre's current home, is coming down and, as a matter of fact, certain tenants of the building already have been informed they will have to seek other quarters. The chances are slight that they might be discounted entirely, that the New York will be deserted; it makes too much money. It's ditto on Loew's State which is a sweetheart inas far as theatres and black figures go. The situation as it has to do with the Capitol, however, is a marquee of another color."

The house is no longer new. By comparison with the Music Hall, it's ancient, although that goes as well for virtually every other amusement contender in the Broadway sector. Snagging closed to the plans bruited about is the report Schenck eyes the Roxo for several reasons, to wit: (1) It's more modern. (2) It's closer to the new entertainment center created by the Music Hall, the theater being of all other impresarios along the stem. What, then, would happen to the Capitol? The answer is: What happens to the State? And this is because Schenck and Joe Schenck-Van Schmus flirtation ripens into real romance? You know about that already.

Heave a sigh or a sob for Clark Gable! Louis M. Levy, dark horse attorney himself in Paramount's reorganization, is all for Gable as a member of the new board, Metro competition and fat acting salaries having nothing to do with the case. Already, the Methodist congregation at Hopedale, Ohio, has heard him described as "serving a devil of lust" and has prayed for his conversion to Christianity. It was a return engagement since the same congregation prayed the same way last Summer. Gable's birthplace thus faces conflict and crisis, for members of the parent-teachers' group there think Clark is "an artist in the true sense of the word." It's because women in handsome numbers think many things about Gable aside from his artistry that Metro strikes him.

This will never do. Allied has been campaigning long for a change in the way it GAPs. It's not truly representative; but lapsed and more along kindred lines, goes the story. Now the M.P.T.O.A. has launched the same campaign, at the same time, before committees have been committed on less.

Lawyer trouble is holding up the Skouras-F.W.C. ten year operating deal.

COMMITTEES CHOSEN FOR BIG AMPA PARTY

Eight committees have been named to handle the details for the annual Naked Truth dinner of Amra scheduled for April 27 at the Astor. The committee's follow: Executive—Paul Benjamin, chairman; Marvin Kirsch, vice-chairman; Rodney Bush, secretary; William James P. Cunningham, Ralph E. Lund, Rutgers Nelson, Monroe Greenthal, Alexander Scotti and J. F. McNamee, Walter F. Eberhardt, Edward Romney, Bert Adler, Paul Gulick and Jack Harrower. Entertainment—Monte Prosser, chairman; Don Hancock, Arnold Van Leer, Irwin Zeltner, Morris Kinzler, Josef Simanich, Mollie Sternberg, Hazel Flynn, Teas Michaels, Patrie Reis, Bessie Mack and Mabel Drew. Dinner—Paul Benjamin; Reception—Adler, Cunningham, Paul DeAngelis, Tess Michaels and Horntol Schorr; Souvenir—Program—Milton Silver, Ronald Benjamin, Herman Flick, Louis Cunningham, Bush, McNamee, Herbert S. Berg, Melvin H. Heymann, Louis Goldberg, Adler, Jack H. S. Fulda and Edward Weiss; Program Chairman; Sid Seidler and Lundi; Publicity—Heymann, chairman; Dave Dantzig, Martin Star, Zelma Schrrower, Cunningham, Weiss, Berg, Charles A. Leonard, Miss Michaels and Miss Schorr.

20 Headliners for Amra

W. S. Van Dyke, Hunt Stromberg, Irene Dunne, Ben Bernie, Rochelle Hudson, Anna May Wong, Bing Crosby, Dorothy Dix, Thomas Morris, William A. Brady, Sylvia Fros, John Fogarty, Vi Bradley, Leon Novak, Norman Thomas, Phillip Tracy, Patz' Flick, The Three Rhythm Queens, Frances Goodrick and Albert Hackett, Edwin L. Marin, Maria Rasputin, Hil Mayer, and specialty acts from Anstole Friedland, Nat Nazzaro and Arthur Fischer are scheduled to appear at the Amra luncheon at the M. F. Club tomorrow.

George Brennen Dies

George Brennen, for a number of years operator of the Orpheum, Jersey City, N.J., died suddenly when he plunged from his room at the Martinique Hotel. He was well known in local exhibition circles and was about 70.

At one time, Brennen appeared with Chauncey Olcott on the stage. He was active as an Allied of New Jersey member for a number of years.

Erastus H. Crosby Dead

Topeka, Kansas March 12—Erastus H. Crosby, 80, is dead here. He figured prominently in the local theatrical real estate business and was one of the organizers and charter members of the Jayhawk Theatre and Hotel here.

Annual MPPDA Meet Set

Annual meeting and election of directors of the M.P.P.D.A. is scheduled for March 25. Will Hays will make his annual report to the board and the annual report of department heads of the organizations will also be presented.

Harry Rowson Here

Harry Rowson, who, with his brother, Simon, was one time manager, is director of Ideal Films, Ltd., London, is in New York from England.
NOMINATED
for the
BOX-OFFICE CHAMPION
of SHORT SUBJECTS!

FACTS!

1. Trial engagements in 32 first-run key spots of "Buried Loot" establish M-G-M's Crime Doesn't Pay Series as most important short subject idea of years.

2. Exhibitors confirm trade opinion by signing 3,226 contracts in first three weeks of selling to trade. Many contracts sold without solicitation. Based on results of first runs.

3. Circuits grabbing this sensational short include: Schine, Butterfield, Comerford, Warners, Loew's, Poli, Hall (Dallas), Robb & Rowley (Texas), Huffman (Denver), Balaban & Katz, Publix of Salt Lake, Fox West Coast, Fox Evergreen (Seattle), MacNeill & Naify (Frisco), United Artists (Portland), Consolidated Amusement (Honolulu), etc.

4. Trade press unanimous in praise.

5. Publicity where shown tops space given features. Newspapers run editorials and special stories.


8. Timeliness because of nation-wide drive on crime makes it a natural at box-office.

9. Produced like a feature with feature names in cast.

10. Crime Doesn't Pay Series is to be next season's biggest short subject topic. Start now with "Buried Loot."
Code Changes Get Approval From the NRA

(Continued from page 1)
be provided by a provision that "the minimum wage of a performer employed on the premises shall be $7.50 net in cash per day for each theatre in which such performer appears.

It has been agreed that no exhibitor shall enter into any agreement directly or indirectly, for services of a kind usually and customarily performed by theatre employees directly compensated by exhibitors unless such agreements provide for maintenance of code wage minima and hour maximums. This would not apply to agreements entered into prior to the effective date of the amendment.

Ipswich Clearance Cases Are Quashed

(Continued from page 1)
Philip Smith of the Strand, Ipswich. The clearance protests were filed by Paramount and preferred by Sampson in Salem, Mass., and the Larcom and Ware, Beverly, Mass.

Sam Markall and Smith appeared on behalf of the Senate, while Elwood Sampson represented the protestants.

In seeking back the two complaints for rehearing, the committee held that the Boston board had set up protection for someone who had not asked for it. All Boston downtown houses ordinarily have 28 days' protection on subsequent and neighborhood theatres.

David Stoneeman, attorney for Walter B. Littlefield, appeared before the committee of the long-time exhibitor in Jamaica at Jamaica Plain, and the Egleston, Boston, he be given equal availability. Littlefield operates the Egleston, which is about four miles from the Rivoli, Boston. The local board reduced the 14 days' clearance at the Rivoli to seven days, but Stoneeman claimed that the Rivoli has one day clearance over the Jamaica. The case was held open from 70 days after downtown Boston.

During his argument, Stoneeman read into the record an exclusive story in Motion Picture Daily whereby Warners' Forum in Los Angeles was declared non-competitive to the Warners' Forum in Jamaica a mile apart. Benjamin Trustman represented the Rivoli and Jamaica.

Samuelson Loses in Two Code Decisions

Sidney Samuelson, representing Fred Faulkner, an Allied of New Jersey member, at the local grievance board yesterday, lost two decisions in favor of Warners which brought the complaints.

Frank Daim, assistant to Don Jacobs, of Warners, contended that the request of the Code Officials, made at a hearing, was based on a false premise and not a true statement. The suit was filed on Thursday, date of which has not yet been set, and which must be disposed of before he takes up the Warner case where he left off last year.

Elwood-Warner Case Off Until April 13

WASHINGTON, March 12.—At the request of the Broadwood Holding Co., a further postponement of the hearing of the Elwood, National theatre, against two Warner theatres has been ordered by the Industrial Appeals Board. It was pointed out that counsel for the complainant could not appear on March 15 and the hearing was set back to April 13.

It was understood the argument will be confined to a question of jurisdiction.

Reason for the postponement of the Elwood case is believed to be that David T. Wilenst, representing Loew's film representative, is busily occupied in handling the Hauppauge, date of which has not yet been set, and which must be disposed of before he takes up the Warner case where he left off last year.

C. E. Williams Returns

OMAHA, March 12.—Charles E. Williams, president of the Nebraska M.P.T.O., is expected home Thursday after a stopover at Hot Springs, Ark., hospital following the M.P.T.O. convention in New Orleans.

Deadlock Continues In K.C. Zoning Row

KANSAS CITY, March 12.—The Kansas City clearance dispute continued deadlocked today as the I.T.O. portrayed its demands for the zone, which has failed to reach an agreement on the independents' demands for a new schedule. The conference was suggested by the zoning board yesterday when it deferred action on the independents' complaint against Midwest pending another more complete agreement.

It is understood that the independent objects to the independents' demand to penalize exhibitors because Midwest is planning to employ a new venue. It is hoped that no renewal will be made of the Illinois where the independent's name is appearing in the venue. The independent's name is appearing in the venue. The independent's name is appearing in the venue.

Maloney Recovering

PROVIDENCE, March 12.—H. Maloney, Loew's State manager, who was taken seriously ill about the first of the year, is now reported to be on the road to recovery.

Fortington’s Group Delays Para. Bonds

(Continued from page 1)
$25,157,000 of Paramount bonds outstanding. There is required for confirmation of the plan the consent of all holders of the bonds, which requires the consent of the required amount of representation, whereas a failure to deposit might present an insurmountable obstacle to the committee's attaining the necessary two-thirds representation.

The Fortington group's stand is explained by a spokesman as a precautionary one, pending to prevent its nominees for the board from being displaced. Factionalities within the group have been particularly active in the acquisition of Paramount securities in the open market during the past few months. The group, likewise, opened discussions some time in February with Paramount bank creditors for acquisition of the latter's nearly $14,000,000 of claims, but the FORMATION OF H. A. FORTINGTON THE DISCUSSIONS were closed and, it is now understood, may not be reopened.

Group's Nominees for Board

The group's nominees for the board in question have been under the title of H. A. Fortington, John D. Hertz, Floyd B. Odlum and Charles R. Richardson. Withholding of the bond depositors to assure the election of the group's nominees could not be accomplished without causing a delay in confirmation of the reorganization plan. The bonds may be deposited under the plan as soon as the court has formally approved the board's recommendation for the plan. Thereafter, no change in the proposed board could be made without court authorization.

With the Inception of the reorganization in the reorganization practically established, the Fortington group is also expected to have an important voice in the election of the new company. While indications continue to point to Adolph Zukor as president, new sentiment linking N. L. Nadanov's name with that office is appearing in the board. Final indications also are in evidence that an executive post, probably that of vice president, in charge of finance, will be created for Eugene Leake, one of the Paramount trustees.

Report L. A. Plan

To Start March 31

LOS ANGELES, March 12.—Despite some phases of the plan which are being investigated by John C. Flinn, who came on from New York for the purpose, little progress will be put into effect on March 31, it is learned.

The few points contested by F.W.C. representatives in New York last Thursday do not materially affect the schedule, but may require subsequent changes. Flinn plans to leave for Hollywood on Monday, to be back in west Sunday by plane and report back to Camp on his findings at the next session of the tribunal.
WATCH FOR
KARLOFF
IN UNIVERSAL'S SHIVERY SENSATION
"THE BRIDE OF FRANKENSTEIN"
This is just one of more than 150 reasons... each one a key-city theatre... why you should keep time open for extended runs!

Wherever you are... anywhere in the United States... there's a theatre near you that's breaking records... it's the theatre playing Roberta.
STARRING
IRENE DUNNE, FRED ASTAIRE, GINGER ROGERS

JEROME KERN'S
miracle musical stage success...
screened in a sunburst of song!

with
RANDOLPH SCOTT
HELEN WESTLEY
VICTOR VARCONI
CLAIRE DODD

From the play "Roberta."
Book and lyrics by Otto Harbach. Directed by
WILLIAM A. SEITER. A PANDRO S. BERMAN
PRODUCTION.

PEAK CROWDS JAM-PACKED INTO THE GIANT LOBBY OF RADIO CITY MUSIC HALL ON FOURTH DAY OF RUN

HELD OVER..OF COURSE!
Films Escape Onslaught As Kansans Quit
(Please specify the page number and provide the text or a screenshot of the page if needed.)

Pennsylvania Acts On Admissions Tax
HARRISBURG, March 12.—The first film measure to pass out of committee of the Pennsylvania Legislature was that placing a 10 per cent tax on admissions. The bill was favorably reported last night by the House Ways and Means Committee, passed its first reading today and will probably pass the second and final readings in the House before the end of the week.

The measure is one of Governor Earle's administration revenue measures estimated to raise $6,000,000 in two years.

Bost Prizes on Darro
Bost Tooth Paste is offering cash prizes to exhibitors and theatre managers for the best photographs of window or lobby displays on the Franklin series, "Bost Be-up, Art!" In addition, is distributing over 3,000 prizes to Frankie Darro Club members through the local ad salesmen of the clubs, and a grand prize of a trip to Hollywood for two.

This campaign is backed by national advertising and will include coast radio broadcast featuring Edwin C. Hill.

“U” Not Sold, Not Even to Huey:Laemmle
Universal by totally irresponsible people who have destroyed the last vestige of the motion picture business. "They cook up mad dreams and print them as facts. Their best grosses are no more than they have hurt Universal. "In fact it is an amazing thing that in spite of all the circumstantial lies which have been published over a long period of time, the trade has maintained its confidence in Universal without the flicker of an eyelid! "Stories which have been printed about Universal would ruin more than one company; they have never ruined Universal. "Even the Universal staff, which you might think would be disturbed by stories of sales and mergers, has remained on the job day in and day out.

"I have always been mushy enough to believe that sentiment cuts a lot of ice in this business or any other. I have believed that the Universal staff and the Universal customers have had the same sentimental attachment as Universal has had for them. Time and experience have justified my belief."

20th Birthday Nears
Hollywood, March 12.—On Saturday, Universal City will observe its 20th birthday. Opened with a golden key in 1915 by Carl Laemmle, the plant is still under the same management.

Laemmle will be central figure in a celebration planned on that day.

Attendance at Roxy Up, Cullman Reports
(Continued from page 1)
Jan. 3, 1935, increased 18 per cent over the same period of the preceding year. Despite a reduction in admission prices, theatre receipts also increased. In the 38-week period of the trusteeship from June 15, 1934, through March 15, 1935, Universal theater earned a net operating profit of $120,169.50 after taxes, lobby rent, interest on receivables, coupons and social and fiscal improvements were deducted, but, however, before interest on funded indebtedness, an increase of $11,784.34 over the same weeks of 1933-34 when the net operating profit was $8,835.22.

George White's 1935 Scandals
(San Diego, March 12.—George White sat in the Fox California here and heard an audience applaud his "1935 Scandals" because he has turned out a spectacular musical comedy with the right mixture of tuneful songs and real, spectacular comedy.

Equally as lavish as the 1934 edition, the new "Scandals" has just as many pretty girls doing figure eights, but White has spilled it out box-office when he gave the laugh-makers, Cliff Edwards and Ned Sparks, the run of the show. Edwards' clowning as he sang "I Was Born Too Late" is one of the best comedy sequences in years.

The story starts with White's stop-off in a Georgia jerkwater town to witness a rival "White's Scandals." Delighted with the talent shown by Alice Faye, he offers her a Broadway spot, but she wants her boy-friend, James Dunn, in on the deal. White finally agrees when Miss Faye's aunt, once a show business heroine, enters. He also takes back the small-town "Scandals" producer, played by Sparks, and his sidekick, Edwards. The small-towners wow Broadway audiences, but Miss Faye and Dunn drift apart and become infatuated with two of White's jealous cast-off stars. Dunn has turned Elmer Davis, whose sensitive feelings were one of the picture's high spots. The yarn winds up as White fires Miss Faye and Dunn, but brings them back together as stars when the Georgia aunt travels to New York to see her proteges in the big-time.

Besides the leads, good performances are turned in by Lyda Roberti, Benny Rubin, Arline Judge, Charles Richman and others.

Plenty of exploitation points: well-known stars, clever comedians, a chorus of 200 including 30 beauty contest winners and songs everybody will hum. This one should appeal to all ages.

Looking 'Em Over

-La Crise Est Finie
(Continued from page 1)

Pleasant entertainment is this gay musical film, produced in France by Nero Films. It is tuneful fun done in the manner of Rene Clair. People it is as charming a troupe of performers as one can wish for. The men will find the chorus girls quite an eyeful.

"La Crise Est Finie" (The Depression Is Over) develops its story with a strong sense of irony. A theatrical troupe finds itself up against it when the backer of the show dismisses the company after refusing to pay off. With high hopes but with no definite plans, the performers head in a body for Paris where they induce the caretaker of a darkened theatre to let them live in it as a rehearsal hall.

They hit upon the idea of putting on a show of their own. The remainder of the film details the difficulties that beset their venture. When everything seems lost luck turns their way and the film ends upon a note of supreme elation.

The production boasts a number of attractive song numbers. One of them, bearing the title of the film, serves as the theme tune of "La Crise Est Finie." Jean Lenoir is responsible for the music.

Albert Prejean, Danielle Darrieux, Suzanne Dehelly, Regine Bary, Rene Lestely and Milly Mathis are the most prominent in the cast.

The direction is by Robert Siodmak.

There are plenty of English subtitles.

No production code seal. Running time, 80 minutes. "G."

-In a Monastery Garden
(R. & S. Corp.)
Advertised as a "special Lenten presentation," it is doubtful whether or not this Julius Hagen production from London's Twickenham studios is all of that in the true sense of the words. Granted that it does capably handle a delicate religious theme, the first part of the film concerns itself with "men, maids and mistresses," to such an extent that it is strictly sophisticated fare, particularly for those understanding French.

The story is built around John Stuart, a brilliant young musician,
Anti-Industry Bills Beaten in Missouri

(Continued from page 1)

a license tax of one mill per foot on all films has been recommended to pass by the Committee on Municipal Corporations.

The same recommendation was given a bill prohibiting standing room, sponsored by Representative Brady. Both types of legislation bob up periodically.

Rally Against Censor Bill KANSAS CITY, March 12—Industry forces here and in St. Louis today rallied against the Shear bill creating state censorship in Missouri following recommendation of the measure by the Senate criminal jurisprudence committee, which proposed six amendments. Exhibitors are bombarading the state capitol with protests since censorship is held unnecessary in Missouri and a hindrance to the industry of $100,000 yearly.

It is charged here that Senator Shear is grinding a private ax and that he introduced the measure at the behest of certain St. Louis theatre interests involved in litigation with major distributors as a means of punishing film companies.

Police Head praises Industry's Attitude

Hollywood, March 12—Peter J. Siccardi, president of the International Association of Chiefs of Police who is here for conferences and surveys with producers concerning their treatment of certain police, has expressed, on behalf of his association, its appreciation of the manner in which the industry has cooperated in efforts to fight crime.

"My report to my association," Siccardi said, "will be that the industry is conscientiously and painstakingly studying each crime story with the view of discouraging crime. The intent and practice of the Production Code Administration is to make sure that the police officer is presented in his proper light. As president, I thank the industry both for its attitude and thorough spirit of cooperation in carrying on the work of depicting world pictures that crime does not pay.

Allied Men Gather At Des Moines Meet

Des Moines, March 12—About 150 members of Allied Theatre Owners of Iowa and Nebraska attended the mid-year two-day convention at the Hotel Savery today. Leo F. Wittig, president, said opposition to three bills now before the legislature was being pressed. One bill covers fire prevention regulations in theatres and the other is a two-man-in-a-booth bill. A third bill provides for an increase from two per cent to 10 per cent in the amusement tax.

Consider Jean Arthur

Hollywood, March 12—Jean Arthur is being considered by M-G-M for the leading role in "Public Hero No. 1." The company has also signed Countess Live de Maigret.

Reopen at Rumford, Me.

Rumford, Me., March 12—The Arcadia has been reopened.

Looking 'Em Over

(Continued from page 8)

who renounces the world because of the treatment he received from it. Accused of a murder he didn't commit, robbed of the girl he loves and his own music by his brother, he chooses a cloistered haven rather than face the world. The better portrayals are sketched with extremely broad strokes; and American audiences will probably find it hard to understand the English accents and the French which are interspersed in spots. Besides Stuart, others in the film are Hugh Williams, Gino Malo, Joan Maude and Dino Galvani. The latter created snickers in a local audience yesterday by the way he bearded, glared and smirked through every scene until finally killed.

The direction of Maurice Elvey depends more on dialogue than anything else for effects. The photography is good on the whole.

Reviewed without production code seal. Running time, 77 minutes. "A."

"Let's Live Tonight," tomorrow night's preview at the Roxy, was reviewed by Hollywood by wire Feb. 18.

"McFadden Place," Harry's opener at the Rialto, was reviewed by wire from Hollywood March 2.

"The Wedding Night," which is opening Friday morning at the Rivoli, was reviewed from Hollywood by wire Feb. 16.

"Gold Digger of 1935," previewing tomorrow morning at the Strand, was reviewed from New Orleans on March 4.

Monogram Policies Being Talked Over

(Continued from page 1)

now special tickets and three other pictures. The sessions, which started yesterday, will continue two more days at the company's home office.

Attending the meetings are: Sam Goldwyn, Los Angeles; George Barraud, Buffalo; Irving Mandel, Chicago; Sam Seplowin, Detroit; Jim Alexander, Pittsburgh; Jack Jossey, Cleveland; Herman Reifenberg, Boston.

The three special being discussed are: "The Hoosier Schoolmaster," "Keeper of the Bees" and "The Healer." The other trio includes "Honeymoon Limited," "Geezels" and "Flying the Crowd"

RKO Meeting Routine

Consideration of new season production plans and transactions of routine business occupied the regular quarterly meeting of the board of RKO Radio Pictures yesterday, according to an official of the company. J. R. McDonough, president, and B. B. Khalane, vice-president, who came from Hollywood to attend the meeting, plan to return to the coast today.

Checks Fall From Atlanta

(Continued from page 1)

paid the checks for Sazeracs, Ramos gin fizzes or for whatever type of gullet the imbibing charter member damped.

Says Mrs. Wilby in her letter accompanying the refund:

"Though the treasurer's office—four tables—was going strong from noon until the banquet had started an hour; though there was insistence that the steamed drinks be drunk; though Dave Palfreyman did three men's work with absolute frappes—with all that the treasury ended with a balance of $61.27—all cash.

"So there's a dividend check for your pro rata enclosed—$611 each, except Ed Rowley who gets $11. It must be understood that this is no precedent for the future, if any. It may be just a come on!

"There's another dividend—liquid—for you whenever you happen to be in Atlanta."

The immunity club—no dues, no obligations, no bylaws—will meet at the best available bar during each succeeding M.E.T.O.A. convention.

Merely to indicate its scope, charter members at the New Orleans scene included:


Next meeting, next year. Place undetermined.

Short Subjects

"Air Thrills" (Columbia)

Here is a compilation of shots of every conceivable airplane from the world's speediest racer to the weird contraptions of crackpots. Thrills are packed, action is packed, from this film which starts off with old time wingwalkers and winds up with bomb throwing motorcyclists. A Army and Navy air forces. Audiences should get a kick out of this novelty.

Production Code Seal, No. 0347. Running time, 10 mins., "G."

"Fantasy in Fashion" (All O. Boudry)

This is a 10 minute fashion reel in Cine Color produced by Ben K. Blake under sponsorship of cotton goods manufacturers. Tied in with the detailed presentation of how the fabric is made and the mannequins who parade the results is a slim fantasy having to do with the cotton princess, her wealth, of course, being the looms and the commercial outlet of her product.

Satisfactory.

Hal Roach Studio Active

Hollywood, March 12—Charles Chase returned to the Hal Roach Studio today after an attack of the flu and started work in his fifth short, "Okay Toots." Henry Ginsberg has signed Carl Switzer, a hill-billy, for Hal Roach.

With the completion of "Vagabond Lady," Roach is now preparing a third feature. Laurel and Hardy will be co-starred in "Laurel & Hardy in India." Production starts in two weeks.

Wall Street

Eastman pfd Up 1/4 on Big Board

Net High Low Close Change

Columbia vtc (1) $41 405/8 401 405/8 +3/8
Cons. Film (6yv) 551 551 551 551 +1
Cons. Film pfd. 19 19 19 19 0
Evershed Inc. (13) 90 90 90 90 0
Eastman pfd 1251 1251 1251 +125
Fox Film "A" 94 94 94 94 0
Loew's, Inc. (15) 345 335 335 335 +10
Loew's, Inc. 4d (665) 1004 1004 1004 s15
Paramount Public 23 23 23 23 0
Pathe 56 56 56 56 0
Pathe "A" 11 11 11 11 0
RKO pfd 135 135 135 135 0
Warner Bros. 29 29 29 29 0
Warner Bros. pfd 13 13 13 13 0

No Change on Curb

Technicolor........ 15 15 15 15

Keith Ronda Gain 1/4

Net High Low Close Change

General Theatre Equip v. 90 75 75 75 0
General Theatre Emp. sav ef 75 66 66 66 0
Keith B. F. 0 99 99 99 0 +99
Laemmle .... 60 60 60 60 0
lof deb rights 1004 1004 1004 1004 0
Paramount B'way 5045 4054 4054 4054 0
Pathe .... 54 54 54 54 0
Redstone .... 73 73 73 73 0
RKO pfd 135 135 135 135 0
Warner Bros. 29 29 29 29 0
Warner Bros. pfd 13 13 13 13 0

(c) Defined in principal but not in interest.

(Quotations at close of March 12)
Majestic Men Will Convene in Chicago

(Continued from page 1)

at the meeting spot. The party, which will be presided over by Herman Gluckman, president, will last three days.

Larry Darmour, production head, arrives by plane from Hollywood next week to go over preliminary details with Gluckman and E. H. Goldenstein.

Charter a New Company

SACRAMENTO, March 12.— Incorporation papers to charter a new studio here by San Francisco Studios, Inc., for the production and distribution of pictures, the company's headquarters will be in San Francisco.

John Petts, Kenneth Lovejoy, Wal- Irving, A. J. Gould, James Espey, William V. Hollingbery and Herman J. Gute, all of San Francisco, were named as directors of the new concern.

‘Dream in Cutting Room

Hollywood, March 12.—After 11 weeks in production “A Midsummer Night’s Dream” went into the cutting room today, costing to date $1,300,000, according to Warner estimates. Max Reinhardt will remain with the studio until the job of editing the film is completed.

Mrs. Goldberger Is “Fair”

The condition of Celia Goldberger, wife of the sub-division manager, confined to the Jewish Hospital, Brooklyn, with a heart ailment, was reported “fair” last night.

Beery-Jones to Marry

Hollywood, March 12.—Children of two stars are planning marriage. They are W. B. Beery, Jr., 21, and Maxine Jones, daughter of Buck Jones.
recording the historic and exciting events of a momentous year in motion picture industry progress
now in preparation
This fellow will **S O O N**
set off a load of **D Y N A M I T E**
that will knock this industry's box-offices records to pieces—

*Prediction:* Paul Muni in "BLACK FURY" will start a new cycle of he-man stories and bring the industry back to ACTION on the screen... The kind of action that sends audiences into hysterical cheers... of course Warner Bros. will present it!
Schenck Plan Would Retain Met Operators

New Pact for Skouras, Randforce in View

New long term operating contracts for Skouras and Randforce are provided in the Fox Theatres-Joseph M. Schenck plan of reorganization for Fox Metropolitan Playhouses, it was learned yesterday.

The original plan called for operating agreements which would be cancellable after May 1, 1936, in the event of an acceptable purchase offer being received by the bondholders. The final plan, which may be made public tomorrow when its sponsors will ask Federal Judge Julian W. Mack to set a date for a creditors' hearing on the plan, is not expected to meet with any serious opposition. Its provision for 75 cents on the $1 for the $12,460,700 of bondholders' claims, 2c.

(Continued on page 8)

Clevelander Fight Daylight Time Move

CLEVELAND, March 13.—A plan to inaugurate daylight saving in Clevel and Cuyahoga County was buried under a storm of protests of the theatre owners, men of night clubs and organized labor at a hearing by a City Council committee.

J. N. Grider, attorney, representing the downtown theatres, and Ernest Schwartz, president of the Cleveland Exhibitors' Ass'n, representing the neighborhood houses, stated that where daylight savings had been inaugurated, theatre attendance had dropped off 20 to 30 per cent. It is thought the plan is dead locally.

(Continued on page 8)

Film Financing Unit Formed in Delaware

WILMINGTON, March 13.—The Standard Capital Corp. has been formed here, with a capitalization of $1,500,000, to finance production. In the incorporation papers, J. Cheever Cowdin, New York financier, is listed.

(Continued on page 8)

Para. Trustees Get Coast Unit Approval

Authorization for the Paramount Publics trustees to participate in a plan of reorganization for Paramount Properties, Inc., subsidiary holding company for the west coast studio and

(Continued on page 8)

“U” Planning 36 Features, Six Westerns, Four Serials Again

Universal is planning 36 features, six westerns, four serials and is usual quota of shorts for 1935-36. The new program will match the current lineup numerically.

James R. Grainger, general sales manager, left for Hollywood yesterday, to arrive there Saturday afternoon, he will go into an immediate session with the two Laemmles and the studio staff on the impending list of attractions for next season.

Currently, Universal has either completed or in distribution 23 of its 36, leaving 13 to go by the end of August.

(Continued on page 8)

Farnsworth Is Named As New Campi Member

Deputy Administrator William F. Farnsworth has been named third Campi administration member by the National Industrial Recovery Board Compliance Director Sol A. Rosenblatt and Mrs. Claire Boh Tricaw are the other two.

Farnsworth has been pinch-hitting for Rosenblatt as a permanent representative at numerous Campi sessions. While he still will have no power of veto in his new capacity, he will attend Code Authority sessions as a full-fledged appointee. Farnsworth fills a vacancy on the code which has existed since its inception. At one time A. Lawrence Lowell, president-emicuriss of Harvard, was offered the post but declined.

According to the code, Article II, Section 2 (c), three Government representatives are to sit in Campi proceedings. Rosenblatt has attended a number of sessions and Mrs. Brokaw only a few. Farnsworth has also been sitting in for Rosenblatt on the

(Continued on page 8)

W. Ray Johnston Is Re-elected President of Monogram

W. Ray Johnston was re-elected president of Monogram by the company's board of directors late Tuesday night. In addition, Trem Carr was continued as vice-president in charge of production; Jack S. Jossey, vice-president for exchanges, and J. P. Friedhoff as secretary-treasurer.

The entire board of directors was re-elected. Johnston, Carr, Jossey and Friedhoff are members in addition to Herman Rikfin, Boston franchise holder; Irving Mandel, Chicago; Floyd St. John, San Francisco; Arthur C. Browning, Atlanta; Robert B. Witters, Kansas City; Sam Seg-

(Continued on page 8)

Senators Studying Richberg Testimony

WASHINGTON, March 13.—Members of Congress tonight were evaluating the results of five days of testimony by Donald R. Richberg before the Senate Finance Committee, the concern being that the assed gentlemen had disclosed nothing not before known and had made no suggestions which would meet the criticisms directed at major code.

Richberg today wound up his testimony with a suggestion that the NRA might simplify administration and reduce the natter of codes from over

(Continued on page 8)

W. Ray Johnston

(Continued on page 8)

Depinet Leaves to Plead at St. Louis

Ned E. Depinet, president of RKO Radio Distributing Corp., left for St. Louis by plane last night for arraignment and pleading in connection with the Federal grand jury indictment voted against him and four others several months ago. He was accompanied by William Mallard, radio general counsel, and Bruce Bromley, of Cravath, de Gersdorff, Swaine & Wood, special counsel.

Depinet will plead “not guilty” following his arraignment tomorrow. The trio is expected to turn by

(Continued on page 8)

Loew Aims at 20 Houses in Chicago Move

Some Will Be Erected; Others Purchased

CHICAGO, March 13.—Loew's invasion plans in this city call for a total of 20 theatres, 10 of which will be built by the circuit and the balance to be acquired, it was revealed here today. David Bernstein, executive vice-president and treasurer of Loew's, who is here going over the local situation with Louis K. Sidney and Thomas Lamm, architect, has already closed for a number of sites. A number of Loew M-G-M officials are also studying the layout.

Bernstein and his party plan to leave for New York tomorrow. Upon his arrival at the home office of the Loew's vice-president is expected to announce the company's theatre program.

 Invasion by Loew's will not affect Warner Bros., if the theatre spots, it

(Continued on page 3)

Jersey Allied, ITOA Hit M-G-M's Selling

Allied of New Jersey at its regular meeting on Tuesday and the I.T.O.A. yesterday expressed strong sentiments against M-G-M's percentage policy.

At the Allied meeting some members, including Major L. D. Primrose, said they would not do business with Leo's company next season unless the preferred playing time plan was changed. No official action was taken.

The board of directors of the T. O. A., in addition to passing a

(Continued on page 3)

Warners Will Soon Add Two to Circuit

Warners will add two new theatres to the circuit within the next three months. They are the Bromley, a 1,400-seat structure now being completed on North Broad St., Philadelphia, and the 1,500-seat Beverly being erected in Chicago.

The first being built by Charles Segal and is expected to be ready for

(Continued on page 8)

Sending Pelton to Eye Florida Sites

LOS ANGELES, March 13.—There being no indication that the Florida tax program will be modified, Fred Pelton, M-G-M studio manager, has been delegated by the M. P. Producers

(Continued on page 11)

Mo. Censor Bill Gains
Jefferson City, Mo., March 13—The criminal jurisprudence committee of the Senate has favorably acted on the censorship bill introduced by Senator John P. Shea of St. Louis, with only a few minor amendments. Shea is favorably the salaries of the censors and their employees. One amendment would cut the salaries of the censors from $4,000 to $2,500 a year each.

Picketting Spreads Here
Picketing in the local area is spreading and cinema halls are now being visited by the sandwich men. Lowes’ State yesterday had two men with Allied M. P. Operators picketing the house, while A. F. L. men continue to march up and down in front of the Mayfair and Astor.

David Chatkin Returns
Cleveland, March 13 — David Chatkin, who had been in Florida since the beginning of February, has returned.

Boyer Fractures a Rib
Hollywood, March 13—Charles Boyer sustained a broken rib while working in “Break of Hearts.”

FREE Thousans of Prizes
GET YOUR SHARE!
PICK YOUR FAVORITE! — Ash House
FRANKIE DARRO MOVIE STAMP CLUB
84th Ave., N. Y.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)
Vol. 37 Number 61 March 14, 1935

Purely Personal

C. EORGE HAIGHT’s deal with S. AUL GODLWY does not mean that the dancer will enter legitimate stage activities. Not at all. He’ll be back on Broadway in the fall when HERMAN SHULMAN puts on “Sweet Mystery of Life.”

M. ROSENBERG canceled his plans yesterday to leave for the coast at the last minute. He will get away some time next week. CHARLES SKORAS, CHARLES BUCKLEY and EDWARD ZABEL may depart for the west over the week-end.

C. A. NORTON and JACK BUCHANAN, who arrived from London a day or two ago, were in the audience at “Anything Goes” last night. BUCHANAN will probably do the Bill Gaxton role in the London production.

Quip of the Day
All GAGS nominate to the Nobel Peace Commission for the Peace Prize of 1934 the name of Ruby Laffoon, governor of Kush- tucut, Texas and the third in the Texas race for the Texas governor seat. It has made it virtually impossible to recruit an army of private in America.

W. A. JOHNSTON and JOHNNY HINES have sold their story, “The Other Side of the Track,” to Remo, London. The same company has also bought “Theodore Goes Wild” from MARY MCCARTHY.

J. J. McCARTHY, who is due in from the coast Saturday, will lead the M. P. D. A. Delegation now camped on the 15th floor up to the new offices on the 22nd floor next week. Nearer to headquarters.

TOM PETTY, new M. P. P. D. A. acquisition from newspaperdom, is learning the ropes in the Advertising Department. He expects any immediate trip to Hollywood.

MANNY SILVERSTONE, American representative of London Films, leaves tomorrow for Toronto for the opening of “The Scarlet Phimpersel” there.

WILL H. HOYDE resplendent in gray fedora with pulled down brim and yellow yarn gloves on the Avenoo yesterday.

HUGO HERBERT, who is here on a vacation, will make a personal appearance at the Strand tomorrow after viewing “Gold Diggers of 1935.”

GEORGE AHERN is spending little time here. He arrived yesterday and will leave on the Olympic tomorrow night.

SINNEY KENT terminates his usual Florida vacation on Monday when he returns to his desk at Fox.

AL JOLSON and RUBY KEELER will arrive in town in about two weeks for a long vacation here.

MELTON DOUGLAS, who opened at the Versailles Tuesday night, is set for a series of shorts for Warners.

H. J. STROMBERG, W. S. VAN DYKE, FRANCES GOOSCHE and ALFRED HACKETT, all of whom have played prominent parts in turning out “Naughty Marietta,” leave for Holly- wood after the picture opens at the Capitol on March 22.

GILBERT JOSHDUB for the third time has joined Consolidated Amuse- ment as field supervisor of the cir- cuit’s 20 houses. He was last at the Monroe, where LOU GODLWY has succeeded him.

CHARLES MACDONALD has a swell run on HUSTY LOVE which you should hear. It has to be cleaned up from top to bottom to make these columns, however.

PHIL REISMAN sails Saturday on the Conte de Savoia. He was sched- uled to leave last week for Paris and Italy, but delayed his departure a week.

BERNARD ROSE, treasurer of Pro- jection Optics Co. of Rochester, was in town yesterday and left last night for Philadelphia, Baltimore and Washington.

HENRY HULL, having obtained a year’s absence from Universal, will resume his Jester role in a road tour of “Tobacco Road.”

J. BARRYMORE is playing with the idea of producing a picture in India based on a play by Tagore-Indian poet.

EUGENE PICKER can’t stand anyone near him smoking a pipe. That’s a warning to beware. He doesn’t mind cheroot puffers.

ROBERT WOLF and EDWARD RUGOFF plan to leave for Key West today and, after a short vacation, to test their prowess as fishermen.

NEIL and LYNN BARON expect to move into their house by the end of the month if decorators, et al, come through on schedule.

BERNIE MILLER, Monogram Albany franchise holder, is in town. JIM ALEXANDER, Pittsburgh representa- tive, has returned to the Smoky City.

HARRY ASCHER, Majestic Boston franchise holder, was in town yesterday and will return with Herman Glaz- man and E. H. GOLDSTEIN.

BENSON MORRIS’s anticipations now is that he will join the Paramount studio in April.

CHARLES STERN, an assistant to AL LITCHMAN, is back in Philadelp- hia again.

KARL BERNKERT arrived from Bos- ton yesterday morning and left last night for Detroit.

HARRY ARTHUR has a swell “whoops” gag. Watch out he doesn’t pull it on you.

JOE LEE arrives from Europe today after a month’s vacation.

MOR ROSENBERG has taken over the Llewellyn, Newark.

Crooker to Do Tour For Einfeld’s Plan

S. Charles Einfeld, in charge of Warner advertising and publicity, is putting into action the suggestion he outlined at the M.P.T.O.A. conven- tion in New Orleans for exhibitors to form closer contacts with their local newspaper editors. In line with this plan, Sidney Crooker, the company’s publicity director, on an extensive tour for the purpose of bringing closer relations between ex- hibitors and local publishers.

Crooker leaves Sunday night and will stop at Boston, Rochester, Syracuse, Buffalo, Philadelphia, Chi- cago, Omaha, Pittsburgh, Baltimore, Washington and Atlanta. He will be gone about three weeks.

Pick Eastman Directors
Herman C. Sievers, vice-president in charge of sales and advertising, and Perley S. Wiltse, president of the company’s subsidiary Tennessee East- man Corp., have been elected directors of the latter, to fill the vacancies created by the deaths of Lewis B. Jones and Rudolph Speth. The board also elected W. B. Fol- son treasurer of the company and Cornelius J. Van Niel general com- broller.

Lightman Will Remodel
Memphis, March 13.—The Palace, former Loew house recently acquired by the company, is due to be closed off during the summer for remodeling at a cost of $25,000, the exhibitor said today following a conference with a Y. P. R. stamped for account Pub- lic, which will be a partner in the operation. Freeman stopped here on his way from New York to New Or- leans. The name will be changed.

Marks Plans Shorts
Chicago, March 13—Meyer S. Markoff, with his brother, built the Marbro and Granada in competition with B. & K. and later sold the houses. Markoff says he will enter the short subject field using radio personalities and asserts “The Ritz Show, the Goldbergs” will be the first. He plans to make the series in the east.

Profit Up $111,784.34
The $120,169.86 net operating profit of the Roxy in the 38-week period of the trusteeship from June 15, 1934, through March 7, 1935, represented an increase of $111,784.34 over the same weeks of 1933-34, not $11,784.34, as appearing in yesterday’s Motion Picture. Roxy is due as a typographi- cal error.

Second Release Set
Hollywood, March 13—Decision to release “Oil for the Lamps of China” as the second Cosmopolitan is reached. A bundle between Harry M. and Jack L. War- ner and Edgar B. Hatrick. The picture has 10 more shooting days to go. All are quite in keeping with their enthu- siasm.

Brandt to Reopen Tudor
Harry Brandt will reopen the reno- gated Tudor, Third Ave. and 42nd St., tomorrow with Larry Robinke as manager. Joe Horstein handled the rehabilitation which cost around $15,000.
Farnsworth Is Named as New CampiMember

(Continued from page 1)

legitimate theatre Code Authority sessions, reporting to the compliance director after meetings.

Farnsworth was in town yesterday attending the meeting of the Legitmate Theatre Code Authority, but left town before he could be reached for a statement.

He was born in New Jersey about 30 years ago and attended the University of Virginia. He also studied law for several years, but has never taken the bar examination. About six months ago he married the secretary of an NRA official in Washington and now makes his home in that city.

Fishing is Farnsworth's chief hobby, although he doesn't get much opportunity to pursue the sport on his present job. He joined the NRA during the latter part of the summer of 1933 as a member of the legal committee of the N. L. R. B. In April he was appointed deputy administrator of all amusement codes, under Rosenblatt.

Farnsworth also has had a short experience with show business, having produced one play some time ago.

Senators Studying Richberg Testimony

(Continued from page 1)

700 to less than 200 by eliminating the service trades codes and consolidating all other small codes either with appropriate major codes or into a "small industries" code.

American industry is "overwhelmingly," in favor of the continuance of codes, he said in answer to criticism from Senator Borah of Idaho and asserted he could bring "battalions" of business men before the committee to support the code organization.

Some of the monopoly charges, Richberg told the committee, arise from patent monopoly owners who are being handled by the government to support their patent monopoly. The monopoly is a violation of the anti-trust laws, this being particularly true in the electrical industries.

Members of the investigating group opposed to the NRA asserted that Richberg had not succeeded in changing their opinions. Senator Kerr of Utah declaring that he had not made a showing justifying maintenance of the codes.

Alpersom, Powers in L. A. for Clearance

Los Angeles, March 13—Edward Alpersom and William T. Powers are here from New York on the Los Angeles clearance schedule. Both Fox West Coast representatives appeared at the Campi meeting yesterday to protest certain phases of the schedule and are now on the grounds. Looking into the 13 situations involved.

John C. Finn is here from New York investigating W. C. O. objections. The local board met today and discussed the issues. Powers, Alpersom and Finn plan to plane back to New York Sunday.

Loew Aims at 20 Houses in Chicago

(Continued from page 1)

Johnston Is Again Head Of Monogram

(Continued from page 1)

Depinet Leaves to Plead at St. Louis

(Continued from page 1)

Tentative Trial Date April 1

St. Louis, March 13.—Trial of the defendants in the St. Louis anti-trust action has been tentatively set for April 1. By stipulation of counsel for the plaintiffs, it has been deferred to the actual date of the trial in the Federal court.

Due to a crowded docket and the fact that one judge is handling two divisions, it is very doubtful the case can be heard in April.

Allied Men Divide Iowa Into 32 Units

Des Moines, March 13.—Organizers of Iowa's 32-picture unit, with a chairman and a committee for each, was effected today at the closing session of the mid-year convention of Allied in the State Theatre Company.

The order was issued, effective March 15, against the Shelby, Shelby, O., which failure of the theatre to obey the board's order 1, stop distribution of 10-cent courtesy passes and five-cent children admissions.

Bartlett to Columbia

Hollywood, March 13.—Michael Bartlett, opera tenor, has been signed to a long term contract by Columbia and has been assigned a featured roll in "On Wings of Song," which will star Grace Moore.
THEY'RE CLEANING UP ALL AL
Warner Bros.' "Gold Diggers" Are Taking the

ON THE RADIO
Millions are tuning in on "Lullaby of Broadway," "The Words Are In My Heart," "I'm Going Shopping With You"—numbers timed to be the rage of the air at the very hour you break the picture.

IN THE NEWS
Headline stuff everywhere, "Gold Diggers" is giving you the biggest break in news space any picture has grabbed in two years from trades, magazines and dailies.

GOLD Diggers

DICK P
BRADY-FRAN
CAWTHORN
OVER AMERICA!

ON THE SCREEN
"The Ballet of the Baby
Grands" and "The Lullaby
of Broadway" are only
two of the swell numbers
you'll see — staged with
incredible splendor by
Busby Berkeley.

AT THE
BOX OFFICE
Bigger attendance and
more money than "Gold
Diggers of 1933" in
Miami, New Orleans, St.
Petersburg and Portland
build-up engagements
—and that's the TOP!

ON EVERY-
ONE'S LIPS
It's the talk of the nation
—the show they can't
wait to see as Warner
Bros. sensational "picked
engagement" policy sets
it up, date by date, as the
picture of the year.

THE 'PIANO' AND 'BROADWAY
LULLABY' NUMBERS WILL CLICK WITH
ANY AUDIENCE... THEY ARE
SUFFICIENT TO SET THIS MUSICAL
INTO THE MONEY DIVISION

RED KANN
speaking in
M. P. DAILY

ELL • ADOLPHE MENJOU • GLORIA STUART • ALICE
HUGH • GLENDRA FARRELL • HUGH HERBERT • WINI SHAW • JOE
HERS • The story and the most superb spectacles
yet screened directed exclusively by
BUSBY BERKELEY

A First
National Picture
Tomorrow! The Wedding Night

Starts piling up grosses from one end of the country to the other!
WATCH THE BOX-OFFICE FIGURES MOUNT AS "THE WEDDING NIGHT" STARTS ITS KEY CITY OPENINGS TOMORROW, MARCH 15th, IN THESE AND MANY OTHER CITIES . . . .

Rivoli, New York City, N. Y.
United Artists, Portland, Ore.
Loew's State, Providence, R. I.
Loew's, Dayton, O.
United Artists, Detroit, Mich.
Loew's Valentine, Toledo, O.
Loew's Palace, Indianapolis, Ind.
Loew's Midland, Kansas City, Mo.
Loew's State, St. Louis, Mo.
Loew's Grand, Atlanta, Ga.
Loew's State Houston, Tex.
Loew's Vendome, Nashville, Tenn.
Loew's Fox, Washington, D. C.
RKO Albee, Cincinnati, O.
Melba, Dallas, Tex.

Released thru

UNITED ARTISTS
Schenck Plan Would Retain Met Operators

(Continued from page 1)
cents of which will be in cash and 55 cents in new bonds, has dispelled virtually all of the competitive bid-
ing. Saut E. Rogers, attorney, is the only principal remaining in the field who is still regarded as likely to submit an alternative plan or offer.
The Fox Theatre-Schenck plan, however, provides for a reorganization of Fox Met rather than a for-
closure. The reorganization will consist of the going company reserved for the bondholders under the plan has virtually assured it the all-important support of the bondholders’ committee, which has on deposit more than 80 per cent of the principal amount of bonds outstanding.
Federal reorganization statutes require the assent of only two-thirds of the bondholders in favor, together with a majority of the stockholders, for confirmation of a reorganization plan. Fox Theatre has a claim of $5,000,000 against Fox Met, an un-
secured creditor, which represents about 85 per cent of all unsecured creditors’ claims and also owns all of the common stock of Fox Met. Thus, with the support of the bond-
holders’ committee, this Schenck plan would be virtually un-
contested.
The plan involves a cash outlay of approximately $1,900,000 which will be derived from the sale of the stock of reorganized Fox Met to Schenck and Fox Theatre. Schenck would become president of the new company. The new bond issue will be approxi-
mately $7,500,000, principal amount and will be held by the present bond-
holders. Provisions are made in the plan for sinking fund dependent on earnings and for a grading inter-
est rate on the bonds.

Para. Trustees Get
Coast Unit Approval

(Continued from page 1)
Paramount Theatre, Los An-/geles, to be filed in the Federal district court for Southern California, was granted an order for confirmation signed by Federal Judge Alfred C. Coxe.
The reorganization plan will pro-
vide for the issuance of a new $2-
750,000 of bonds to replace those now outstanding, bearing the same rate of interest as the old and secured by the studio and building. A new lease on the studio to 1942 is proposed at an aggregate rental of $1,350,000 for the seven years, and on the theatre build-
ing for a similar period at an aggre-
gate rental of $84,500.

Film Financing Unit
Formed

(Continued from page 1)
as president; Lawrence W. Fox, Jr., vice-president, and Margaret Sullivan, secretary. The board of di-
rectors is comprised of George Arms-
by, Garrettson Dulin, Daniel M. Schenck, Samuel W. Atkins and J. Russel Forgan.

Margaret Sullivan, not the actress, yesterday refused to discuss the plans of the newly formed Standard Capital Corp. but admitted that a meeting would be called in a few days of the shareholders to consider the announcement of the company’s aims will be made.

Warners Will Soon
Add Two to Circuit

(Continued from page 1)
opening sometime in May. The sec-
tion is to be put up by C. M. Weltz, partner of Warners in Chicago, and is slated to be completed about the middle of June.
Long term leases on both houses have already been signed, but poli-
cies have not been set.

Donates Bowling Prize

Nat Weltz, of the Weltz Ad Serv-
vice, has donated a 24-inch silver tro-
phy to the winning team in the M.P. Bowling League, which will shortly wind up its season.
At the present time the teams battling for the prize are United Artists, RKO, Colum-
bia, Fox, Warner, M-G-M, Par-
amount and Consolidated.

“South Seasickness”
(Radio)

Edgar Kennedy rubs his bald head, waves his arms, makes rash promises and dreams at Florence Lake, Dot Farley and Jack Rice just as he did in previous numbers of this series, but this time results are few short of the mark set by his earlier efforts. In this one he wants to run away to South Seas, but is kept at home, finally is reconciled with his wife, Miss Lake, when she tells him she is going to become a mother. Probably Edgar will get a few laughs out of this film. Production Code Seal, No. 564. Running time, 20½ mins. “G”

“Japanese Lanterns”
(Van Buren-Radio)

A color cartoon that tells the story of a Japanese family engaged in the making of colored lanterns. Every-
thing is quiet and along comes a storm comes up and carries away all the newly made lanterns. The two children of the family try to save them but they also lose them. But are saved, along with their handwriting, by a store.

The coloring in the film is good, and the story interesting. It should please audiences. Production Code Seal, No. 0317. Running time, 9 mins. “G”

“Father Knows Best”
(Universal)

This short is really funny, particular-
ly because of the antics of Sterling Holloway, assisted by Phyllis Fraser, Virginia Hammond and Franklin Pangborn.
Holloway’s girl friend, because of his backwardness, is forced to take the initiative and ask him to marry her. She speaks to his family, is re-
fused and the couple finallyelope. All in a day’s grand.
A local audience got plenty of laughs. Production Code Seal, No. 569. Running time, 12 minutes. “G”.

“Radio Songs”
(Master Art)

Featuring organist Lew White, this short will have particular appeal to those that like music. It is a medley of “rain songs” against a background of roll and cartoon figures.
The songs played include, “Singing in the Rain,” “I Get the Blues When It Rains,” “Chasing Rainbows” and “Rain.”
Satisfactory. Reviewed without pro-
duction code seal. Running time, 5 minutes. “G”

“Topnotchers”
(Radio)

This short is a presentation of the various topnotchers in the world of radio. The topnotchers, past and present, and as the reel unfolds a description of the artists is supplied by the Easy Aces of radio fame, with Goodman Ace supplying statistical data on the various champions and Jane Ace offering her own opinion for comic effect.

Schools Get Film Book

New Orleans, March 13.—Edgar
Dale’s “Motion Picture Appreciation” gets a break in the public schools here through the efforts of A. J. Tucker, Better Films Committee presi-
dent. Mrs. Tucker, who has been urging motion picture appreciation on the part of the public, recently held several conferences with State Super-
intendent of Education Harris. At the suggestion of the teachers heads that Dale’s book would be ac-
ccepted as one of the “required” read-
ing books for students.
Americans Engaged By Mexican Studio

By JAMES LOCKHART

MEXICO CITY, March 13.—Cinematographic Mexicana, S. A., one of the larger Mexican producers, has two American technicians and a Mexican actor who has played in several Hollywood made pictures, on its staff for the first Mexican folklore story to be made with sound. The Americaners are Laurn Draper, cameraman, who worked for M-G-M for several years in Hollywood and Robert Quigley, formerly with the art departments of M-G-M, Radio, Monogram and Universal, who is handling the art work of this production, "Janitzio."

The Mexican is Carlos Navarro, who played in "The Big House," "Trial of Mary Dugan" and "The Kid from Spain."

Brown for Dwan Story

HOLLYWOOD, March 13.—Tom Brown moves over to the Fox Hollywood lot to do the juvenile lead in "The Kiss and Wake Up," beginning by Allan Dwan. Dwan also will direct. Edmund Lowe and Claire Trevor have the top billing and production will get under way March 22.

Acme Gets N. Y. Permit

ALBANY, March 13.—Acme Amusements Enterprises, Inc., Boston, has filed a statement and designation of office with the Secretary of State in order to do business in New York. Reginald Morse is president.

St. Louis Party Set

ST. LOUIS, March 13.—The local Variety Club will be host to a party of Variety members from Kansas City on March 18. Proceeds of the party will split with Father Dempsey’s fund for feeding unemployed men.

Fox Holds “Small World”

HOLLYWOOD, March 13.—Fox has switched release dates on "It's A Small World" and will put the film in the 1935-36 program instead of the current schedule. Spencer Tracy and Wendy Barrie have the starring roles.

Omaha Variety Gaining

OMAHA, March 13.—Promoters of a Variety club here report 30 members have signed up and paid for memberships with an additional 30 having indicated their willingness to join.

Missouri Bills Killed

JEFFERSON CITY, March 13.—The House Municipal Corporations Committee has killed the Brady and Eckert bills to impose a tax of one-twelfth of a mill per foot on all film exhibited in Missouri. The Brady anti-standing room bill also has been killed.

Maxwell Goes to Denver

PORTLAND, March 13.—Floyd Maxwell, who has been with the RKO Orphenium in Denver and has left here to take up his new duties on March 15.

"Horses" Pulls $8,000

Five days of "All the King’s Horses" at the Rialto resulted in a take of $8,000.

Variety Club Chatter

Cincinnati

CINCINNATI, March 13.—Local barker were given an eye and earful at the Saturday night shindig when members of the "Byway Nights" company, playing the local Shubert, strutted their stuff, and good time was had by all.

HERMAN BERNFIELD, film editor of the Enquirer, is the proud father of a baby girl. It’s his first.

ROY FISHER, skipper of the Gordon, at Middletown, O., is the latest recruit on a non-resident basis.

NOEL SCHREIBER, who is on one out of most of the local barker by spending the vacation in Florida after championing tall tale-teller. SCHREIBER, with a party of three friends, claims to have caught the Big Fish in three hours, including 11 kingfish (not the Louisiana variety), two dolphins and two bonitas. He signs a photograph as evidence.

Detroit

DETROIT, March 13.—MAURICE CAPLAN is spending a couple of weeks with the Detroit baseball club at its spring camp in Florida.

ALEX SCHREIBER is visiting New Orleans.

Regular monthly business meeting was held at the Republic Club last month by President Edgar E. Kinchener.

W. G. BISHOP, M-G-M exploiter in this territory, is walking on the woodchucks as the result of a fall in the Cincinnati hotel in which he sustained a severe ankle sprain.

HAROLD C. ROBINSON, who intended to attend the meeting of the National Film Carriers, Inc., held in conjunction with the MG-M convention in New Orleans, had to postpone it. He was called home on account of urgent business.

RAY MOON, general manager of Co-Operative Theatres, is back home from Florida.

HARRIS SILVERBERG, injured in the last three weeks, has been visiting the Film Building for the first time since then last Saturday.

CARL BURERZEL, has his right paw handaged, the palm incised, but the doesn’t keep him out of the pitch games as he deals left-handed.

JIM ROBERTSON will stay in Florida until the last day of Easter Sunday.

MAC COCCOY has returned from a 10-day trip to Miami.

MAX RUBEN, who has been seriously ill for some time, is still at his home.

Indianapolis

INDIANAPOLIS, March 13.—Plans are set for celebration of the tent’s first birthday party, March 23, at the Indianapolis Musical Hall. The Lyric Theatre orchestra will furnish the music. The party will be limited to members and their wives.

POMERANZ, stage director of the “Greenwich Village Follies,” was guest club Saturday night.

As part of the charity program, $100 has been donated to Riley Hospital.

Theatres Opening in New Colorado Spots

DENVER, March 13.—Opening of the theatres in new towns is getting an early start this year, as it did last in the Denver territory. One year several towns that had not had theatres for three to six years were opened. The first this year is Sagache, with Ross Music. The Echo Theatre has never had sound, and has been without any theatre for three years. The M. P. Bowles of Lyons at Littleton and Steamboat Springs, Col., is adding to his string by building at Rifle, Col. He expects to open this month.

Combine 14 Theatres

With the merging of Bermuda Motion Picture Co. and Reid Hall, Ltd., operating 14 theatres in Bermuda, in Bermuda General Theatres with Morris Gibbons as managing secre-

SWEDISH CIRCUIT GROWS

WASHINGTON, March 13.—Another link in the circuit operated by Akt. Svensk Filmindustri (The Swedish Film Co., Inc.), Stockholm, brings the total to 14, according to a report issued by the U. S. Department of Commerce.

This company—the largest producer and the leading theatre operator in Sweden—recently completed the 800-seat house in the heart of Stockholm. The first public performance will take place about October 1.

June Knight Quits Cast

HOLLYWOOD, March 13.—June Knight has dropped out of the cast of “Redheads on Parade,” Lasky-Fox Film Corp., and is being replaced by Dixie Lee. Miss Knight has the flu.

RenoVate Boston House

BOSTON, March 13.—The National, an E. M. Loew’s Circuit, was externally repaired and freshened. The policy will remain the same for the time being.

Carry Away Dayton Safe

DAYTON, O., March 13.—Burglars forcing their way into the Classic neighborhood, carried away a small safe containing $700.

DUALS AT SCOLLAY SQUARE

BOSTON, March 13.—The Scollay Square, an M. & P.-Publix house, has dropped vaudeville in favor of duals.
Washington, March 13.—"Living on Velvet" was a smash hit at $45 worth, one of the biggest first run weeks this house has had at the present policy, 40c. That policy, $3,340 over a par of $3,100. The Metropolitan, playing a return engagement of "Feud of the Angels" and broken by par at $1000, is $4,500.

"Power," the second film at the Belasco, took $1,600 and was held a second second.

Total first run business was $74,900. Average without the Belasco is $72.50.

Estimated takings, exclusive of tax, for the week ending March 7:

- **POWER** (G. B.)
- **BELASCO**—$700, 25c-40c, 7 days. Gross: $1,600.

*Living on Velvet* (Warners)

EARLE—(210), 25c-7c, 7 days. Stage: Doris Kenyon, Robert Weinger, David Brown, Bob Crosby; Robert Williams at Red Dust, Paul Kirkland. Gross: $1,500. (Average, $175.00)

"Clive of India" (M-G-M)

LOEW'S (New York, 170), 25c, 4-6c, 7 days. Stage: David Appolon, and revue. With David Goodell. Low. Barnell & Wensley; Martha Melina, Six Arabian Sheiks. Twelve Dandy Dare Girls. Gross: $2,000. (Average, $285.71)

"Clive of India" (U. A.)

LOEW'S—(88), 25c-6c, 7 days. Gross: $3,000. (Average, $428.57)

"Clive of India" (M-G-M)

DEVIL'S BATHROOM—(75), 25c-40c, 7 days. Gross: $1,500. (Average, $214.29)

*Clive of India* (M-G-M)

METROPOLITAN—(101), 25c-60c, 7 days. Gross: $1,500. (Average, $214.29)

*Clive of India* (M-G-M)

PARAMOUNT THEATRE—(115), 25c-60c, 7 days. Gross: $2,000. (Average, $285.71)

*Clive of India* (M-G-M)

THE CLIVE OF INDIA PIP Pinelli (U. A.)

(RENO) THEATRE—(86), 25c-65c, 7 days, 2nd week. Gross: $9,000. (Average, first week, $1,285.71)

Ohio Employment Up 7% Above Last Year

COLUMBUS, March 13.—The monthly report of the Ohio State University bureau of business research just released shows for February industrial employment in Ohio up 4.5 per cent over January, and seven per cent over February of last year. The increase compares with a seasonal gain of 0.8 per cent, and brought the average employment for the first two months of this year 7.8 per cent over the corresponding period of 1934. Youngstown alone failed to share in the increase.

Exhibitors throughout the state report business considerably ahead of this same period last year, especially with the better pictures.

"Roberta" Cincy Smash

CINCINNATI, March 13.—"Roberta" is proving a 10-ticket and is heading for an estimated $17,000 on its first week at the RKO Albee. It will be held, probably moving to one of the other downtown houses.

"Sweet Music" Only Draw in San Francisco

SAN FRANCISCO, March 13.—"Sweet Music" was the only attraction downtown to do anything like good business last week. It reached $24,500, over the line by $1,500, at the warfield. The "Wings of the Orange" took $8,000 in its second week at the Orpheum, but "Little Colonel," the Warners' "Little Colonel," and "Texas" failed to make much impression. Total first run business was $74,750. Average is $625.00.

**Iron Duke**

Cleveland's Top, $6,100

CLEVELAND, March 13.—Two attractions garnered most of the first run profit here last week. The Iron Duke led the list going over par $3,100 on a gross of $6,100. "The Little Colonel" was a close second, getting $2,700, at Warners' Hippodrome.

The only other attraction in town to reach normal was "Lightning Strikes Twice" which took $5,000 at the Circle.

Total gross for the week was $45,300. Average is $4,300.

Estimated takings for the week ending March 9:

- **THE IRON DUKE** (G. B.)
- **ALLEN--(1,800), 20c-40c-5c, 9 days. Gross: $6,800. (Average, $755.56)
- **THE LITTLE COLONEL** (Fox)
- **WILLIS HOPPINS' IRON DUKE**—(3,300), 25c-35c-5c, 7 days. Gross: $3,500. (Average, $500.00)
- **WHILE THE PATIENT SLEPT**

*Wings at $3,700*

OKLAHOMA CITY, March 13.—"Wings in the Dark" took all the important money here last week by going Pacific Independent Capitol. This tops normal by $1,700.

The Liberty held its own by getting $3,560 for the first four days of the week, while the "President Vanishes" was weak at $400 for the last three days. Total first run business was $12,900. Average is $13,500.

Estimated takings for the week ending March 9:

- **THE GOOD FAIRY** (Univ)
- **WANTED--(1,900), 10c-20c-35c-60c, 6 days. Stage: Aunt Jemima, Southland Rhythm Girls, Girl from Ready, Miss Dorothy Jean Alvinettes and Jerry Marshall's orchestra. Gross: $3,600. (Average, $600.00)
- **EVERGREEN** (Gaumont British)
- **PITON**—(1,750), 25c-6c, 6 days. Gross: $3,500. (Average, $583.33)
- **AFTER OFFICE HOURS** (M-G-M)
- **FINN--(3,300), 25c-6c, 6 days. Stage: George Jessel, Lita Grey Chaplin, Chester Fredericks, Three Stewart Sisters, Three Princesses of Rhythm Revue. Gross: $3,000. (Average, $500.00)
- **MURDER ON A HONEYMOON** (Range)
- **ENCHANTED APRIL** (Radio)
- **WARNER--(2,500), 25c-6c, 6 days. Gross: $4,150. (Average, $691.66)
- **WINGs** (M-G-M)

Hollywood, March 13.—Anita Loos has been signed to a long term writing contract with M-G-M.

She will work with her husband, John Emerson, who has been made her personal assistant. Her first production will be "The Studio Girl," a novel by Gordon Ashley.
Hollywood Personalities

Hollywood, March 13.—Scot Stewart called back from tour by Fox to resume work ... Erin O'Brien Morgan sings in the new Douglas Fairbanks, Jr., film, "Heaven's Gate" ... Ruth Rose, Radio writer, at work on "Pompeii." Marion Davies to start "Page Miss Glory" on March 15. Grace Moore quite pleased with film. Society of Arts and Sciences medal ... Ed Schubert gets role intended for Ann Dvorak in "Alihi Ike." Claire Dodd a vamp in "Men On Her Mind" ... Alison Skipworth has role in "Macy, Sharp" intended by Lowell Sherman for Mrs. Leslie Carter ... Fred Keating has sinus trouble ... Gloria Swenson, Willard Waterman winds up at M-G-M.

Discuss Compromise on a California Tax

SACRAMENTO, March 13.—Governor Frank Merriam, in conference with Bud Loller of Fox West Coast, said he was willing to accept a substitute for the proposed one cent per admission tax extending the first 20 cents, to raise $4,000,000 biennially. Loller denied it was possible to proceed to New Jersey without the additional sales now charging 25 cents would have to drop their prices to 20 cents and that many would go broke as a result.

Merriam said he was unwilling to substitute another means of obtaining the revenue as is assured by the new plan.

Loller pointed out that a 40 cents admission, really meant 50 cents a ticket the bill is passed, with what Federal and state taxes combined.

Indications here are that Merriam is definite in stating a measure, but will accept the tax on admissions unless another plan is devised.

Merriam's representatives indicate the chief danger in bills now lies in the income, admission and footage taxes with the Administration's promise for a veto. It is feared the imposition of admissions if a substitute can be found, but no compromise on income tax could be reached.

Loller is organizing a fight on nuisance taxes which he feels would completely ruin the industry.

Dog racing opposition is being lined up in the south and will be presented at a committee hearing next Wednesday.

Sending Pelton to Florida Sites

(Continued from page 1)

Ax'n to inspect proposed studio sites in Florida, it was learned today. He will leave Friday.

It is understood that in Florida he will be joined by New York studio representatives. The group will then proceed to Florida to take a look at the possible sites there, it is announced.

Louis B. Mayer of M-G-M, addressing the Golden Gate Chamber of Commerce on its 11th anniversary today, pointed out the perils of excessive taxation, stating that until laws are devised to prevent the menace California will be faced with the necessity of levying confiscatory taxes that will drive all industries from the state.

Century vs. RKO to Go on Again Today

With 24 hours actually devoted to previous hearings and more than 1,000 pages of testimony in the record, the seventh inning in the Century-RKO Long Island clearance dispute is expected to be pitched today.

Another session, in addition to today's, will see the wind up of the longer oral testimony. It is considered one of the most important in this territory because of its subsequent effect on the entire clearance map in Long Island. While RKO is affected directly by the decision, Loew's Valencia in Jamaica will also be brought into the picture later.

Wired Houses Total To 665 in Austria

WASHINGTON, March 13.—A survey made at the end of last year showed there were 665 houses wired for sound in Austria, according to Daniel C. Roper, secretary of commerce.

American distributors were granted 30-day import permits for features and 173 for shorts by the Austrian government last year, Roper also reports.

Pete Carroll, 58, Is Dead on the Coast

HOLLYWOOD, March 13.—Pete Car- roll, former head of Loew's and RKO with Hal Roach for the past 15 years, 10 of them as the producer's personal representative in New York, died of heart disease at his home here today.

Carroll, who started his career with Harry Cohn, was 58 years old. His widow survives.

G.B. Signs Maude Howell

HOLLYWOOD, March 13.—Michael Balcon of Gaumont British today signed Maude Howell as scenarist and co-director of the two films the company is making with George Arliss. She will star in "White Lips." Miss Howell is first to be signed by the G.B. executive since his arrival in search of talent.

Seek Dismissal of Suit

CINCINNATI, March 13.—A motion for dismissal of the suit of General Talking Pictures Corp. New York, against Majestic, T. C. Max, Wilkinson, O., has been filed in the U. S. District Court by the defendant, who contends that the court has no jurisdiction since the suit involved does not exceed $3,000.

Suit is based on defendant's alleged failure to comply with contract.

Flu Holds Up "Crusades"

HOLLYWOOD, March 13.—With Cecil B. DeMille, director, and Henry Wilcoxon, one of the players, down with the flu, production on "The Crusades" has been halted at Paramount.

"Pimpernel" Denver Hit; Gets $6,000

DENVER, March 13.—Any lingering idea that an English picture can't compete with the best American product in this territory was dispelled last week with the $6,000, over par by $3,500, at the Aladdin.

As a result, other downtown houses found the going rough.

Total first run business was $22,500. Average was $200.

Estimated takings for the week ending March 7:

"THE SCARLET PIMPERNEL" (U. A.)
A stage—(1,800), 25c-35c-50c, 7 days.
Gross: $1,600. (Average, $230.)
"RUGGED HEROES" (Parama)
DENHAM—(2,000), 25c-35c-50c, 7 days.
Gross: $1,400. (Average, $200.)
"SWEET MUSIC" (Warners)
DENVER—(1,500), 25c-35c-50c, 7 days.
Gross: $700. (Average, $100.)
"SOCCER GIRL" (Column)
ORPHEUM—(2,000), 25c-35c-50c, 7 days.
Gross: $500. (Average, $100.)
"I'VE BEEN AROUND" (Univ.)
"PROMOTION" (Warners)
PARAMOUNT—(2,000), 25c-40c, 4 days.
Gross: $600. (Average for week, $150.)

"Diggers" Gets Big $8,000 in Portland

PORTLAND, March 13.—"Gold Diggers of 1935," helped by spring weather, brought crowds to the Broadway. In its first week it secured $8,000, over par by $1,000.

"Ruggles of Red Gap" took $8,500 at the Paramount, with the assistance of a change show. This was over par by $3,500.

Total first run business was $30,500. Average was $250.

Estimated takings for the week ending March 9:

"GOLD Diggers of 1935" (F. N.)
BROADWAY—(2,500), 25c-35c-50c, 7 days.
Gross: $8,000. (Average, $1,143.)
"WHITE LIES" (Col.)
MAYFAIR—(2,000), 25c-35c-50c, 7 days.
Gross: $2,500. (Average, $357.)
THAT'S MY BARNUM (U. A.)
ORIENTAL—(2,040), (2nd run), 25c-35c-
50c, 7 days.
Gross: $2,000. (Average, $286.)
"MURDER ON A HONEYMOON" (Radio)
ORPHEUM—(1,900), 25c-35c-40c, 7 days.
Stage show. Gross: $5,000. (Average, $714.)
"RUGGLES OF RED GAP" (Para.)
PARAMOUNT—(2,000), 25c-35c-50c, 7 days.
Gross: $2,500. (Average, $357.)
"VANESSA" (M-G-M)
UNITED ARTISTS—(940), 25c-35c-50c, 7 days.
Gross: $4,500. (Average, $500.)

Rialto Staff to Dance

The Rialto Theatre Service Club, made up of uniformed employees at the Rialto Theatre, will give its first annual dance and entertainment April 12 at the Knights of Columbus Hotel. Ed Myers and his Continental swing band will furnish music. Arthur Page will be master of ceremonies.

Naif Screen Man Hurt

FORT LAUDERDALE, Ore., March 13.—William (Billy) Green, Oregon representative of National Screen Service, was seriously injured in an automobile accident today.
"Oh Leo, you haven't been so affectionate since our honeymoon... what are you so happy about?"

"Congratulate me Mama... I've just seen 'NAUGHTY MARIETTA' and 'RECKLESS'... the greatest musical pictures ever made... Go get yourself a spring wardrobe and don't spare the bankroll!"

JUST BREAK THE NEWS TO MOTHER!

NAUGHTY MARIETTA

RECKLESS
Rogers’ Met
Bid to Await
Schenck Plan

May Not Be Presented, If Latter Is Better

Saul E. Rogers, representing undis- closed interests, will not submit a plan of reorganization for Fox Metropol- itan Playhouses until the Fox Theatres-Joseph M. Schenck plan has come be- fore the Federal court for hearing, and then only in the event the terms of the latter plan can be bettered by a competitive one, it was learned yes- terday.

The receiver for Fox Theatres will petition Federal Judge Julian W. Vaughn to extend the date for hearing of the plan in which Schenck is par- ticipating. It is anticipated that the hearing date will be within the next 30 days.

So strong is the Fox Theatres-Schenck plan regarded that several competitive holders for the circuit of 86 theatres who were in evidence a few weeks ago, have now withdrawn.

(Continued on page 6)

Consolidated Film
1934 Net $917,160

The annual report of Consolidated Film Industries, Inc., shows a slight gain over 1933. During the period ending Dec. 31, 1934, the company had a net of $917,160 after depreciation, interest, provision for doubtful accounts, Federal taxes, idle plant expenses and other charges. This equals 22 cents on the common after provision for the $2 annual dividend on the preferred. In 1933 the net was 21 cents on the common and totalled $999,388.

Assets at the end of 1934 are listed at $5,257,688, including $1,240,474 in cash and marketable securities. Total assets aggregated $12,887,978.

Massachusetts Men
To Build Big Track

Boston, March 14—The new group which yesterday filed incorporation papers here plans to operate a $2,000,000 horse track in a Boston suburban town. The opening date is set for June 15, which will not con- flict with the meets at Saratoga and Belmont Park.

The new corporation has filed an application with the racing commis- sion for a license to operate.

Century vs. RKO Bumps Over
Some More Legal Hurdles

Century vs. RKO (Mitchell Kshpt for Century, complainant; Louis Nizer for RKO, respondent)—started Feb. 7, 1935, A.D.—went four hours nearer conclusion yesterday be- fore N. Y. Clearance and Zoning Board, Leo Abrams, P.J.

Complaint brought under Article 6, Part I, Section 19, C.F.C. of M.P.L.

Hours devoted to hearing now total twenty-eight and one-half (28 1/2). Objections now are: Nizer, 144; Kshpt. 121, not including those dis- persed yesterday by Abrams. Yester- day’s score was: Nizer, 26; Kshpt. 28. A quiet day!

According to “New Courts of In- dustry,” recently published by Mr. Nizer (see Page 101) there are “differ- ences as to guiding principles” on clearance. Abrams thinks he’s right.

It took from July to the end of November to draw up the code (See MOTION PICTURE DAILY). This...

Senators Get Near
NRA Fundamentals

WASHINGTON, March 14.—The Senate Finance Committee today began to get nearer the definite operation of the NRA with the appearance be- fore it of S. Clay Williams, retiring chairman of the National Industrial Recovery Board, after five days of testimony by Donald R. Richberg, co- ordinator of emergency activities.

Whereas Richberg was questioned as to the broad policies of the Admin- istration, Williams and those who...

Chicago Bank Night
Is Ordered Stopped

CHICAGO, March 14.—Revival of bank night by Essaness at the North Center speedily brought that circuit before the local grievance board this week. The complainant was George Gehring, who operates the Rosewood.

The board, in keeping with past policy, ordered Essaness to stop. Essaness will file an appeal with Camp.

Historical Notes

What has transpired and what is to come during the hearing of Century versus RKO in the matter of a clearance controversy in Long Island:

Laurence Bolognino of Con- solidated Amusement has passed through a pneumonia crisis, the grip and a bad cold.

He expected to take a vaca- tion in Miami several weeks ago, but now consoles him- self that after the case is over he will visit Europe and take in the sights. He says so himself.

Harry Shiffman, after the second session, became a benefactor. He didn’t want to wait too long.

Robert Wolf and Edward Rugoff, who had planned to vacation long before this, may get away April 5 and head south on a fishing trip.

Fred Schwartz, who also was set on a vacation about this time, is doubtful whether he’ll ever get away now.

Johnny O’Connor expects to be a proud daddy.

Rentals Stir
Agitation in Great Britain

By BRUCE ALLAN

LONDON, March 4.—The annual report of the Cinematograph Exhibitors' Ass'n indicates the prevailing rates for film hire are an outstanding problem of the year.

Circumstances have enabled dis- tributors to increase prices "to un- economic heights," says Secretary W. R. Fuller, in his survey, but if exhibitors were united, "film rentals could be reorganized on a basis which...

Munger Group
Now Approves Para. Setup

Letters to Be Mailed to
Debenture Holders

The Munger debenture committee, representing approximately $800,000 of Paramount Publicx debentures, yester- day approved the Paramount plan of reorganization. Letters giving notice of its assent to the plan are being prepared for early mailing to debenture holders.

It is learned that the letters will include a mild criticism of the pro- posed board of directors for reorgan- izing Paramount. The committee is unofficially reported to be opposed to the election to the board of John D. Hertz, in particular.

The Munger committee is the last of the organized Paramount creditor groups to assent to the plan. The Vanderlip debenture committee, the stockholders’ protective committee, Paramount Broadway bondholders and the merchandise creditors’ committee have already indicated their assent to the plan.

Bank creditors and others...

Schulberg’s Deal
Stirs Objections

B. P. Schulberg’s new producing and releasing agreement with Para- mount drew the fire of various credi- tor representatives to whom it was submitted for lengthy hearing yester- day. Indications at a late hour, with the meeting still going strong, were that several changes in the proposed arrangement might have to be made before creditor approval would be given.

The proposed deal provides for production by Schulberg of seven pic- tures during the next year at an out-

California in Move
To Tax Film Rentals

SACRAMENTO, March 14.—The Sen- ate Revenue and Taxation Committee today approved a bill under which film releases and rentals and other tangibles can be brought under the sales tax.

This committee also set next Wednesday for a hearing on all the income tax bills. A Democratic-Pro- gressive coalition in the Assembly is plotting against the $30,000,000 in- come tax plan which provides for a 15 per cent tax on incomes of $30,000.
Ten Film Companies
Formed in Delaware

Dover Del March 14—Sussex Theatre Co., Hamilton Prod. Inc., and eight other companies conducting theatres have been chartered here.

Sussex Theatre Corp. listed capital of $100,000. The incorporators are M. C. Swearer, E. M. Pinder and A. G. Fox, all of Wilmington. Hamilton Stuart Prod. was incorporated to deal in motion picture machines, starting at stock of 100 shares, no par value. The incorporators are Bernard O'Connor, Ridgewood, Queens, N. Y., William Miller, Astoria, L. I., and A. M. Ochlock, Sunny-side, L. I.

Grenes Realties, Inc, Huntco Realties, Inc., Rock-Crook Realties, Inc., Frankstram Realties Inc., Hemire Realties Inc., Washport Realties Inc., Mercur Realties Inc., and Sunny-Bliss Realties Inc., were incorporated to conduct theatres and music halls. Each listed a capital of $1,000 with L. I. Hermann, of Brooklyn, B. Jones of Wilmington as the incorporators.

Warners Rush “G Men”

Hollywood, March 14—In an effort to beat five other studios to release of a Department of Justice picture, Warners has assigned three units to “The G Men.” William Keighley is directing the principals, William McGann is handling the exteriors and Bobby Connelly is doing the night club sequences.

Henry King Improving

Waterville, Me., March 14—Henry King, Fox director here to make background sequences on “Way Down East,” is improving the Waterville Hospital from an attack of pleurisy that laid him low last week.

Revoke Mass. License

Boston, March 14—The Governor’s Council has voted unanimously to revoke the dog track license recently issued to a Springfield combine and to grant no more licenses until public opinion toward racing is ascertained.

Radio Sets British Deal

London, March 14—Ralph Hanbury, general sales manager for Radio Pictures, Ltd., has just closed a deal with British for four features—“The Little Minister,” “Red Morning,” “Grand Old Girl” and “Romance in Manhattan.”

that until someone closely identified with it volunteered the information yesterday. Only it hasn’t, the procedure swirling into a far-fetched absurdity, mind-bogglingly beyond the importance of the issue or issues at stake until everyone identified with it wishes the damned thing had never come up in the first place.

The objections, described in Motion Picture Daily’s whimsy as an objectathon, have been labeled as objectathon by the studios, making their final total an operation best achieved on the auditing department’s well-oiled and husbly engaged adding machine. The published results created displease—not merely a mild displeasure, but something much, much deeper, mind you—in three quarters of the watching of considerable import to the Orneostn chassis. That explains his period of training. He is taking no chances on the theory or, in the hope, maybe, that blood pressure which ran away from better judgment might be only kidding after all. Even some of our best known film men don’t always exaggerate.
10 STARS UNITE IN MELODY AND MERRIMENT TO GIVE AMERICA ITS FIRST "Mirth-Musical!"

More side-shaking laughter than a half-dozen comedies.
More heart-exciting tunes than any musical you ever played. Glittering with a legion of delectable damsels . . . . and surprising spectacles that drench your screen with gorgeousness.

ALICE FAYE • JAMES DUNN
NED SPARKS
Lyda Roberti • Cliff Edwards • Arline Judge
Eleanor Powell • Benny Rubin • Emma Dunn
GEORGE WHITE
Entire production conceived, produced and directed by George White


Already the nation is singing and swaying to these tunes:

"ACCORDING TO THE MOONLIGHT"
"IT'S AN OLD SOUTHERN CUSTOM"
"HUNKADOLA" • "OH, I DIDN'T KNOW YOU'D GET THAT WAY" • "I WAS BORN TOO LATE" • "I GOT SHOES — YOU GOT SHOESIES"

Hear them on the big broadcasts!

FOX
America's Box

Will Rogers
OFFICE champion has proven his right to the title again!

Within the past year, Will Rogers gave you “David Harum,” “Handy Andy,” “Judge Priest,” “The County Chairman.” Now, critics announce, comes the best of them all. Your receipts will sustain their verdict.

Los Angeles Examiner: The most hilarious Will Rogers picture. Kept the preview audience laughing so continually that the dialogue was often missed.

The Exhibitor: Probably one of the best of the Rogers series from the dough and entertainment standpoint. Will be the usual clean-up.

Showmen’s Round Table: Rogers in his best picture. Will draw youngsters and adults, pleasing universally. Rogers’ popularity a sure draw.

Motion Picture Daily: Rib-rocking, heart-socking entertainment loaded with laughter. Should flood showmen’s coffers with plenty of do-re-me.

Variety Daily: Top-notch, laugh-getting entertainment that has everything to please Rogers fans and those who have yet to become addicts of the Oklahoma sage.

P. S. Hollywood is buzzing with talk that “George White’s 1935 Scandals” is the most appealing musical George ever made!
Purely Personal

CHARLES MOSKOWITZ playing host these days to his friends at private screenings of "Naughty Marietta" occasioned this week to regulate the sound volume, so he says, but it is rumored that particular seat in the projection room is the most comfortable.

RAMON PEREDA, who has been on the constant making Spanish versions, arrived in town last week-end. He is here to make a series of three Spanish features for the S. Z. Clemente of Latin Artists Pictures Corp.

EDWARD CHODOROW, former press agent and now a supervising editor, has dramatized "Kind Lady," a HUGH WALPOLE story in which GRACE GEORGE is expected to play on the stage later.

Quip of the Day

Kuhn, Loeb & Co. is commonly credited with having drafted the Paramount Publicis plan of reorganization. Now comes Sir William Wiessman of the former Paramount to make public a plan of his own under the following statement to newspapers: "... we deem it our duty at this time to state that we consider the proposed plan for reorganization fair and equitable to holders of all of its (Para- mount) securities ... and recommend ... that they should promptly assent to the plan."

JIMMY SAVO, BEST LADY, EDDIE DOWLING, RUBY VALLEE, FRED WARTING, RAY BOGER and FRANK CRUMIT are among the artists that arrive tonight at the Lambs at the Waldorf tomorrow night.

Joe MOSKOWITZ and his side-kick, Bob GOLSTEIN, take a "motorman's holiday" every night. They can be found in one of the picture theatres along Broadway seven nights of the week.

A. B. CRAGICH, supply officer of the Byrd Expedition, who arrived in town on Wednesday after months in the Antarctic, was at the Strand yesterday to see "Gold Diggers of 1935."

JACK BENNY has put off that trip to the coast to work on early plans for his next picture for M-G-M. He hopes to get away in about two weeks.

HORTENSE SCHORR is having a fortuitous time getting used to her new quarters at Columbia. She says "the quiet is refreshing!"

MOLEY LAMONT, British actress recently signed by Radio who arrived on the Olympic Tuesday, left yesterday for the coast.

ELEANOR POWELL, who owns twinking legs, leaves soon for the M-G-M studio.

GRAD SEARS is reported going in for skiing in the big manner.

NATHAN YAMINS is golfing at Pinehurst, N. C., these days.

NELSON EDMY will give a concert Sunday afternoon at the Town Hall.

Rogers’ Met Bid to Await Schenck Plan

(Continued from page 1)

from the field. Rogers’ plan appears to be the only remaining competitive possibility and this one patently will not be submitted if a study of the Fox Theatres-Schenck plan discloses the terms of the latter to be better than those which Rogers could offer.

While Rogers declined to name the investors interested in his bid, it is thought that contemplated operation of the circuit by others than Skouras and Randolfce.

Denver First Runs Back to Six Again

(Continued from page 1)

Broadway, built in 1931, has been used for stage shows. This gives Huffman four first runs, the number he has had since he took over the Orpheum on a pooling arrangement with RKO a couple of years ago.

Huffman turned over the Orpheum to RKO, completed the modernization of the house. Bondholders had operated, with Huffman as manager, since the foreclosure soon after the opening in 1931.

E. T. Zadora, formerly with Butterfield, has leased the Washington Park from Samuel Lusitig. The house has been operated for some time by William Van Zant.

Seeks Blind Patrons

SPRINGFIELD, O., March 14.—Phil Chakeres, president Chakeres-Warner, Inc., is establishing a substantial fan following among the blind in this vicinity. By sending the sightless a weekly list of attractions playing the circuit’s seven houses here and in nearby towns, and specifying the pictures which would predominate over action, the clientele among the afflicted is growing rapidly.

End Cincy Receivability

CINCINNATI, March 14.—Federal Judge Robert R. Nevin has lifted the receivership from the Shubert and Cox, in effect since last August, when Ben L. Hilding was appointed on a certificate of insolvency of the Teichroes Realty Co., New York. Settlement of the financial difficulties was effected at a recent conference in New York.

Colorado Springs Builds

COLORADO SPRINGS, March 14.—A new $90,000 theatre along modernistic lines and with a stage will be built by the J. H. Cooper Enterprises on the site of the Bijou, now being torn down. No name has been decided upon. It will seat 1,200 and open about July.

Fix Sales Tax Rate

ST. LOUIS, March 14.—The Missouri House of Representatives at Jefferson City last day, repeatedly passed the administration amendment fixing the sales tax bill rate at two per cent. The amendment passed by three votes.

Rentals Stir Agitation in Great Britain

(Continued from page 1)

would make exhibition a profitable section of the industry."

Competition for big features has rendered non-operative, suggests Fuller, a result of avoiding the rental at 40 per cent should be a maximum rental.

"If a sufficient number of members choose to hand their bookings over to the General Council, the K. R. S. could bluster and threaten until it was blue in the face," is another striking expression of the C. E. A.'s general secretary.

In light of the distributors’ declared policy of refusing to deal with booking circuits, another statement in the report attracted much attention in England.

"It may be anticipated," says Fuller, "that from now on, there will be groupings of exhibitors in order to create equal bargaining powers with renters, and permit the laws of supply and demand to operate freely. This situation has not yet progressed to the extent that it would be possible for the General Council to protect the interests of independent exhibitors, but any further steps will call for a greater degree of support of its decisions than has been manifest in the past."

* * *

Gunter Stapenhorst, director for Ufa in Berlin, will be production supervisor for Sir Oswald Stoll in a scheme to revive production at the latter’s Cricklewood studio on an international scale.

Five subjects per year, for world release, are planned and the Cricklewood studio, which has recently been leased to independents, will be enlarged and re-equipped.

* * *

London Film Prod. has bought film rights in the story, "Toumali of the Elephant’s Back," from Edward Kipling’s second “Jungle Book.” This is a vehicle of Robert Flaherty’s Indian picture to be called “Elephant Boy.”

The script is written by Coles on the Corfus, but Flaherty is waiting for the complete script.

* * *

The London County Council has adopted a recommendation of the Licensing Committee that theatres should be allowed to open on Sundays at 5.30 instead of 6 P.M. There had been determined opposition by the Lord’s Day Observance Society and other bodies.

* * *

Lothar Mendes has been signed by Alexander Korda to a long term contract with London Film Prod. Mendes is to play “Jew Suss” for Gaumont British.

Hold Connecticut

NEW HAVEN, March 14.—Herbert E. Logan, 34, of Torrington, has been held to $5,000 bail on a complaint for trial on charges of arson and causing injury to property by the use of explosives in connection with the $10,000 fire at the Garden last August. He is held in $2,500 bond.

William P. Farnsworth

WILLIAM P. FARNSWORTH stayed over yesterday after attending the legitimate Code Authority hearing Wednesday. He thought Camp was holding its regular session. After learning of his mistake he took a morning train back to Washington.

FRED SCHWARTZ has been forced to delay his vacation because of the Century-RKO clearance hearings. He had planned to get away April 5.

GEORGE BLACKMAN of Smith Film Service, Syracuse, and James Clarke of Horlacker’s in Philadelphia were in town yesterday.

HARRY COHN is due in from the coast next week.

ROBERT Ritchie sails Saturday on the Champlain for two months’ trip abroad.

NATHAN BURKAN is back from Hollywood.

LOU WEINBERG, MAX FELLERMAN, FRED MEYER, LEON ROSENBLATT, JULIUS CHARNOW, JOHN BENAS and SAM RIVIZER were among the spectators at the local clearance hearing yesterday.

WILLIAM SAAL returns from Hollywood. Saturday. He left the coast yesterday after completing retakes on “Frankie and Johnnie.”

JOHNNY O’Connor’s big day is March 24.

PATSY FLICK handled the chores of master of ceremonies at the Ampey yesterday. He told a couple of jokes between introductions of Sidney O’BRYAN, SYDNEY FROOD, H. M. VERNON, LIEFF and SQUIRE, HAL CUMMINGS, EDWIN L. MARIN, Vl BRADLEY and others.

Y. FRANK FREEMAN returned yesterday from Memphis and New Orleans.

KAY KASEN of the Walt Disney Enterprises leaves for Hollywood today.

JACK BUCHANAN, star of “Brewer’s Millions,” left last night for a short vacation in Nassau. U. A. will soon release his latest.

Lent Fails to Hurt N. O.

NEW ORLEANS, March 14.—Lent, which in previous years has brought out the red in theatre accounting departments, is proving better than in many previous years, there being no decrease in attendance. A few are showing a substantial increase over last fall. Night clubs are having even better patronage than theatres.

Filmtone May Dissolve

WILMINGTON, March 14.—Filmtone Corp., a Delaware firm, will hold a special stockholders’ meeting here March 25 for the purpose of voting on the company’s dissolution. The meeting will be held pursuant to a resolution adopted at a meeting of the board of directors. Record books of the company will be open for inspection by the stockholders.
SO, M-G-M isn’t able to make a musical film! It isn’t, isn’t it! Well, then, what will you say when you hear that ‘Naughty Marietta’ is one of the best musical pictures that has ever been made; that the director of ‘The Thin Man’ and ‘Forsaking All Others’ made it; that it comes straight from M-G-M, and that Victor Herbert’s music rings out from the screen with that same clarity, that same warmth and vitality and that same sweep and breadth that made Grace Moore’s ‘One Night of Love’ a landmark in the motion picture industry.

“All of this is fact. ‘Naughty Marietta’ is a credit to M-G-M and a credit to everyone concerned. It proves that W. S. Van Dyke is one of Hollywood’s wonder men—that he can yank just as many rabbits out of Victor Herbert’s hat as he can out of The Thin Man’s or Joan Crawford’s. His uncanny knack, particularly at the outset, of swelling every inch of this picture with rich orchestrations and of disguising the plot with such music as will make you jump out of your seat is a wonder and a delight. From now on, Jeanette MacDonald and Nelson Eddy will be referred to as ‘tops.’ ‘Naughty Marietta’ is something of which M-G-M, Director Van Dyke and Victor Herbert should be proud.”

AND BY THE WAY—just who can match these M-G-M musicals of the past:
- Broadway Melody
- Hollywood Revue
- Rogue Song
- Marianne
- New Moon
- The Pagan
- Dancing Lady
- Going Hollywood
- Merry Widow
- etc., etc.

“Pardon my blushes . . . and wait till you see ‘RECKLESS’!”
Hooray for "McFADDEN'S FLATS"!
OF THE GREEN!

"McFadden's Flats"
BOX OFFICE

"McFadden's Flats"
BOX OFFICE

"McFadden's Flats"
BOX OFFICE

"McFadden's Flats"
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"McFadden's Flats"
BOX OFFICE

"McFadden's Flats"
BOX OFFICE

It's a Paramount Picture It's the Best Show in Town!
Distributors Protest Mo. Censorship Bill

JEFFERSON CITY, Mo., March 14.—Representatives from Missouri’s distribution centers protested against Senator John P. Shea’s censorship bill as an unnecessary burden to the industry, and recommended that the bill be referred to the committee on criminal jurisdiction here last night.

Arthur Cole of the Paramount Kansas City branch told the members of the committee that if the bill became a law it would cost the industry $500,000 annually in fees.

Fred Wehrenberg of St. Louis, R. R. Bleche of Kansas City, secretary of the Kansas-Missouri committee, and Thomas Hall, Columbia (Mo.) exhibitor, called the committee’s attention to the industry’s voluntary efforts to raise film standards and its cooperation with community groups to improve the tone of screen entertainment.

The committee has recommended the bill for passage with amendments reducing the number of censor board members from three to one and cutting the proposed salaries of officials of the body.

Merchants Seeking Vaudeville for N. O.

NEW ORLEANS, March 14.—Claiming that the all-picture policies of the major houses here is depriving the city of a substantial payroll, the Association of Commerce has written members of the Theatre Managers Ass’n. requesting conferences to discuss the possible return of vaudeville.

The coming of this powerful merchants’ group into line with over 20 other organizations which have previously petitioned theatres may bring results.

Eckersleys Expanding

SPARKS, March 14.—A new circuit is being developed by the Eckersley brothers. They are opening houses in both Kooskia and Kamia, Idaho. They have recently opened a new house at Winchester, Idaho.

These houses are operated in conjunction with the Wigwam at Nez Percé, Idaho.

Haarmann in New Post

OMAHA, March 14.—William Haarmann has become booking manager for the Paramount exchange here, succeeding William Barker, Johnny Harms leaves the ad-sales department to become Haarmann’s assistant and Irving Birge succeeds Harms as assistant manager of the ad-sales department.

G.B. Signs Noah Beery

HOLLYWOOD, March 14.—Michael Balco, operator of the Criterion at El Reno, has signed Noah Beery for a role in one of his company’s pictures similar to that he played in “Beau Geste.”

Enloe Succeeds Clark

OKLAHOMA CITY, March 14.—O. E. Enloe, operator of the Criterion at El Reno, has been elected secretary-treasurer of the M. P. T. O. of Oklahoma, succeeding the late R. M. Clark.

Looking ’Em Over

“Abdul, the Damned”

(Associated British Pictures)

LONDON, March 1.—Captain Prod., the Max Schaeck-Karl Grune combination, made this in association with B.L.P., at the latter’s Elstree studio. A spectacular treatment of the last days of the Turkish despotism, it has color and drama, good acting by Fritz Kortner and Nils Asther, some dance stuff to contrast with the stern scenes and the advantage of dealing, with some freedom, with actual events.

The selling point is Kortner’s portrait of Abdul Hamid II, at the time of his pre-war struggle with the Young Turks and ultimate deposition. Kortner, who sometimes underacts, makes the last of the Sultans a furtive figure, obsessed by the fear of assassination and driven by his fear to a policy of torture and wholesale execution. He keeps a drunken ex-army officer to dummy for him in pub appearances; uses, and then throws, a chief of police to whom murder is all in the day’s work and through it all, by his terror of dagger and poison, is a pathetic rather than a terrifying figure.

Romantic interest depends on the fact that an Austrian actress consents to enter the Sultan’s harem in order to save the life of her officer lover. The latter, exiled, becomes a leader of the Young Turks and plays a prominent part in the final successful revolt. This is the weak side of the film, neither Adrienne Ames nor John Stuart having much opportunity.

The selling values are the portrait of Abdul, the grimness of the scenes of torture and execution—the Young Turks being shot down one by one with the song of freedom, and the sultan’s courtiers the background which is original and conveys an atmosphere of authenticity.

Apart from Kortner’s fine work, there is a brilliant study of the chief cununch by Esme Percy, and Asther shows real versatility by his study of the smiling-villain chief of police.

There is plenty of box-office material in it, but a good deal of cutting is necessary. One dance sequence is used for two entirely different scenes, separated by a considerable stretch of time. Abdul had too much money to need repeats.

Running time, 95 minutes. “A.”

ALLAN

Dave Frazier to Denver

DENVER, March 14.—Dave Frazier, manager for Sheffield at Salt Lake City, has been moved to Denver following the resignation of A. G. Edwards, J. R. Keitz, salesman for Sheffield here, has also resigned and joined Gaumont British as salesman.

Widen Vacation Period

Instead of limiting employees in various exchanges and home office to vacations during the four-month period, May 15 to September 30, the company has modified the rule to provide that starting April 1 any employee can take a leave at any time, regardless of the time of the year.

Buffalo

BUFFALO, March 14.—A testimonial dinner to Major Louis Lazar, former manager of the Warner Theatres, with headquarters in Albany was the first extra-club affair staged by Buffalo Variety. Fifty men, including Warner house managers from Medina, Jamestown, Wellsville, Dunkirk, Elmira, Hornell, Batavia gathered at the dinner. SYDNEY SAMSON was toastmaster. There were talks by Moe Silver, Lazar’s successor; NATE SAURER of Universal, KENNETH ROBINSON of Paramount, and RIV. JOSEPH MARSHONF, RALPH CARELL lauded Lazar as an executive and presented him a parchment testimonial on behalf of Warner managers in this area. Manager T. SILVERBERG, a trustee of Buffalo Variety, presented a traveling bag. Most of the present Buffalo included Jack Saxe, William Huretub and Sam Seplowin, all of Ten No. 5. M. P. T. O. guests were of Barker Jack Berkevitz.

Chief Barker Edward K. (Ted) O’Shea and SYDNEY SAMSON, first assistant chief, are the latest to hear the call of the West Indies. They sailed on a 12-day cruise that may take in Cuba.

Variety Club Chatter

May Reopen in Cleveland

CLEVELAND, March 14.—It is rumored that Edward Fianiong and Sam Manheim are about to reopen the Terminal Theatre with a 10 and 15 cent policy. Flanigon was formerly manager of the Cleveland M. P. Exhibitors’ Ass’n., and Manheim was a prominent theatre owner and head of a burlesque circuit.

Livingstone Re-Signed

HOLLYWOOD, March 14.—Robert Livingstone, recently signed with the M-G-M, has changed his mind and will work in “Public Enemy No. 2.”

Short Subjects

“Stranger Than Fiction No. 8”

(Universal)

Shifting sand that covers an entire forest in Oregon, a dog Pullman, a tombstone made from a railroad car wheel, eye catching fire rites in Japan, a traveling dentist, a fighting gander, an oxygen hotel and baby alligators are presented.

On the whole, the film is up to the average set by others of this series and is recommended. Reviewed without production code seal. Running time, 10 mins. “G.”

“Stranger Than Fiction No. 9”

(Universal)

This reel presents shots of two-hundred-year-old fossil tree, the structure of gasoline from sea water, a New Mexico salt mine, a fish taxidermist and the world’s shortest railroad all in an interesting fashion.

Audiences should be pleasantly interested and entertained. Reviewed without production code seal. Running time, 9 1/2 mins. “G.”

“Telephone Blues”

(Mention-Universal)

This film presents Olga Balcanova, Murray Lane and his Harmoniats, The Three Dodge Brothers, Henry Scott and the Tic-Toc Girls. The Tic-Toc Girls carry the picture and make it top-notch entertainment by means of their inimitable songs. Henry Scott plays the piano with merriment on his hands, the Dodge Brothers and Olga Balcanova sings a song in Russian and Murray Lane has his boys give a grand imitation of Borrah Minevitch.

This short is recommended. Production Code Seal No. 0352. Running time, 19 mins. “G.”

“Do a Good Deed”

(Universal)

As a master of a Boy Scout camp in this cartoon, Oswald is a great success. He teaches all the scouts to do good deeds daily and starts the day off with a liltine tune, “Do a Good Deed.” A bear breaks up the camp and all the woodland friends of the scouts come to their aid.

An amusing short that should have particular appeal to children. Reviewed without production code seal. Running time, 7 mins. “G.”

“Two Little Lambs”

(Universal)

Oswald, in this cartoon, is an aviotor trying to win a prize for stunting so he can marry Bunny Lou. While talking to her, two little lambs steal a baseball bat. The lid gets all mixed up with the air circus, but Oswald saves them to find that instead of being in his plane had won him the prize.

Satisfactory. Production Code Seal No. 607. Running time, 8 1/2 mins. “G.”

“Takes Marysville”

MARYSVILLE, Kan., March 14.—The New Law has been taken over by R. Miller and renamed the Ritalo.
FRIDAY IS CHANGE DAY FOR THEATRES EVERYWHERE EXCEPT THOSE THEATRES PLAYING ROBERTA

THEY’RE HOLDING IT OVER!

KEEP YOUR TIME OPEN FOR AN EXTENDED RUN...
Century vs. RKO Bumps Over Some More Legal Hurdles

(Continued from page 1)

case is not expected to take that long, observers agree.

Basic principles involved in this case arc that Century wants seven days' protection which RKO now has for Far Rockaway and Jamaica houses over Century's New York Center house removed. The RKO attorneys do not think this suit is not conclusively, but at length. Some of the board members sitting in the work for film companies, butthey don't mind the hearings. It's all in the cause of art.

Yesterday the board heard about the Tom Murray case. The board ruled that Murray submitted a cease and desist order, and Joseph Nocera of Rockville Center was called to the stand by Klop to tell more about the mailing list. Murray ruled he had heard enough. Mr. Nocera didn't testify.

That Show Card Again
Before Mr. Green went on the stand, Mr. Nizer wanted to call a witness on the window that has figured in about four hours of previous testimony, but Mr. Abrahm ruled against testimony of an usher at the Century Merrick; Cecil Mitchell, assistant manager of the Merrick, Albert J. Burns, chief investigator, and contact man for Century, and George Hines, manager of the Alden, also testified.

New House for Anthony
Anthony, Kan., March 14—A new theater will be built here by interests of Ponca City, Okla., it is reported.

Munger Group Now Approves Para. Setup

(Continued from page 1)

who have approved the plan forward individual notices of assessment to the N. Y. Trust Co., agent for the special master for Paramount Publix.

The Munger group, which has assented, represents more than $13,100,000 of the outstanding bonds.

Schulberg's Deal

Stirs Objections

(Continued from page 1)

side studio, but with Paramount financing available and the balance of the financing being split between Erpi and Ralph Kohn, former Paramount treasurer, now on the coast, the productions are to be budgeted at a maximum of about $250,000. Creditors' objections were believed of secondary consideration on the provisions for use of an outside studio and to Kohn's participation.

Fox Changes Titles

Hollywood, March 14—Fox has changed the title of Stanley Rimmer's next from "Heaven's Gate" to "Our Little Girl" and "Ginger" will be the final name for "Little Annie Rooney," in which Jane Withers and Jackie Searle will be featured.

Modernize Tulsa House

Tulsa, March 14—Robert Feldman intends to modernize the Palace by rebuilding the exterior, installing new sound, and building a marquee. The house is one of the oldest in Tulsa. It is the name of the Wonderland.

League to Show "Opera"

The Film and Photo League of the New School for Social Research will present "The Beggar's Opera," directed by G. W. Pabst, Saturday night at 7 and 9:30. Also on the program will be a guest-novel reader.

Stop St. Joseph Ads

Kansas City, March 14—The local grievance board has ordered W. A. Leucht, Valley, St. Joseph, Idaho, to stop premature advertising, on complaint of Frank Cassi, Rialto, same city.

Hollywood Personalities

Hollywood, March 14—Virginia Sale finished in "It's a Small World" for Fox . . . Victor Varconi writing an original story for Director Bruce Humphries's Herbert Mundin "Hugh" on the "Secret Lives" set . . . Mundin, who thinks Hugh Herbert is a good comic, too, doesn't object.

Mary Forbes goes into "Stranded" at Warners . . . Bruce Mannings, Columbia writer, back from a three-week vacation in which he took in the New Orleans Mardi Grass . . . Victor Jory will leave for a hunting trip in Arizona and will finish in "Party Wire." . . . Nana Bryant, Broadway leading lady, is going to start her contract with Columbia.

Dolph Zucker back from a short vacation in Palm Springs . . . Sam Hinds added to the cast of "She" at Radio.

Helen Morgan back from Florida and New York, ready to go to work at Warners . . . Edmund A. and Mrs. Bleding, parents of John Beal, Radio player, in from Joplin, Mo., to look over Hollywood and see their boy . . . Ferdinand Gottschalk into "Break of Hearts," at Radio.

Patricia Ellis gets an important role in "Stranded" at Warners . . . Al Jolson building a new ranch house for his place at Eneco . . . Johnnie Walker, musical writer, will bring his comedy to "Redheads on Parade," for Fox . . . Jack Haley posing as Hamlet in the Fox galleries, for fan magazines . . . Harry Lachman making new movie for "Dante's Inferno" for both the modern and "inferno" sequences.

Wall Street

Warner Pfd. Up 1/2 on Big Board

High Low Close Change Net

Columbia vte. (65*) 1574 1564 1564 1/2 + 1/4
Cons. Film Ind. 44% 4% 4% 1/4 - 1/4
pv $ (iv) 1975 1854 1854 1/4 - 1/4
Estmar. Inc. 14% 14% 14% 1/4 - 1/4
Fox Film "A" 95% 9 9 1/4 - 1/4
Loew's Inc. 14% 14% 14% 1/4 - 1/4
Loew's, Inc. 14% 14% 14% 1/4 - 1/4
Paramount 24% 24% 24% - 1/4 - 1/4
Pathe 12% 12% 12% - 1/4 - 1/4
RKO 14% 14% 14% - 1/4 - 1/4
Warners pfd. 15% 15% 15% - 1/2 - 1/4

Technicolor or 3/4 on Carb

High Low Close Change Net

Trans Lux (106) 25% 20% 20% - 1/2 - 1/2

Paramount F. L. Bonds Gain 1/2

High Low Close Change Net

General Theatre Equip. 6% 6% 6% 6% - 1/4 - 1/4
General Theatre Equip. 6% 6% 6% 6% - 1/4 - 1/4
Loom's 6% 41 41 41 41 - 1/4 1/4
Loom's 6% deb 6% 41 41 41 41 - 1/4 - 1/4
Paramount F. L. 73% 73% 73% - 1/4 - 1/4
Paramount Public 73% 73% 73% - 1/4 - 1/4
Warner pfd. 39 wd. 49 49 39 39 - 1/4 - 1/4

Defeated in principal but not in interest.

(Quotations at close of March 14)

Lightman After a Star

Memphis, March 14—M. A. Lightman has been appointed chairman of a committee that seek one or more guest stars from Hollywood for the annual Memphis Cotton Carnival May 6-11.

The event will be more important than the annual Memphis Cotton Show be held here at the same time.

Regis Toomey has already notified Lightman that he will pay Memphis a return visit for the Carnival, having sampled local hospitality at the fall tri-state M.P.T.O.A. meet.

Plan Somberby Dinner

Boston, March 14—Plans are gathering headway for a testimonial dinner to Al Somberby, an exhibitor for past 25 years, and manager of the Howard and Bowdoin Square. The entire local industry is behind the project. Details were tentatively set during a meeting with Executive Secretary Joe Brennan at the M.P.T.O.A. suite in Scollay Square. The date for the fete, which will have a Gay Nineties background, is March 26.

John Anderson Returns

Fort Morgan, Col., March 14—John Anderson, owner of the USA and Cover theaters, has decided he would rather be in the theater than in the drug business. A druggist before operating houses, he leased his store to Edgar Block and went to California to reenter the drug business. He has returned and bought the leases from Block and is again exhibiting.

Richmond to Portland

Portland, Me., March 14—Arthur Goldstone has resigned as manager of Keith's, an L. C. L. house. Sam Richmond has been shifted from Boston to handle the house which is now showing first runs.
**Awards by Academy Stirs Reviewer's Ire**

**Kansas City, March 14—The Academy's annual awards for excellence in acting are attacked by Lowell Lawrence, film critic of the *Post, Times & Star*. Lawrence maintains that "the Academy seems to have forgotten what constitutes good acting."

"In giving the awards for the finest screen performances of 1934 to Clark Gable and Claudette Colbert for "It Happened One Night," the Academy, in my opinion, hanged Thespis in effigy and showed a discouraging lack of appreciation for the acting of Mary Astor in "Hollywood,"

"In Lawrence's opinion, the honors should have gone to Robert Donat for his part in "The Count of Monte Cristo" and to Bette Davis for her work in "The Letter.""

**Buffalo Votes for Own Player Awards**

**BUFFALO, March 14—** Dissatisfied with the Academy nominations for the 1934 awards, the Buffalo motion picture organization, the suggestion of Mayor George J. Zimmermann conducted a poll among readers to select their own winners.

Top choices were Robert Donat in "The Count of Monte Cristo," among the men and Claudette Colbert in "It Happened One Night," among the women. Miss Colbert also was the Academy choice. Time's medals for the best 1934 performance, designed by Alex O., president of the Buffalo Society of Artists, will be presented the stars.

Incidentally, the balloters gave one vote for the dog Flush in "The Barretts of Wimpole Street" and one for the horse King playing the title role in "Broadway Bill."

**Lease Birmingham House**

**BIRMINGHAM, March 14—** P. A. Engler and R. B. Willey have taken a five-year lease on the Negro theatre on Fourth Ave. Repairs and alterations made. It will be operated as the Frolic.

The owner, the Mutual Life Insurance Co., will spend between $20,000 and $25,000 in repairs and alterations and the lessees will pay for air conditioning and furnishings.

**Academy Roster Gains**

**Hollywood, March 14—** Technical membership in the Academy is on the increase. A recent bulletin shows that 14 members joined in 1934 and a total of 33 since the first of the year. The latter group included eight art directors, six actors, seven cameramen, and 10 sound men.

**Star Goes to Seattle**

**KANSAS CITY, March 14—** Murray Swope, who has been assisting Beverly Miller, National Screen representative here, has been transferred to Seattle, to help open the office. Legates, representatives in the Pacific coast city have been injured in a motor car wreck, according to word received here.

**Sweet Deal**

Leave it to an exhibitor to change a lemon into an orange without going through the usual grafting process.

Abbe Leff of the Leff-Meyers circuit opened an apartment house in the Bronx which was a consistent red ink affair. He left for Miami several weeks ago, fell for an orange groove and exchanged it for his building here.

During the last few days Leff has been busy arranging and personnel of various exchanges have received boxes of oranges from Leff, indicating that it was a sweet deal.

**Lewis Gets "Pompeii"**

**Hollywood, March 14—Russell Lewis, former assistant to Robert Ed- mond Jones and "Becky Sharp," has been assigned by Radio to supervise the dances on Merian C. Cooper's "The Last of Pompeii.""

Alexander Oumansky had previously been signed, but it is understood Radio is now trying to cut out the ballet sequences for which Oumansky was signed.

**Charter Two Companies**

**ALBANY, March 14—** Booking Corp., New York City, has been chartered here with capital of $6,000 to engage in theatrical and musical booking. Felix W. Salmaggini, Joseph F. Viola and Norman Furman are the directors and subscribers. A charter also has been issued to Promotional Films, Inc., with capital of 100 shares, no par value. Directors and subscribers are R. M. Savini, J. Michelson and C. Bernett, all of New York.

**Define Rochester Area**

**BUFFALO, March 14—** For the first time, the Rochester sales area has been defined and established by the clear-cutting of a new territory. It includes all theatres in the city and in suburban Fairport, Sea Breeze and East Rochester, and all theatres within 25 miles of the Rochester city limits.

**Charter Jaydo, Inc.**

**ALBANY, March 14—** Jaydo, Inc., exhibitor, has been chartered here by Nathan E. Perce, Lawrence S. Timen and Emnits S. Slomin.

Another exhibitor firm just formed is Pierre de Reeder Fcd., Inc., chartered by Benno junkel, George Natanson and J. William Rosenbluth.

**Warners Sign Mills Act**

**Hollywood, March 14—** Warners have signed the Mills Brothers, Ted Lewis and his band and Judy Canova's Hillbilly quartet for "Broadway Gondolier," a musical to star Dick Powell and Joanne Blondell.

**Sothen with Raymond**

**Hollywood, March 14—** Am Sothen has been signed for Radio's "Hoover" serial starring the Raymond. In supporting roles are Arthur Byron, Bill Robinson, Maria Gorren, Gail Mooney, Leta Leon, Lionel Stander and Katharine Doutch.

**“Robertta” Is Kansas City’s $16,000 Wow**

**Kansas City, March 14—** "Robertta" was a seven-day sensation, breaking the record of "The Point of No Return," leading the Paramount's take to $16,000, at a house where average for films in $7,000 was held for a second week. Campaign has been largely built around fashions, appealing to the feminine trade.

"Vanessa" at the Midland took $8,100, and "The Secret Bride," the Tower's attraction, with a stage show, garnered $7,500. The Uptown's $3,700 for "One More Spring" was $200 above the line.

Total first run business, including 11 days, was $46,500. Average is $5,000.

**Estimated takings:**

- Week Ending March 4:
  - "ALL THE KING'S HORSES" (Para.)
    - NEWARK—$1,800, 23c-4c, 4 days.
    - Average: $450.
  - "THE SECRET BRIDE" (Warners)
    - TOWNE—$700, 43c-50c, 7 days.
    - Average: $100.
  - "VANESSA" (M-G-M)
    - HIGHLAND PARK—$750, 45c-50c, 7 days.
    - Average: $107.

**Week Ending March 7:**

- MAINE STREET—$1,100, 35c-45c, 7 days.
  - Average: $157.
- "VANESSA" (M-G-M)
  - BROADWAY—$1,000, 35c-45c, 7 days.
  - Average: $143.
- "RUGGLES OF RED GAP" (Para.)
  - RUGGLES—$800, 35c-45c, 7 days.
  - Average: $114.

**“Sweet Music” Is Indianapolis Lure**

**INDIANAPOLIS, March 14—** "Sweet Music" was just that at the Apollo place, and it drew a crowd that was on the profit side of the line, and everybody was happy except four of the other downtown spots where the competition was keen.

The only other first run to go over par was the Palace, where "Vanessa" reached $5,500. "The Scarlet Pimpernel," brought back to the Circle for a return engagement, took $1,500.

Total first run business was $22,700. Average is $2,500.

**Estimated takings for the week ending March 9:**

- "SWEET MUSIC" (Warners)
  - APOLO—$1,100, 25c-4c, 4 days.
  - Average: $275.
- "CARINAEL" (Col)
  - CIRCLE—$1,000, 30c-40c, 3 days.
  - Average: $333.
- "SCARLET PIMPERNEL" (U. A.)
  - "Second Run"
  - CIRCLE—$800, 25c-4c, 4 days.
  - Average: $200.
  - "LIVING ON VELVET" (Warners)
    - LIVING ON VELVET—$1,000, 30c-40c, 4 days.
    - Average: $250.
  - "WHILE THE BIRDS SING" (Warners)
    - LYRIC—$700, 25c-40c, 3 days.
    - Average: $233.
  - PARADISE—$3,000, 25c-4c, 7 days.
  - Average: $430.

**Omaha Lothrop Is Sold**

**OMAHA, March 14—** Carl Snider has sold the Lothrop to Epstein Theatres, Inc. This leaves Snider with three and Epstein with six.
RKO Managers Shift In Cincinnati Spots

CINCINNATI, March 14.—RKO managerial shift has to include Manny Shubert from the Palace to the Albee, and Cliff Boyd from the Albee to the Shubert, just acquired and opened by Boyd. It is understood that Shubert will be succeeded at the Capitol by Harold Polk, formerly manager of the Albee.

Harold Eckert is Boyd's assistant at the Shubert. He previously was cashier at this house when it was under a legitimate stage. L. Siebert, assistant at the Capitol, has been assigned a similar position in the Greene. William Linzer, formerly assistant at the Grand, goes to the Capitol in a like capacity, and Artie Reiche, chief of security at the Palace, has been promoted to assistant at the Grand.

Comford Will Build Wilkes-Barre, Pa., March 14—Construction of a theatre to replace the Hazel Street playhouse, built more than a quarter of a century ago, is proposed by Comford-Publix, according to M. B. Comford, vice-president.

The new structure will represent an outlay of $125,000. Charles Ryan, construction superintendent, says it will be "a modern slab roof business block" of brick and limestone seating 1,200. It will be ready by early winter.

Men Hit Sunday Shows

GROVE CITY, Pa., March 14—Three hundred local men at a mass meeting voted to send letters of protest to legislators in Harrisburg against pending bills to legalize Sunday films in Pennsylvania. J. J. Robinson is preparing the letters, which will be sent to State Senator Glen R. Law of the Mercer-Crawford district, and to Merger County. John W. G. Smith of this city, and L. Norman Dilley of Greenville.

Would Tax Pin Tables

ALBANY, March 14.—A bill has been introduced in the Assembly by Eugene P. Duffy, Democrat of New York, to impose a tax of 50 cents on each pin table or game table operated in any place of business or location, to be paid each year, and providing if more than three tables are operated the annual tax shall be $2,000. Some theatres have pin or game tables in their lobbies.

M-G-M Remodels Stage

Hollywood, March 14.—M-G-M is modernizing one of the sound stages and equipping it for various types of water shots. The entire floor will be of insulated composition and will be removable. A swimming pool, fountain and other water contrivances are being constructed under the flooring. Joan Crawford will be the first to use the remodeled stage for her new film, "No More Ladies!"

Planck Goes to Marion

MARION, O., March 14.—George Planck, manager of Marion, has been transferred to Southio Theatics, Inc., here with supervision over the Palace and Marion. He succeeds Roy E. Pelkey, who goes to Middletown as city manager in charge of the Paramount and Strand.

Key City Grosses Rising; Now at Best Autumn Level

Improvements in national grosses which set in following the low point reached in the week ending Jan. 24-25 have continued steadily with the exception of one week. The total for 22 cities reporting to Motion Picture Daily was $1,405,417 for the week ending Feb. 28-29. There has been only a slight increase in the number of first run theatres in these spots, the total now being 140. Last October there were only 131.

February closed with grosses running close to the point reached in the sudden pickup last September and in early October. The improvement was general, in spite of varying weather factors, as well as only nine cities of the 22 failed to register gains.

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<th>Week Ending</th>
<th>No. Theatres</th>
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<tr>
<td>Boston</td>
<td>6</td>
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<td>Buffalo</td>
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<td>Chicago</td>
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<td>Cleveland</td>
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<td>Denver</td>
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<td>Kansas City</td>
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<td>39,275</td>
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<td>Minneapolis</td>
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<td>Washington</td>
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<td>$1,405,417</td>
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Comparative grosses for the latest available periods:

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<td>Dec. 6-12</td>
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"U" to Encourage Player Broadcasts

Hollywood, March 14.—Universal has established a television and radio department with a view to training its players for broadcasting on the theory that radio will help them develop their personalities and hence develop their voices. Stock company players will be encouraged to try broadcasting.

The move was under the direction of Louis Landfield, with Gene Grant as his assistant here and Max Hart handling the New York end.

Asks Liquor in Theatres

HARRISBURG, March 14.—The right to sell liquor in theatres and other places of amusement in Pennsylvania, which has been banned for 53 years, will be restored subject to licensing, if a bill just introduced in the lower house of the Assembly is adopted.

The measure, introduced by Assemblyman George D. Swank, of., the author of two other pending bills designed to permit Sunday shows after 2 o'clock, was referred to the Committee on Law and Order.

Two Titles Are Set

"The Sondreendl" has been set as the release title of the Ben Hecht-Charles MacArthur production, "Miracle in 49th Street."

Howard on O'Brien Film

Hollywood, March 14.—Sol Lesser has signed Dave Howard to direct the next George O'Brien western, "Hard Rock O'Brien," a yarn about Boulder Dam.

Charles Furthman penned the original story which will also do the screen play. The picture will be produced under the Atherton Pictures banner.

Para. to Film Garibaldi

Hollywood, March 14.—Paramount will produce a story based on the life of Garibaldi, the Italian patriot. E. J. Wallach, war correspondent and authority on the life of Garibaldi, has been signed to do the screen play. Executives believe it will be necessary to go off the lot to find a lead suitable, as none of the contract players are fitted for the part.

Pert Kelton for Musical

Hollywood, March 14.—Pert Kelton, comedienne, will play the feminine lead in "Hoaray for Love," musical soon to go into production at Radio. Gene Raymond will play opposite Miss Kelton, and the supporting cast will be Bill Robinson and Maria Gambarelli.

Men jou in "Gondolier"

Hollywood, March 14.—Adolph Menjou gets a featured role in "Broadway Gondolier," Warner musical, which will have Dick Powell and Grill in the chief roles. The film is slated for early production with Lloyd Bacon directing.

Lachman on "Orchids"

Hollywood, March 14.—Harry Lachman will direct "Orchids to You," which Fox will produce.
Every twenty-four hours Motion Picture Daily surveys and publishes the significant happenings of the world film industry.

Correspondents in foreign film capitals and in key cities throughout the United States assure the completeness, accurateness and timeliness of this important service.

The international character of motion picture finance, production, distribution and exhibition makes Motion Picture Daily’s fast foreign and domestic news coverage an integral and indispensable feature of industry activities.
I MAY BE SHORT

but

I'm powerful . . . . in names, in entertainment, in box-office draw.

I make people laugh . . . . and you know that's what they come for.

I snap up a program . . . . keep it moving, peppy, exciting.

I furnish names for the marquee that rival yours for brilliancy.

I make profits for the exhibitor.

I am an Educational Pictures short subject, and I'll give you a run for the money any time.

E. W. Hammons Presents

ERNEST TRUEX

"OBJECT NOT MATRIMONY"

Produced by Al Christie

"Truex scores...grand little comedian". Film Daily

COMING

BUSTER KEATON . JOE COOK

in

"Hayseed Romance"  "A Nose for News"

Educational Pictures

"THE SPICE OF THE PROGRAM"

Distributed in U.S.A. by Fox Film Corporation
MOTION PICTURE DAILY

The Leading Daily Newspaper of the Motion Picture Industry

NEW YORK, SATURDAY, MARCH 16, 1935

KRS Refuses To Recognize G. B. Booking

British Society's Move Creates Sensation

By BRUCE ALLAN

London, March 15—The Kinematograph Renters’ Society created a sensation in the trade today by refusing to recognize the Gaumont British booking deals with Hyams & Gale and Union Cinemas, Ltd. The latter controls 34 theatres.

K. R. S. will not accept bookings from these two pending assurance that there is no booking agreement with Gaumont British designed to obtain films at lower prices. John Maxwell says this attitude is fair in view (Continued on page 4)

Darrow Attack on NRA Is Due Monday

By BERTRAM F. LINZ

Washington, March 15—Arraignment of the NRA which made the course of the senatorial investigation is anticipated Monday when Clarence Darrow, chairman of the National Recovery Review Board which last year assailed General Hugh S. Johnson’s administration, appears before the Senate Finance Committee.

Announcement that Darrow would be in Washington Monday was made (Continued on page 3)

John Flinn Delays Return from Coast

Hollywood, March 15—John C. Flinn is extending his trip here and will not leave for New York until March 25 or March 26, when he will (Continued on page 3)

“Throttle Pushing”

A new feature by Harry E. Nichols (H.E.N.), traveling representative of Quincy Publications, takes its bow on page 4 today.

Over main highways and many anything but that, Nichols covers thousands of miles every year. His authoring will concern itself with the things he sees and the exhibitors he meets. There seems to be no limit to either.

Mayer Says Industry Will Quit Coast to Avoid Taxes

SAN FRANCISCO, March 15.—Louis B. Mayer who addressed the Shrine Club here yesterday, attacking Hitlerism, declared today in an interview with Motion Picture Daily that the industry can move lock, stock and barrel from California to some other state for $10,000,000, and will do so within the next two years, if the program of taxation now before the California Legislature is enacted.

He also sees the possibility of a secession of Northern California from Southern California, and the establishment of a strict embargo on the state’s borders to keep out thousands of hungry, jobless itinerants.

McCormick to Return To Circle for a Day

S. Barret McCormick, advertising and publicity director for Radio, will live in the past for a day on March 22. On that date he will find himself back at the Circle, Indianapolis, in the post of managing director of the house which he held 15 years ago. The occasion will be the world premiere of “Laddie.”

For that one evening McCormick will have around him, as far as possible, the very people who were on (Continued on page 4)

Gable Contract Is Extended for Year

Hollywood, March 15—Clark Gable’s contract has been extended by M-G-M for one year starting April 1. In exercising its option, M-G-M guarantees 46 weeks in the year. Leonard Praskin’s option as a writer has not been taken up. Karl Freund, director, has been given a long term pact and Betty Furness contract has been continued for another 12 months.

“Jackpots...Kilts...Diapers”

Universal City yesterday celebrated its 20th anniversary on time and to the day.

The observance persuaded R. H. Cochrane to send the following telegram to Carl Laemmle in Hollywood, signing it “The Forgotten Man”:

“How well do I remember that day 20 years ago when we opened our Universal City jackpot on a pair of deuces. That was the day I wore my first long pants. Today I own no pants at all. As clearly as though it were only 100 years ago I recall that you opened the gate with a golden key. I have often wondered whether it was real gold, but on that day of days in my childish innocence I believed in fairies. I even remember that you took me by the hand and conducted me through the newly opened studios to protect me from the fairies.

“You were like a grandfather to me and I shall never forget it. Since then you have been growing greater and greater so

Change May Be Made In St. Louis Charge

St. Louis, March 15—Because there is some question about the name of one of the Paramount units listed in the Federal anti-trust indictments returned here recently, counsel for the Government and the defendant companies have entered into a stipulation that motions may be filed when the cases are called on April 2.

It is considered doubtful, however, whether the cases will actually go to trial on that day, because of the crowded court calendar.

Laurel-Hardy Split Up Old Comedy Team

Hollywood, March 15—Stan Laurel and Oliver Hardy are no longer a team. The split resulted when the former terminated his contract over the asserted inability of Hal Roach to secure suitable story material.

Roach is retaining Hardy, who with Fatty Kelly and Spanky MacFarland will produce a new series of comedies under the general title of “The

Skourases Get Offer of New Fox Met Issue

Also Proffered Interest In Operating Unit

Skouras Theatres have been offered a large block of the new stock of reorganized Fox Metropolitan Playhouses, the parent company, in addition to a stock interest in the new subsidiary operating company, in connection with the plan of reorganization for Fox Met being submitted to Federal Judge Julian W. Mack early next week, it was learned yesterday.

The offer has been submitted by Skouras to the Haystone Securities Corp., financial advisers of the company, for study. If it is accepted and Skouras acquires the profited stock interest, which would make Skouras a minority partner of Joseph M.

Para. Creditors Help Push Schulberg Deal

The proposed deal whereby B. P. Schulberg will continue to produce independently for Paramount has been agreed upon in principle by various of the company’s creditor representatives to whom it was submitted on Thursday. It was anticipated yesterday that

Lloyd Will Star in One for Paramount

Hollywood, March 15.—Harold Lloyd will be starred in Paramount’s “The Milky Way.” Paramount will finance 100 per cent and will have full supervision. This is the first time in 12 years that Lloyd has signed another company to finance him. The deal is for this picture only. Lloyd will get a flat sum, plus a percentage.

Urges His Employees To Aid Reorganizing

Paramount employees holding company stock are urged by George J. Schaefer, general manager, to file

Pat Garyn Gaining; Is Out of Hospital

DALLAS, March 15—Pat Garyn, executive with “March of Time,” stricken here several weeks ago with
ED FINNEY is in a quandary. The Daily News Golden Gloves tournament is over and he's wondering what sort of assignment to provide for the gang at his Monday night sores in the future. The suggestion of Minesky's Republic was quickly vetoed by his board of strategy. FINNEY says he'll extricate himself from the "ce de sac" shorty.

JULES LEVY, JOE BERNHARD, HARRY ROSENTHAL, JIMMY SAVO, VICTOR MACK, GEORGE GRABWELL, W. HAMMONS, JACK SKRIBBL, JOE LEE, HARRY H. BUXBAUM, GRABWELL SEARS and AUSTIN KAGUCH were among those at Sardi's for lunch yesterday.

Quip of the Day

Add similes, by Ali Gaga: "As if I were a literary Dig Natur editor applauding "The March of Time."

S. BARRIE McCORMICK waxing eloquent on the merits of "Quigley, New York," and proudly doubting that the picture was held over a second week at the Alpine, Wilmington, this is the first film in the history of the house to play more than a week.

Ed Holland, Radio exploitation man, is flying all over the country. He was in town Wednesday and in the office for a while before grabbing a plane for Cleveland. He's due back for a day or so after making another stop in Indianapolis.

IRENE DUNNE was guest of honor at the Fashion Group luncheon yesternoon at the Ritz Carlton, and was introduced by Alice Hughes, fashion editor for the Hearst dailies.

LOUIS GELLER has his mind set on leaving Monday for that long-deliberated and finally decided Miami vacation. He's taking a trunk of cigars along.

ED FISHER, United Artists exploiter of Detroit, is in town to handle the exploitation of "Behind the Green Lights" for Mascol.

DAVE LOWE is in Palm Springs and from there will go to Aspen. He'll probably hit New York in another two weeks.

J. J. McCARTHY has extended his Hollywood visit an additional week and now is not expected back here until next week-end.

MARILYN McKEW, winner of the Fred Astaire dance contest a week's engagement at the Roxy yesterday.

J. S. HARRINGTON, of Monogram, has just about licked that cold that laid him low for a few days.

Gene Markey's "Champagne Charlie" has been bought by Fox. EMMA LOWE will have the lead.

Jack COHEN is due back from Miami next week.

A. W. SMITH is visiting Miami beaches.

JOE SEIDLER returned the other day from a southern vacation to find he was made a colonel during his absence and that film friends had arranged his appointment from Gov. RUBY LAPOON. The certificate of honor now graces his office.

L. G. HABGOOD and ROGHA SIGMUND of the Palmetta,Winnsboro, N. C., and M. D. DOUGLAS and BOB BROWN of the Carolina, same city, were in town yesterday on an overbooking case affecting both theaters.

GEORGE MANN, president of Redwood Theatres, Inc., of San Francisco and two children, are driving in from New Orleans where they attended the M. P. T. O. A. convention. Due next week.

FRANK THOMAS will return to the coast early in June to resume work at the RKO Radio studios.

Compliance Director SOL A. ROSEN- nath is expected to arrive from Washington today.

LOU WEINBERG, the Uncle Lou of the industry—is really the uncle of GENE PICKER.

MIKE ROSENBERG plans to go back to Los Angeles either Monday or Tuesday.

E. M. Fay of Providence in town yesterday and visiting along the Main Stem.

HARRY M. WARNER is due back from the coast some time next week.

J. R. MCDONOUGH and R. B. KAHANE arrive on the coast today.

Ed KUVKENBAHL plans to take the fast mail southward tomorrow.

George ARLISS sailed for London last night. On the Olympic.

Harry Docker left yesterday to get some of that Miami sunshine.

Ben ROSENBERG has returned from Dallas and New Orleans.

Arthur Lee returns from the coast.

Goldwyn to Europe

Samuel Goldwyn, accompanied by Mrs. Goldwyn, sailed last night for England on the Olympic to confer with Alexander Korda, production head of London Films, on a special star loan arrangement under which Merle Oberon will be the first player to appear under the Goldwyn banner in "Dark Angel," which starts June 1. Mrs. Oberon is also 0ailing on the same boat and it is believed that Korda has a part for her, too.

Stallings Delays Talk

New Haven, March 15.—Laurence Stallings' second talk on newswells at Yale, scheduled for yesterday, was delayed until Monday. He will talk some time after April 8.

"Robert" Sets a Record

Kansas City, March 15.—Setting a record for a downtown first run, the RKO Mainstreet holds "Roberta" for a third week, beginning today.

Evergreen Managers Discuss New Season

SEATTLE, March 15.—City managers for Evergreen State houses throughout Washington and Oregon gathered here yesterday for their annual session, which ended with a sales conference with Frank L. Newman, Sr., manager of the Egyptian here, received a first prize check for $300 for his operating record during the calendar. Second prize went to Lynn Peters and Franklin. The final vote was for the Washington Athletic Club.

In attendance were Frank L. Newman, Sr. and Mr. Follard of Portland and Seattle, Mr. Morry Nimmer, Wenatchee, Mr. Murphy, Olympia; Mr. Rosenberg, with several others, Mr. Monahan, and Mr. Bob Bellingham; Mr. Price, Everett; Mr. O'Neill, Oregon, and Mr. Rosenberg.

In the hotel field, Ascap is reported ready to proceed against the Roosevelt Hotel and the Hotel St. Charles. The Roosevelt is understood to have been picked as a test case. Its managing director, Seymour Weiss, close friend of Huie Long, is president of the Louisiana Hotel Assn.

Ascap Winner in 7 Mississippi Cases

NEW ORLEANS, March 15.—Hard upon the heels of exhibitors fighting the.or against paying Ascap license fees come seven judgments rendered by Federal courts against theaters in Mississippi. They are: Drew, Drew; Polly, Marks; Princess, Waynesboro; Holly, Newberry; Crystal, Ocean Springs; Hazlehurst, Hazlehurst; Royal, Rollingfork.

In the hotel field, Ascap is reported ready to proceed against the Roosevelt Hotel and St. Charles. The Roosevelt is understood to have been picked as a test case. Its managing director, Seymour Weiss, close friend of Huie Long, is president of the Louisiana Hotel Assn.

Kincey Says South Is Showing Pickup

"Conditions are all right in the south and there has been a general improvement over last year," H. F. "(Mike)" Kincey of the Kincey-Wilby circuit stated yesterday. "The southern operator was in town on a code case and left last night for Charlotte.

Kincey-Wilby operate 53 houses in North and South Carolina and about 25 in Alabama. The State, Fayette- ville, N. C., was recently closed and other renovations are contemplated, Kincey added. Recently added to the circuit are the Charlotte, Charleston, Greenville, Pitt, and Greenville, N. C., New theatres.

Chevalier Going to Paris

Maurice Chevalier is on his way here to make connections with the Ile de France sailing next week. He is here in order to be on hand when the French production "Folies Bergere" opens in Paris at the end of this month.

Four Roxy Films Dated

"Woman in Red" is the next attraction for the Roxy, opening March 22. Following will be "I Love You Always," on March 29; "It Happened in New York," on April 5, and "Love in Bloom," either April 12 or April 19.
DENVER, March 15—"The Whole Town’s Talking" lived up to its title at the Paramount. Business started off well and stayed strong, with the result that the $3,500 take was over par by $1,000.

"The Scarlet Pimpernel" held up strong in its second week at the Aldrich with a gross of $3,000. At the Tabor "The Best Man Wins" was strong on a gross of $3,500 helped by a stage show.

Total first run business was $24,500. Average is $2,500.

Estimated takings for the week ending March 14:

<table>
<thead>
<tr>
<th>Title of Picture</th>
<th>Daily Gross</th>
<th>Average Daily Gross</th>
</tr>
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<tbody>
<tr>
<td>&quot;SCARLET PIMPERNEL&quot; (U. A.)</td>
<td>$4,000</td>
<td>$3,500</td>
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<tr>
<td>&quot;THE BEST MAN WINS&quot; (Col.)</td>
<td>$3,500</td>
<td>$3,500</td>
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<tr>
<td>&quot;FOLIES BERGERE&quot; (U. A.)</td>
<td>$2,500</td>
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(Continued from page 1)

**Laurel-Hardy Split**

Up Old Comedy Team

(Continued from page 1)

"Jackpots... Kilts... Diapers"

Hardy: "The producer’s refusal to meet Laurel’s demands for higher remuneration was given by the comedian as the reason for his action. This cooling in his contract would expire on May 7.

Laurel stated he had no future plans.

**Ban Boonville "Night**

KANSAS CITY, March 15.—The Lyric, Boonville, Mo., operated by Fox Midwest, was ordered to discontinue "cash night" by the city pensions and insurance board on complaint of the Casino same city.

The Helstrom, McPherson, Kan., has lodged a bank night complaint against the Ritz, same town.

**Columbia Signs Merola**

HOLLYWOOD, March 15—Gaetano Merola of the San Francisco Opera Co., has been signed by Columbia to conduct the orchestra, which will record the musical sequences for the George Moore picture, "On Wings of Song."

Merola was formerly a conductor at the Metropolitan Opera House.

**Virgil Miller Honored**

HOLLYWOOD, March 15—Virgil Miller, Paramount camera department head, has received notice of his appointment to the American National Sinclair Lewis story. The film is July to attend the International Congress of Photographers.

Miller intends to join the committee.

**Smallpox Closes Theatres**

DIGGINTON, Kan., March 15—County commissioners have ordered theatres and all other public gathering places closed for two weeks because of a smallpox epidemic here. Other Kansas towns have been similarly affected.

**Fox Summons Alice Faye**

HOLLYWOOD, March 15—Alice Faye, vacationing in the east, has been called by Fox, and will star in "Adios Argentina," as soon as she returns. She will play opposite Tito Guizar.

**Agnes, Trevor Assigned**

HOLLYWOOD, March 15—Fox has handed Lew Ayres and Claire Trevor the principal roles in "Work of Art," which is slated to get under way April 1. John Blystone probably will direct.

**Balcon Says Britain Welcomes Industry**

HOLLYWOOD, March 15—Speaking at a luncheon given him by Louis B. Mayer at the M-G-M studio, Michael Balcon of British Gaumont said today that if the industry should decide to move out of California upon the success of the state’s tax program, "it is welcomed to England."

Balcon also told his listeners, consisting of film executives, stars, newspaper publishers and civic and educational leaders, that the same competition as is offered by Hollywood "there is nothing left for me but to return to England and produce pictures there.

Dr. Koretz, counselor of Vienna, where he represents M-G-M and Fox, was a guest of honor. He told the gathering that "just as your pictures are the comfort and the consolation of the world so has my own country given the world its finest music."

**Dallas Personal**

DALLAS, March 15.—Karl Hoblit, president of Interstate Circuit, has just returned from a business trip to Washington.

Harry Thomas of First Division is in Dallas visiting his brother Davis Thomas, who handles sales for First Division in this territory.

Frank Sarz of Interstate Circuit is leaving Dallas for a trip over the territory, getting Interstate houses set for two coming attractions, "As Thousands Cheer" and Helen Hayes.

**Plan 3 Months on "Allah"**

HOLLYWOOD, March 15—M-G-M plans to put at least three months of preparation on "The Garden of Allah." Producer David Selznick has signed George Cukor to direct, and is in the process of sending a company to the Sahara desert to film some of the sequences.

**Clara Blandick on Tour**

HOLLYWOOD, March 15—Clara Blandick, who has worked in Columbia’s "Party Wire" and has sailed aboard the President Adams on a world tour, will make a lengthy stopover in Buffalo, where she was born.

**Saenger Cuts Scales**

JACKSON, Miss., March 15—Admission reduced from 25 cents to 15 cents, excluding state tax, has been ordered in Saenger Class B houses here. The rate cut also goes into effect at Hattiesburg and Meridian.

**John Flinn Delays Return from Coast**

Hop a plane for the east in time for the next Campi meeting on March 28. While here the code executive secretary will get the local board’s final okay on certain phases of the schedule which were disputed by Fox West Coast.

Campi members yesterday agreed to hold the next session on March 28 instead of March 21, as originally planned.

**Albany Premium Ban Will Start June 7**

ALBANY, March 15.—A local ban on premiums, giveaways, script books and other forms of reduced admissions will go into effect June 7.

A recent vote ordered by the clearance and zoning board was heavily in favor of the ban. Affiliated theatres were unanimously for it and 80 per cent of the unaffiliated houses favored it. The code provides that a 75 per cent vote in a competitive area is sufficient to make its giveaways clause effective.

**Delay Frankfort Ruling**

CINCINNATI, March 15.—Pending Campi’s decision in the appealed case of the Morehead, Ky., State Teachers’ College, which the local grievance board ordered distributors to discontinue making contracts with, the board has postponed ruling in the case of J. J. Lee et al., operators of the Capitol, colored house, Frankfort, Ky., against the Frankfort State Industrial Institute, colored, and M-G-M, Cincinnati.

The two issues are parallel. The respondent in the case just heard plays on Sunday at a 15-cent admission, which complainant charges is non-theatrical competition.
Skouras Get Offer of New Fox Met Issue

(Continued from page 1) Schenck in Fox Met, Haystone probably would finance the deal.

The 20th-Fox stock purchase proposal has not been made a part of the plan of reorganization, and the fact that the offer has been made is indicative of the certainty which exists among the principals that the Fox Theatres-Schenck plan of reorganization will work.

The plan itself calls for acquisition of the new stock issue by Schenck and Fox Theatres, with Schenck becoming president of the new company. This accomplished, it is believed that Fox Theatres would then sell part or all of its interest in the new company to Skouras, assuming that the offer receives the approval of Haystone. So far as the Schenck organization is concerned, the stock purchase offer has been made to Randolfe, joint operators with Skouras of the Fox Met houses.

To Get 10-Year Contracts

Skouras and Randolfe will be given new contracts as operators of the Fox Met under the reorganization plan, together with provisions for stock ownership in the new subsidiary companies. Fox Met bondholders will receive 20 cents on the $1 in cash and 5 cents in new bonds for their claims. This reorganization requires about $2,500,000 in cash, approximately $1,900,000 of which would be derived from the mortgage of cash of Fox Met on hand. The balance would be supplied by the Schenck and Fox Theatres stock subscriptions.

The plan will be presented in Federal court on Monday or Tuesday of next week and a date for a creditors' hearing at that time. Such a hearing would be approximately three weeks later, as creditors must be given 20 days notice of the hearing. The time for the presentation of the plan from Wednesday to May 1, by which time it is expected, the plan will have been accepted.

McCormick to Return To Circle for a Day

(Continued from page 1) the staff of the house during his tenure there.

In the four years McCormick presided over the destinies of the Circle the house became famous for its stage presentations.

It was during the best of Milton H. Feld, president of the Indianapolis Management Associates, operators of the Circle, that McCormick agreed to serve as guest managing director of the theatre for a night.

Pat Gryn Gaining; Is Out of Hospital

(Continued from page 1) a severe relapse of flu, is now out of the hospital.

Gryn has taken an apartment at Maple Terrace. The Texas climate agrees with Gryn, who is still convalescing. They expect to remain here about a month.

GOODBYE TO NEW ORLEANS

The M.P.T.O.A. convention has come and gone and so we take to the telephone and hereby are saying goodbye to one of the most efficiently operated exchanges in the country. The RKO office, so well managed by Guy Brown. Will miss the smiling good mornings from Lee Newman, secretary; E. Zinner, cashier; and Clarence Meldon, the poster boss who, we hope, wins the next RKO national poster contest.

HIGHWAY 90—ALABAMA

Ten miles east of the Cochran Bridge, across Mobile River, is the Redwood Theatre Circuit of Northern California, stalking amongst the Piny Woods. George Mann in person, with the missus, little George Richard and Joyce Vivian. Oh boy, what a road! Nine o'clock at night and the rain coming down in sheets. George and his Packard, towing that trick trailer, were sure blowing up the Alabama red clay. Only Heilies, but we'll bet George will live over that night for 12 years to come. Mann plans a trip through Florida and will do a little golfing in Miami with Mitchell Wolsson and Sid Mortner, then to the Versailles Theatre there. Then up the Atlantic Seaboard to New York before returning home to San Francisco.

Crestview, Fla.

When the old theatre opened in town in 1920, there was a small airroom in operation. Mrs. A. J. Outlaw was just starting in selling the silent drams. She was quite unprepared to see this town boasting such a fine, modern theatre, the Crestview. Mr. and Mrs. Outlaw have the agency for Falls City beer for Western Florida. Now we know why RKO, Universal and United Artists salesmen stop over regular.

LIVE OAK, Fla.

Tom Flemming, who operates the Alimar, is all hot and bothered since competition is coming into his town. B. E. Gour, who operates several theatres in Lake City, Fla., is putting in a small house. Throughout Florida has been in session recently. Flemming has a reputation for never having repudiated a contract.

Bartholomew Resting

Hollywood, March 15—M.G.M has given Fredric March a week's rest in "David Copperfield," a vacation on a ranch near here. The child actor hasn't had a rest since arriving in Hollywood, having gone on six weeks of personal appearances right after doing the M.G-M picture.

Kupper, Wobber on Tour

Los Angeles, March 15—William Kupper, playboy, and his brother, Joe, leave tomorrow for San Francisco. After several days there will head for Lake City, Denver and other key centers.

Fox Signs Leftwitch

Hollywood, March 15—Alex Leftwitch, former booker for Fox as a production executive.

Enlarge Mansfield Ritz

Mansfield, O., March 15—The Ritz building will be extended 20 feet to the rear to facilitate installation of 200 additional seats. A new cooling system will be installed, and other improvements were made. The Ritz is an independent house.

Silverman a Producer

Kansas City, March 15—Joe Silverman, one-time distributor here for Herman Yahalow, and now an exchange operator in Overland Park, has entered independent production in Hollywood on a small scale, he reports.

Reopen at Kinsman, O.

Kinsman, O., March 15—The Kinsman Theatre, that until recently has been reopened by F. J. Smith,

Para. Creditors Help Push Schulberg Deal

(Continued from page 1) the deal, therefore, will go through the stages of formal ratification shortly. However, it requires a number of obstacles, legal in the main, which have to be cleared away. These are not regarded as vital, although they are of sufficient import to slow down the progress of the deal towards consummation.

Schulberg will make seven for Paramount next season, as the contemplated arrangement now stands. These will be budgeted at not more than $250,000 each with Paramount furnishing half of the finances and Erpi and Ralph A. Kohn, former Paramount treasurer, the remainder.

Urges His Employes To Aid Reorganizing

(Continued from page 1) their acceptances of the proposed plan of reorganization in a message appearing in the current "Film Daily News Sales" distribution department house organ.

Zukor Starts East

Hollywood, March 15—Adolph Zukor left for New York tonight where he is due to be in Monday morning. He has been here for a month discussing 1935-36 production plans.

Quiz Kohn on Stock Suit

S. S. Isaacs, of counsel for the Paramount Publicis trustees, left for Los Angeles yesterday to take the deposition of Ralph A. Kohn, former Paramount treasurer, in connection with the suit brought by the trustees against former officers and directors of the company, and others, as a result of operations of the so-called Paramount empire. The suit charges that the company engaged in a complicated stock purchase plan of 1928 to 1931.

End Florida Holiday

Miami Beach, March 15—Herman Robbins and Sam Dembow, Jr., of National Screen Service who recuperated here from the recent M.P.T.O.A. convention, left for New York Saturday.

Fox Men Nearing Coast

Hollywood, March 15—Due on the Santa Paula, which arrives from New York Sunday, are John Stone, John G. Blystone and Eugene Forde of Fox.
Philadelphia Meeting Gets Hot Over Tax Charges Stir Replies; Committee Named

PHILADELPHIA, March 18.—Sixty film men got into a state of excitement discussing the proposed 10 per cent sales tax here today, but did nothing about it except to appoint a committee. "Sensational disclosures" had been promised in the call for the session, which was held at the Broadwood Hotel, but these consisted of charges that circuits favored a deal on the tax bill in return for Sunday shows.

The House is expected to act on the tax Tuesday. The committee includes Harry Fried, George Gravenstein, Luke Gring and Milt Roganer. The meeting was advertised by the I.E.P.A. and presided over by Morris Wax, chairman of the I.E.P.A.

(Continued on page 3)

Production Drops; 33 Features Going

HOLLYWOOD, March 18.—Production took a nosedive to new low levels last week with only 33 features and seven shorts before the cameras as compared to 39 and four for the preceding week. In addition, 22 features and six shorts are in the final stages of preparation.

(Continued on page 2)

Century-RKO Case Testimony Halted

After 30 hours devoted to the eight hearings, testimony in the Century-RKO clearance dispute in Long Island yesterday was concluded by Mitchell Kupt, representing Century.

(Continued on page 3)

Bolognino Curious

Laurence Bolognino, head of Consolidated Amusements and one of the six judges on the Century-RKO clearance dispute in Long Island yesterday brought up an important point when he noticed that the record of the testimony ran more than 1,230 pages. He said:

"I wonder who is going to reserve the scenario rights."

Philadelphia Meeting Gets Hot Over Tax Charges Stir Replies; Committee Named

'Time' Shifts Sales Method; Will Expand

Abandoning its original plan of holding down distribution of its monthly releases to 3,000 theaters, "The March of Time" yesterday completed plans for as wide a distribution as its selling crew can obtain and coupled with its switch in policy what is expected to be general reductions in its current rental level.

"The moge" follows what was unhesitatingly admitted yesterday as an experiment in setting up the original rental schedule. "The March of Time" officials readily acknowledged that, at the outset, they did not know if their product was entitled to get or could. After several months of their so-called laboratory test, however, plans have been rearranged along several lines.

In highlight, the scheme hinges largely on retail sales surveys made by the Department of Commerce and the territorial sales curve of a group of nationally circulated magazines. It was realized that some territories,

(Continued on page 5)

Look for $95,000 on "Roberta" Holdover

With $60,000 in the till for the first four days of the second week, "Roberta" is expected to tally around $95,000, which the second stanza at the Music Hall. This would be about $3,000 less than the first week.

"One More Spring," at the Palace, garnered about $8,000, and "McFadden's Flats," at the Rialto, wound up a week's run last night with approximately $8,000. The picture is being held an extra day and will be succeeded tomorrow by "Mystery of Edwin Drood."

(Continued on page 22)

Monogram Break

Harry H. Thomas of First Division yesterday stated his committee, which disposed of the Monogram franchise in the New York territory and our commitments in Philadelphia will not be renewed.

Edward Golden, sales manager for Monogram, declined to comment on Thomas' statement or on his own company's plans for these two important territories.

K.C. Showmen Join Fight on Claims Racket

KANSAS CITY, March 18.—Support of exhibitors will be thrown behind the Liability Protective Ass'n., Inc., the group organized to fight the fake claim racket in Kansas City, it was indicated at a meeting at the Chamber of Commerce.

Theatres are listed as one of 55 industries in the city from which financial support is asked in the campaign to smash the racket which has been exacting a toll of thousands of dollars. An amusement division has been formed with Finton H. Jones, insurance man, as chairman and with these

(Continued on page 3)

'Expect Early Test On California Tax

SACRAMENTO, March 18.—The first real test of the backing of the income tax measures is expected this week when the Governor begins his tax bills through the Legislature.

A progressive Republican-Democratic coalition is seeking a compromise. Their $50,000,000 measure is double that of the Governor's.

(Continued on page 3)

Sirovich Asks Science, Art Cabinet Post

Also Wants a Building Done in a Big Way

By BERTRAM F. LNZ

WASHINGTON, March 18.—Creation of a new cabinet post—Secretary of Science, Art and Literature—is proposed in a concurrent resolution introduced in the House today by Congressman Sirovich of New York. It was referred to the Committee on Patents, of which he is chairman.

The proposed new department would take over all bureaus and other agencies of the Government which have jurisdiction over the arts and sciences, including films and radio. A separate building "architecturally in keeping with the beauty of art, the dignity of science and the visions of literature" would be provided.

"The limitations of the olden stage have been removed by the motion picture, accompanied by sonany," Sirovich declared in his resolution, "and"

(Continued on page 3)

Darrow Delays His Testimony on NRA

WASHINGTON, March 18.—Expressing a desire to wait until Senator McCarran, of Nevada, returns to Washington before discussing the

(Continued on page 3)

Dozen Amendments For Code Approved

Twelve amendments to the code, including the addition of Alaska to the territory now covered, have been approved by the NRA. Most of these

(Continued on page 3)

Delay Skouras Pact

Charles Skouras has put off his return to the coast until next week, indicating another delay in signing of the 10-year contract with National Theatres for operation of Fox West Coast.

Mike Rosenberg and Charles Buckley, however, plan to trek west today. They have been here several weeks.

Four-Day Film Campaign Show Set for M. P. Club

For four days, beginning April 1, there will be on exhibition at the M. P. Club in New York advertising publicity and exploitation campaigns submitted to the Managers' Round Table Club of Motion Picture Herald, among them many that have earned the Quigley Awards. The display will be sponsored by the Herald in conjunction with the M. P. Club and will be known as "The Show of Showmanship." It will be held annually.

Many persons prominent in the industry have been invited to the campaign, which will have charge

(Continued on page 22)
Purely Personal

ARTHUR A. LEE is back in town after a week in Hollywood con-
fining his efforts to the Paramount Samuels. The Gaumont British production head now
is on the coast arranging for an inter-
national tour. He took several western branches on his way
back east.

DANNY FINKELSTEIN is in town. Says the reason for the trip is theatre business
is so bad in New York he came down to try his eye out here. Better background for his ears, or
something like that.

OSCAR HAMMERMANN 2nd and JEROME KERN have been signed by M-G-M to write an original. The
title of the picture will be "Summer Breeze."

Quip of the Day

To Jim Cunningham of Motion Picture Herald who reported that
Sophie Tucker had "nonchalantly tossed five years into the ash-
can," All Gaga retorted:

"It's a shame we didn't think Shirley Tem-
ple can't do."

Claude Rains, who recently fin-
ished "The Lady's Will" for Gaumont
British in London, arrives today on
the Majestic.

NATE BLUMBERG tomorrow leaves for Denver to be on hand for the
opening of the Orpheum under the
RKO aegis.

LARRY DARMOUR flew in from Hol-
lywood yesterday for conferences with
Major officials on the new season's
lineup.

Harry H. BURKAN left for Miami yesterday, calling off that trip
to South Africa.

King CHARNY of Agfa arrived from the coast yesterday on one of
his periodical visits.

GEORGE SCHAFFER, VR. FRANK FREE-
mann and Austin KEOUGH did their lunching at the Astor yesterday.

Block Booking Bill

Incorporated by Lowell

Dr. A. Lawrence Lowell, honorary
president of the M. P. Research Com-
mittee, has endorsed the Pettingill bill for restriction of block booking and
blind selling by any exhibitor of
a statement issued yesterday by the council.

Lowell, a former president of Har-
vard, was quoted in the council's press
release as saying that he favored the
bill because he is "unable to see that
the practices of block booking and blind selling have any objective of
to support a monopoly and obliging exhibitors to use films which
for moral or other reasons they do not wish to exhibit."

Amos 'n Andy Are Sued

Van Beuren sued Amos 'n Andy and NBC in Supreme Court here
yesterday, charging the comedians
broke a contract in 1933 for a series of
shorts. Damages of $181,995 are
sought. The defendants have filed
counterclaims.

CHARLIE FORD was at the re-
cieving end of a surprise party at
his own apartment Saturday night.
He's editor of Universal Newsreel, you
know. Among those present were
Tom SCHLAGER, Charles PAINT PECK,
GOMER SULLIVAN, Fred McConeNILL
and the Jim Crons.

LAURA LAPLANTE and her husband,
Irv REPETER, who is head of the London
production department of
Selig's Pictures Inc., were at the Film
Courier of Berlin, and Miss,
WEiner and GILES ISHAM are due here
today on the Ile de France.

EDWARD PESKAY, Max FELLERMAN,
HARRY SHIFFMAN, Eugene PICKER,
TOM MURRAY, Leo ABBAM, Charles
MOSS, ROBERT WOLFF, IRVING WORM-
sen and Al JUDKOWITZ gathered at the
Paramount Chop House for their
mid-day meal yesterday.

W. RAY JOHNSTON and Jack JOS-
sey, producers of The World of Hurel
in Boston over the week-end. John-
ston returned to town yesterday while
Jossey headed straight for Cleveland, his center of operations.

BRUCE BLEAZARD and IRENE THOMP-
son were married up in Greenwich over the past week-end. They've had a
honeymoon here and will be back
shortly.

NAT HOLT, RKO division head in
Cleveland, and CHARLES KOERNER,
division manager in Boston, are in town
confering with home office circuit heads on bookings.

A. H. SCHWARTZ caught a 1,000-
pound swordfish at Key West over
the weekend and promises to bring the
sword as proof of his prize
catch.

SIDNEY K. Kent is back from
Florida.

Item from the Nazaft Daily Review:
Mr. and Mrs. L. M. FRANKLIN returned to Rockville Center yesterday from a
South American cruise aboard the
Rotterdam.

Sirovich Asks Science, Art
Cabinet Post

(Continued from page 1)

the greatest of today's directors and
writers is no longer pent up in the
Utica of confinement to small stages
and authoritarians, but is now making his
way into the United States so that the lesser villages may now receive the same presentations as the major cities and, instead of hus-
ting and haggling, the background of film dramas are as realistic as if, as in
many cases they are, they were the actual scenes of the words and ac-
tions of the plays shown on the film.

"Radio has become the handmaiden
of popular taste, the music of speeded her harmonies and melodies through the air to many millions of
American homes."

Production Drops;
33 Features Going

(Continued from page 1)

while 43 features and 12 shorts are in the cutting rooms.

Walters led the field with seven features, five dramatic shorts and
five editing; Fox had five, six and four; M-G-M, four, three and seven;
General, four; Paramount, four; NBC
United, four and five; Radio, four, one and five; Universal, zero, two and
three; Roach, zero, zero and one; Metro, three, and one; and two, three
while the independents had five, two and six.

In this short subject field Roach re-
ported one before the cameras, two
preparing and three editing. Uni-
versal had five; one and one; Co-
olumn, one, zero and one; M-G-M,
zero, three and five; Radio, zero, one and two, while the independents had
a total of three, six and two.

Frank Joyce Passes

After Long Illness

Hollywood, March 18.—Frank
Joyce, 43, died at the Samaritan
Hospital following a year of a linger-
ing illness. He had been a partner in the
Joyce-Selznick Agency since 1928.
Joyce is survived by his widow.
Dorothy West Joyce; two sons, and
his sister, Alice Joyce (Mrs. Clarence
Brown).

He was born in Kansas City, but
went to New York while a young man and
for four years was a vaudeville ac-
ier. Later he went into the real
estate business. During the war he
served in the navy and later became a hotel manager in New York and in
Sidney, N.Y.

W. G. Strange Is Dead

NEW ORLEANS, March 18.—W. G.
Strange, president of the Southern
American, died Thursday, in the
hospital driving out of Lake
Charles, La., died Friday after a long
illness at the age of 74 years. Strange
was born in Louisville, Ark. He is
survived by his widow, three brothers
and one sister.

May Move Para. Branch

ATLANTA, March 18.—An announcement was
made here today of the
may switch its exchange to the Sam-
uels building, near its present quarters
on Walton St.
more densely populated than others, could be expected to return more revenue as, for example, as a cost compared with Mississippi which has less population and also less whites.

The result of a national investigation conducted by a corps of auditors now is described as a "national standardized price policy of uniformly equal premiums in equal sales at the total developed at a recent Detroit meeting of "The March of Time" and First Division branches. James held it, was stated yesterday that the first stage of the new idea was tried in Michigan with results so gratifying that it is that the idea is ready to be introduced nationally.

Coupled with it will be a national promotion campaign to increase the telephone sales to as high a cost as $40,000 monthly. The price of time and fortune, as well as radio time on "The March of Time" weekly broadcast, will be the basis to which will be added newspaper advertising and paid space in magazines. Another aspect of the new venture is expected to be fruitful in that the full advantage of the publicity will be used to promote the release in distribution. It is planned to withdraw each from circulation at the end of four weeks.

Exhibitors to Get Refunds

The price revision includes refunds on all contracts taken to date at less than the new scale now being whirled into final shape. Where an exhibitor pays less than the new scale he will receive a release of six release basis and where his experience with four subjects tells him the price is too high, he may cancel and The Managers Association will return 50 per cent of his rental price. Any account signing for six releases automatically cancels to that basis the producer agrees to pay the exhibitor half the rental on the initial six. There will also be a ceiling of 10 per cent on new contracts for accessories, this applying to new contracts on the new selling basis.

Actual sales under the new order will be handled through a new company known as The March of Time Distributors, Inc., and apart from The March of Time, Inc., the producer, and First Division, the actual distributor. K. E. Martin, Haskell Thomas and Ralph Roland are officers. Fred McConnell, W. P. Garsin and Richard Rocke, Jr., will transfer from the producing company to the new distributing company. Additional representatives probably will be added in the impending drive for wider distribution.

First Division, according to Thomas, still keeps the book in its pocketbook to explain in detail how yesterday. Extension of direct production was hindered with the arrival back on the coast of Nicholas Ludington.

"Diggers" Being Held

"Gold Diggers of 1935" will be held a second week at the Strand.

K.C. Showmen Join Fight on Claims Racket

(Continued from page 1)

members: E. C. Rhode, Fox Midwest division manager; Ray Means, head of the sales department; (George) Ireland Peabody, Peabody Newman managing editor; John M. Manan, Loew's Midland manager, and C. A. Schultz, Commonwealth theatres.

The result of this new idea is that the theatre management will be freed from theater to theater asking for payments of $5,000 or $20,000 or $30,000 or $50,000. As one of its first activities, the bureau plans to concern itself with false injury claims against theatres.

The seriousness of the situation for exhibitors, especially the smaller ones, is evidenced by the fact that independent suburban houses are not covered by liability insurance, while they have not to meet the claim injury claims and lawsuits. Only about 10 theatres of this type carry insurance.

In the absence of coverage is explained by the prohibitive cost, the liability rate for theatres having been boosted to 10 cents a seat to 40 cents. The insurance companies blame the resultant of the claim racket for the excessive cost and in some instances refuse to cover theatres even at the high rate.

Century-RKO Case

Case Testimony Halted

(Continued from page 1)

and Louis Nizer, representing the respondent. Yesterday's meeting was the second in two hours, and one and a half hours actually being devoted to the examination and cross-examination of witnesses. Prior to the start of the hearing, the board was tied up in executive session for an hour discussing various phases of the case.

Klupt took about 15 minutes to wind up his case with Nizer following. Louis Gutteridge, manager of the Strand and Columbia, Far Rockaway; Fred Schwartz, son of A. H. Schwartz; At Judkowiz, owner and interested in the operation with RKO of the two Far Rockaway units; James Finley, of the RKO home office book- ing department; J. G. Heines, manager of the Alden, Jamaica; Charles McDonald, RKO division manager, and John O'Connor, head RKO buyer and booker, were the witnesses of the day.

Advertising of RKO and the Fantasy, Rockville Center, was the principal topic of discussion.

There was a considerable furor when the Alden mailing list was brought up again after the board had ruled out further testimony and referred the matter of list to the list on the issue for further testimony if the subject was raised. Klupt proved that RKO bought a list of names from a swimming pool for the Alden and this was, Klupt and Nizer exchanging remarks that were stricken from the record.

Nizer then tried to examine O'Connor on an analysis he made of auto license numbers taken down by two Century employees. Klupt objected to another and he objected argument followed with the result that an executive session was called again was all that a new evidence is heard by the board.

The board voted 11, 10, and 10 for Nizer and 15 for Klupt. Summations will be held Thursday with the Century counsel taking the floor first.

Dozen Amendments for Code Approved

(Continued from page 1)

amendments cover vaudeville sections of the code.

The 1934 budget of $203,890.12 has been signed by W. A. Harriman, administrator of the N.I.C.A. Unless objections are filed by March 22, the budget becomes effective April 6.

Of the 21 decisions on appeals announced yesterday, nine involved bank nights in various forms, in each instance the continuance was denied. J. B. Adelman of the Delman, Houston, Tex., won on the clearance appeal by the Bexar, Iris, Rit, Kirby, Ma- son, and Marcy theatres which included the city. The local board held that 75 days after first run Houston with 14 days' continuance was ordered. Adelman's case with Camp on the appeal was dropped. The decision was reversed, as deservedly reported in Motion Picture Daily Feb. 5.

Philadelphia

Meeting Gets Hot Over Tax

(Continued from page 1)

board. Members of the M.P.T.O. also were present, but no circuit representatives.

Those invited to speak included William Brown, Pittsburgh exhibitor; George Gory, secretary of the western Pennsylvania Allied; Sidney Samuelson, Allied president, and David Barrist, I.E.P.A. member.

Barrist was the first speaker. He said that Warners had sponsored a drive to help the Republican candidate for governor at the last election, with the result that a Democrat had won and there was feeling in the present administration against the industry. He declared that circuits were "selling the independents down the river in order for an open book." He called it "the betrayal of the independent," but offered no proof to support his arguments.

Although the chairman of the state industry steering committee, reviewed the work of the committee to date. Asked by an exhibitor to comment on the wide heralded charges were, Barrist said the purpose of the meeting was to prevent any compromise measures in return for any show to be presented.

Herrington, a member of the steering committee, said that circuit representative was not the committee's work one by one. Warners and Loew's representatives were invited as accused as presented by Wilmer & Vincent representatives are still active, it was stated. Herrin- gton quoted a conversation designed to show that M. J. O'Toole, Comer- ford representative, had withdrawn from the committee "on orders from Warners and Loew's.

Herrington declared that Lewen Pizor, M.P.T.O. president, was supporting the alleged deal on the part of the circuits with the administration.

Jack Cohen leaped to his feet and held the Reversal Act if its members that Pizor was doing good work. He said he had attended a conference with the Governor at which Pizor also was present and that Pizor had made no deal, but had tried to show the Governor the plight of the industry.

Darrow Delays His Testimony on NRA

(Continued from page 1)

NRA situation, Clarence Darrow today did not appear before the Senate Finance Committee investigating the NRA, but an expected to do so on Wednesday. Discussing the inquiry, Darrow today characterized it as a "whitewashing," pointing out that he was the opponent of the NRA to be called.

S. Clay Williams, chairman of the National Bankers Association Board, continuing his testimony before the committee, today flatly denied that the administration had brought about the suspension of the anti-trust laws beyond the point necessary to effectuate the basic requirements of the law.
Opening of Universal City March 15, 1915. This historic picture shows Carl Laemmle being greeted by the "chefs d'oeuvre" of Hollywood, Isadore Bernstein, then studio general manager; P. A. Powers is at Laemmle's left.

HOLLYWOOD, March 18.—When producers pioneered into California, warm bright sunshine and natural beauty also attracted Carl Laemmle who had been filming Universal pictures previously at Fort Lee, N. J. Fresh from Kenosha, he built his first studio at Gower and Sunset, in Hollywood.

There was a great deal of activity in the little studios, which employed sunlight exclusively for photographic purposes back in 1912 and two years later the Gower Street "plant" was so crowded, Laemmle began to worry about the small space and looked for more. The town itself was beginning to grow, thanks to the picture industry, and real estate prices were rising.

Besides, there was an increasing demand for westerns which could not hold 50 horses, so Carl, Servo and I felt the best investment he could make would be to buy a large ranch and build a plant that would meet the needs of every type of picture from westerns to serials to animal films to comedies. So he began pioneering again at distant places for a site that would match his ambition.

For more than six months, Universal agents scoured the surrounding countryside. Finally, early in 1914, Isadore Bernstein, then manager of Universal Studios, negotiated for the purchase of the Indian estate, in what was then Lankershim. The property was located five miles from the heart of Hollywood and about 13 miles from the Alexandria Hotel, then the hub of Los Angeles. Two hundred and thirty-five acres and ideally suited for picture making, Laemmle pondered.

Through Stanley Anderson, who later developed Beverly Hills, Bern-


stine acquired the Taylor estate and was ordered to prepare for Laemmle's approval, his concept of what the "world's largest studio" should encompass. This was the beginning of Universal City, which today extends west from Dark Canyon Road, the Burbank city limits, to Lanker- shim Blvd., the main street of North Holly- wood. Scenes representing every corner of the globe have been filmed here and from the studios located here have gone more than 2,250 pictures which have made film history and become known as masterpieces. Stars, writers, directors and producers.

Long before a street car line approached this "magic city" of the San Fernando Valley, the site of Universal City was the scene of a modest little war. Spanish invaders from northern California came down to El Camino Real from San Francisco, and, following the inhabitants of the Puebla, heard of the advancing forces and marched north along the riverbed until they met the attackers. It is said that for three days there was gun fire, a lot of noise and, after a mule had been killed and two men wounded on each side, the clashing warriors got together and celebrated peace with a huge fiesta and the valley was quiet again.

Without assistance and although he was managing the affairs of 20 companies making pictures every week, Bernstein laid out Universal City, even to the point of arranging a residential section, enabling the studio thus to obtain the rating of a fourth-class city with its own governmental post office. In 1916, Bernstein was promoted and acted as contractor with William Horsley as head of the construction company.

In the fall of 1914, construction crews began clearing the western end of the ranch, leveling off sites for stages and building roads, particularly "Laemmle Boulevard," a paved street a mile long leading from the front ad-
Not Millions — But Billions!

While I have been in this business 29 years, this is really the 20th Anniversary of Universal because the first nine years of my picture career only led up to Universal. Then we opened Universal City. I wish I could find words to express my deep-seated joy in being able to commemorate this 20th year.

Twenty is a lot of years for any company to remain unchanged as a world-wide organization.

I am therefore extremely happy on this occasion to thank my associates and co-workers who have helped to make possible such a glorious past, and those of you who are now wholeheartedly helping to preserve the name and integrity of Universal for the future.

What can I say? How can I adequately put into words what I now feel? I don't know. I am stumped. So I won't try.

I'll just say to each and every one of you—thanks, a million thanks. But that is not enough. Today we deal in billions instead of millions. So, I say billions of thanks for the perfectly glorious way in which you have stood by me through thick and thin.

Signed,

[Signature]
Carl Laemmle presents

JEAN PARKER and

CHESTER MORRIS in

“PRINCESS O’HARA”

with

LEON ERROL, VINCE BARNETT
VERNA HILLIE, HENRY ARMETTA and RAYMOND HATTON

A fast moving thrill-film in which laughter and tears are skillfully blended by the season's most successful playwright...

DAMON RUNYON

DIRECTED BY DAVID BURTON

Leonard Spigelgass, Associate Producer
Carl Laemmle
presents

“IT HAPPENED IN NEW YORK”

with

LYLE TALBOT
GERTRUDE MICHAEL
HEATHER ANGEL
HUGH O'CONNELL

From the story by WARD MOREHOUSE and JEAN DALRYMPLE, Screenplay by RIAN JAMES

A delightfully fresh and active comedy-drama revealing what happens when a glamorous movie star insists on enjoying a vacation in her own way

DIRECTED BY ALAN CROSLAND
Edmund Grainger, Associate Producer
Carl Laemmle
presents

KARLOFF

in

the most spectacularly imaginative
drama the screen has ever known

"THE BRIDE OF FRANKENSTEIN"

with

COLIN CLIVE, VALERIE HOBSON,
ELSA LANCHESTER, O. P. HEGGIE

(Sequel to "Frankenstein")

An original screenplay by

JOHN L. BALDERSTON and WILLIAM HURLBUT

The Season's Finest Exploitation and Audience Thriller

DIRECTED BY JAMES WHALE

PRODUCED BY CARL LAEMMLE, JR.

UNIVERSAL
Carl Laemmle
presents
EDMUND LOWE
as
"MISTER DYNAMITE"
with
JEAN DIXON, ESTHER RALSTON
VICTOR VARCONI, Verna HILLIE
MATT McHUGH and JAMESON THOMAS
DASHIELL HAMMETT'S successor
to "The Thin Man" with a clever
screen adaptation by HARRY CLORK
and DORIS MALLOY
Thrills, surprises and gripping suspense in a swift-
moving melodrama—A Box Office Natural
DIRECTED BY ALAN CROSLAND
E. M. ASHER, Associate Producer

UNIVERSAL
Carl Laemmle presents
HENRY HULL and WARNER OLAND in
“THE UNHOLY HOUR”
with VALERIE HOBSON  SPRING BYINGTON  LESTER MATTHEWS  CLARK WILLIAMS

More gripping, original and entertaining than the sensational box-office smash “DRACULA.” An original screenplay by Robert Harris

DIRECTED BY STUART WALKER
Robert Harris, Associate Producer
A STANLEY BERGERMAN PRODUCTION

UNIVERSAL
20th ANNIVERSARY OF UNIVERSAL STUDIOS

Carl Laemmle presents

Three Screen Classics

IRENE DUNNE in

“SHOW BOAT”

The Edna Ferber-Florenz Ziegfeld All Time Theatrical Hit
DIRECTED BY JAMES WHALE
A CARL LAEMMLE, JR. PRODUCTION

A Best Seller for Five Years

“MAGNIFICENT OBSESSION”

by LLOYD C. DOUGLAS
DIRECTED BY JOHN M. STAHL
who made those great hits “IMITATION OF LIFE”
“BACK STREET,” “SEED,” “ONLY YESTERDAY”

Blaise Cendrar’s Epic of Gold Rush Days

“SUTTER’S GOLD”

Screenplay by GENE FOWLER
DIRECTED BY HOWARD HAWKS
1930
"All Quiet on the Western Front"
"King of Jazz"
"Hell's Heroes"
"College Love"
"The Cat Creeps"
"Shanghai Lady"
"Little Accident"
"A Lady Surrenders"

1931
"Seed"
"Frankenstein"
"Dracula"
"East of Borneo"
"Waterloo Bridge"
"Strictly Dishonorable"
"Spirit of Notre Dame"
"Murders of the Rue Morgue"

1932
"Airmail"
"Back Street"
"The Mummy"
"Once in a Lifetime"
"Tom Brown of Culver"
"All American"
"Okay, America!"
"Impatient Maiden"

1933
"Private Jones"
"The Big Cage"
"Only Yesterday"
"Counsellor-at-Law"
"Saturday's Millions"
"Invisible Man"
"By Candlelight"
"Kiss Before the Mirror"

1934
"Imitation of Life"
"The Good Fairy"
"One More River"
"Little Man, What Now?"
"Night Life of the Gods"
"Man Who Reclaimed His Head"

CARL LAEMMLE, JR. PRODUCTIONS

UNIVERSAL PICTURES

Now Producing
"THE BRIDE OF FRANKENSTEIN"
Starring KARLOFF

Preparing
"SHOWBOAT," Starring IRENE DUNNE
An Untitled MARGARET SULLAVAN Production
An Untitled IRENE DUNNE Production
Two Untitled All-Star Productions
“THANKS!”

to exhibitors who elected me the “ranking Western star” in the 1934 Motion Picture Herald Box Office Poll

BUCK JONES

MOST RECENT

UNIVERSAL RELEASES
“Stone of Silver Creek”
“The Crimson Trail”
1935-1936

UNIVERSAL RELEASES
“ROARING WEST”
A 15-Chapter Serial and
8
BUCK JONES ADVENTURE FEATURES

20th Anniversary of Universal Studios
MARGARET SULLAVAN
CO-STARRED WITH HERBERT MARSHALL
in
"THE GOOD FAIRY"

DOUGLASS MONTGOMERY
FEATURED PLAYER IN
"MYSTERY OF EDWIN DROOD"
and other outstanding

UNIVERSAL PICTURES
SALLY EILERS
STARRING IN
"ALIAS MARY DOW"
and other
UNIVERSAL PICTURES

EDWARD ARNOLD
(Under Contract to B. P. Schulberg)
IS GRATEFUL FOR THE OPPORTUNITY TO PORTRAY THE MOST GLAMOROUS CHARACTER OF OUR DAY

"DIAMOND JIM"
FOR
UNIVERSAL PICTURES
20th Anniversary of Universal Studios

To
Carl LAEMMLE:

Congratulations
on twenty years of Constructive Service
to the Motion Picture Industry

STUART WALKER

DIRECTED

"ROMANCE IN THE RAIN"
"GREAT EXPECTATIONS"
"MYSTERY OF EDWIN DROOD"
"THE UNHOLY HOUR"

WESTERN COSTUME CO.

J. I. SCHNITZER, President
To the esteem of...

CARL LAEMMLE
for constructive service,

and

UNIVERSAL PICTURES
for showmanship merit,

we add our

heartiest congratulations
on this,

the 20th ANNIVERSARY
of the founding of

UNIVERSAL CITY.


J. E. BRULATOUR, INC.,
Sole Distributor
EASTMAN
Motion Picture Film
NEW YORK  FORT LEE, N. J.  LONG ISLAND CITY, N. Y.
CHICAGO  HOLLYWOOD
Motion Picture Almanac appearing in mid-year, presents on day of publication the complete documentary record of a full show year of industry activity. Its exhaustive aggregation of facts plus its periodic timeliness gives it the highest motion picture reference values.

MOTION PICTURE ALMANAC
1935-36 Edition Now in Preparation
Universal City, '15-'35:
Its Genesis and History

(Continued from page 4)

was scheduled to demonstrate how an airplane would attack a warship.

After flying low over the hills and dropping dummy bombs on a set, the dirigible misfired its propellers and was instantly killed. This catastrophe caused immediate cancellation of "The Battle of Jutland" and the Guests of Honor finished the second day with a quiet dinner at Nat Goodwin's cafe in New York.

The following day was St. Patrick's Day, and Powers was host to exchange managers, studio stars and ex-stars. The entertainment scheduled for the studio had been cancelled because of the death of Siles. On the next day, the Universal special train headed for New York.

In spite of the excitement which attended the opening, 31 different films were released during the opening week. The list ranged from animated weekly newspapers to animal comedies and a comedy drama called "Mary's Duke," in three reels.

Mecca of Notables

The opening festivities had brought many future celebrities to Universal City. Siles injudiciously placed the various personalities and little known-at-the-time, the following were at the grand ball: Cecil DeMille, an 80-year-old actor, and "Mother" Benson, character actress of the day. The Edendale, a hotel, was turned into a dance hall by Norman McNamara especially for the occasion. General Manager Bernstein, though tired from a day of excitement, participated in the Pacific Exposition at San Francisco and dedicated a new electrical stage. Present at the ceremonies were Harry Holt, and Thomas A. Edison.

In 1916 the great Anna Pavlova arrived to make "The Dumb Girl of Portici," which marked the debut of Lois Wilson, a beauty contest winner from Birmingham, Ala., and Boris Karloff, a stage actor who gave up the theater when the flu epidemic made actors wear masks. Jules Verne's "20,000 Leagues Under the Sea" was filmed partly in the Caribbean Sea and partly at Universal City.

Robert Z. Leonard, Frank Lloyd, Frank Borzage, Rex Ingram, Elmer Clifton, Allan Holubar, Edward J. LeSaint, Ida May Parks, Joseph de Grasse, Rupert Julian, Francis and Jack Ford, W. S. Van Dyke and other notable directors were gaining prominence and "doubling" as Universal at those days. Lloyd was the director, author and star of many of their comedies as was also Robert Leonard.

In 1917, Mae Murray made her debut at Universal in "Princess Virtue," directed by Elmer Borchard. Then Harry Carey, Herbert Rawlinson, Dorothy Phillips, Ella Hall, Mary Dumas, Priscilla Bonet, Zoe Ray, Eddie Polo, Grace Cunard and Francis Ford, Marie Walcamp, Jack Holt, Hobart Henley and Priscilla Dean were the leading Universal stars. As war approached Lois Weber was making Universal pictures with "Daddy" Harrington, which was at her own studio and Miss Harris, with Priscilla Dean. Walt Disney's "Snow White," Mary MacLaren, Monroe Salisbury, Ella Hall and Dorothy Phillips were important Universal stars.

Among the hits of 1917 and 1918 were "Sirens of the Sea," "Come Through," "Hello Morgan's Girl," "Tino Morgana," "Silk Stockings" by "Morgan's Country," "Price of a Good Time," "For Men Only," "Kaiser, Beast of the Sea," which grossed over $1,000,000, "Rupert Julian," and broke records for exhibitors. As the Armistice approached Allan Holubar began "The Heart of Humanity," directed by Howard Stimson, and with starring Peppy Kelly, Dorothy Phillips and Effie Stineman in her first starring role and another film, "Stadium." Then Miss Dean was signed by Universal Pictures as the leading lady in their upcoming films and Bob and Allan Holubar were married.

Here Comes "Showboat"

Came the memorable "Showboat," which was begun as a silent picture and converted into a talking picture. Toward the end of the silent days the comedy-drama team of Laura LaPlant, and Robert Denny was Universal's popular starring combination. "Uncle Tom's Cabin" and "The Whirlwind," "Showboat," "To You Only," "The Last Laugh," "Barnyard Daddy" and "Silk Stockings," were other hit films of the late twenties. At Universal City.


While Milestone was making "All Quiet," young LaPlant was also supervising "King of Jazz" in Technicolor at a cost of more than $1,000,000, with John Boles and Laura LaPlant.

While few important industries can hark back for 20 years and behold a progress comparable to that of the motion picture industry, fewer individuals can have bestowed upon them the honors that have been conferred on them. Among the most successful producers is Leonard DeMille for his record of a quarter of a century. Universal Pictures has been a niche in itself in celluloid history. The company has served as a laboratory for experiment and a training school for personalities as well as producer of clean entertainment. The industry, in honoring LaPlant with roses and panegyrics, will celebrate its 20th anniversary of the opening of Universal City.
RKO-RADIO PICTURES
in tribute to
GENE STRATTON-PORTER

world-beloved Hoosier author,
whose most cherished story sprang
from the soil of Indiana straight to
the hearts of thirty million readers
announces

THE WORLD PREMIERE OF

"LADDIE"

FRIDAY, MARCH 22nd
at the internationally famous

CIRCLE THEATRE
INDIANAPOLIS

A theatre of great traditions whose pioneering
spirit was an inspiration toward great accom-
plishments in motion picture history.

* * * *
One of the six best sellers of all time...re-created in all its thrilling sentiment and mighty human drama...The picture that dares to be simple and true!
Bank Night Owners File Missouri Suit

KANSAS CITY, March 18.—Alleging infringement of the bank night copyright, Affiliated Distributors, Inc., has filed suit in Federal court for $7,200 damages against Tom Edwards, Ozark, Eddy, Mo. Suit was filed at Jefferson City, Mo., but will be heard here.

It is alleged that after cancelling his bank night contract with the distributor's consent, Edwards started cash night in violation of contract provisions which bind the user not to employ anything similar within a year after cancelling.

According to R. W. McEwan, local distributor, this action is a forerunner to others to be brought in this territory against theatres using cash night, prosperity night, ritz night, silver night, profit sharing night, or any other device operating in violation of the bank night copyright. Don Johnson has been retained as the company's attorney.

Mae Murray Reports New Producing Firm

KANSAS CITY, March 18.—Mae Murray, coastbound, said here last night she with several others was forming a production company with distribution through a major. She asserted she would be featured and serve as an executive, declining to reveal details.

Intermountain Meets

SALT LAKE CITY, March 18.—Among those who attended a two-day session of the Intermountain Theatre Owners' Ass'n were: A. F. Johnson of St. Anthony, Idaho; Mike Neilson of Logan and Brigham City, Utah; W. C. Call, Brigham City; H. D. Jorgensen of Rigby, Idaho; Mr. and Mrs. Littlejohn of Helper and Price, Utah; Ben Winlow of Tremonton, Utah; G. W. Thutcher of Logan; John Rugar of Park City, Utah, and C. E. Husk, president, from Eureka, Utah.

Meet Over Bank Nights

SAN FRANCISCO, March 18.—A group of exhibitors including all principal local operators met in the office of Roeun Foley, code board secretary, to defend themselves against a blanked complaint by Newman Cohen, operator of the United Artists, who charges violation of the code through use of bank nights. The complainant wants the practice done away with.

Two Appeals Are Heard

Two clearance and zoning cases were heard yesterday by a Campi appeal committee consisting of Gordon C. Youngman, chairman; E. T. Gonersall and William Yoost. The cases were: George H. Kline, State, Royerton, Pa., against Strand and Hippodrome, Pottstown, Pa.; Albert A. Galbraith and Jay M. Sutton, Marcal, Los Angeles, against A. L. Mike and Charles Gore, Iris, same town.

Codes Up at Astor Meet

Secretaries of all Code Authorities will meet today at the Astor to hear various speakers discuss the NRA. The session starts at 11 A.M.

Four-Day Film Campaign Show Set for M. P. Club

(CONTINUED FROM PAGE 1)


Among theatre representatives asked to sit on the committee are Joseph Bernhard, Mort Blumenstock, Oscar Doob, John Dowd, Charles M. Moskowitz, Sam Rinzler, George Soukara.

Para. Will Finance Wanger; Paley Out

HOLLYWOOD, March 18.—Jay Paley's deal with Walter Wanger to finance two pictures has expired and Paramount will back Wanger on all his future productions, thus permitting him to continue working at the General Service Studios here. Paramount, as usual, will release the pictures.

"Camelias" Opening

"La Dame aux Camelias" opens tonight at the 5th Ave. Playhouse and Yvonne Printemps and Pierre Fresnay, who are co-starring, will make a personal appearance at the opening.
Report Loew Peace Moves From Chicago

First Compromise Talks Died in New Orleans

CHICAGO, March 17.—In the face of the persistent and insistent attitude on the part of Loew officials that the circuit will build and acquire theatres here are reports that efforts to compromise the situation have not been abandoned.

The difficulty is over Metro's inability to persuade the Essaness and Schoenstadt circuits and independent theatres which buy through various local booking combines to play Loew's product on percentage, plus designated playdates.

The first attempt, launched by Jay Ensminger of Philadelphia in conjunction with M. P. T. O. A. leaders, took (Continued on page 9)

MPTOA Gets Cancellation Moves Started

Kuykendall Has Named Committee for Task

M. P. T. O. A. will launch its campaign for “reasonably increased cancellation” under the code immediately, Ed Kuykendall, president, said Saturday.

The committee of five, which the organization's recent national convention authorized and empowered to propose a program of code changes, has been designated by Kuykendall and will be announced in the M. P. T. O. A. organizational bulletin appearing early this week. Kuykendall will be chairman of the committee and Morris Loewenstein, new M. P. T. O. A. national secretary, will be secretary.

A clause authorizing 20 per cent cancellations is expected to be proposed by the committee for inclusion in the code, in accordance with sentiment expressed at the convention. The final form of the clause, however, will be

Shelve Temporarily

New Exhibitor Body

Plans to develop a third nation-wide exhibitor organization have been dropped for the present by Charles L. O'Reilly, president of the T. O. C. and Harry Brandt, head of the I. T. O. A.

Both exhibitor leaders had planned to leave for a coast-to-coast tour of key spots to line up independent units, but have called the trip off. The idea (Continued on page 9)

FWC Units Delayed

For Skouras Pacts

Delay in signing the 10-year Fox West Coast operating contract by Spyros and Charles Skouras, Chare National Bank and S. R. Kent, president of Fox Films, is holding up reorganization of Fox Midwest and Fox (Continued on page 10)

MOTION PICTURE DAILY

Vol. 37. No. 64

NEW YORK, MONDAY, MARCH 18, 1935

TEN CENTS

G. B. Retaliates Swiftly

In British Booking Fight

BY BRUCE ALLAN

London, March 17.—Swiftly is developing Gaumont British's retaliation over decision of the Kinematograph Rents' Society not to recognize the former's booking deal with the Hyams and Gale circuit as well as with Union Cinemas, Ltd., which together represent 34 houses, many of them in the de luxe classification.

By the Chicago Tribune's account, it is that it will not book films from War- dour, Pathé or M-G-M. Inclusion of the latter is viewed as a direct slap at Sam Eckman, Jr., managing director for M-G-M here, who is chief ally of John Maxwell, president of K.R.S., in the move against G. B.

The controversy, in several repre- sentative quarters, is viewed as a significant development in the race for British theatre supremacy between Maxwell on the one hand and the Ostrers of G. B. on the other.

Board of Alternates

As a result of the absence of every original appointee at the last session, Campi is now being called the Board of Alternates.

Local wisecracker is the source.

Block Booking

Bill Hearings

Will Be Asked

BY BERTRAM F. LINZ

WASHINGTON, March 17.—Public hearings on the question of block booking will be sought of the House Committee on Interstate and Foreign Commerce next month, as soon as the public utilities control measure, with which it is now wrestling is out of the way, it was declared Saturday by Representative Samuel B. Pettengill, sponsor of the measure.

Explaining that the committee, of which he is a member, was not en-

(Continued on page 14)

Fortington's

Plans Bestir Para. Circles

Reported plans of H. A. Fortington, American representative of the Royal and other insurance companies of London and a nominee for the new board of Paramount Publics, to resume permanent residence in England after next December 1 are creating a stir in recognition circles where speculation is rife as to whether Fortington, if the plans materialize, would withdraw from the board now or at the time of his departure.

Creditor groups, in any event, are having guesses over the effect the

(Continued on page 14)

Ban 15c Scale for

Paramount Product

MILWAUKEE, March 17.—Saxe Amusement Management, Inc., has been ordered to discontinue playing Paramount product at minimum ad-

(Continued on page 15)

“Ruggles” $50,000

Draw at Paramount

“Ruggles of Red Gap” came through with flying colors in its first week at the Paramount. Intake for the seven days was $50,000. The picture is be-

(Continued on page 9)

Philadelphia Irked

By Percentage Move

PHILADELPHIA, March 17.—Exhibitors here are talking about court ac-

(Continued on page 9)

Comerford Gaining:

Has Passed Crisis

WASHINGTON, March 17.—M. E. Comerford, who has been a patient at the Emergency Hospital since Feb. 15, "has passed the critical stage," ac-

(Continued on page 9)

Alert, Intelligent

and

Faithful

Service

to the Industry

in All

Branches
Insiders’ Outlook

By RED KANN

The industry is passing through the pains of editorial castigation with less and less injury. A look, even a quick one, at substantial segments of the nation press, proves the point. The evidence.

The Seattle Sunday Times: “Fair-minded persons must admit the producers have kept faith. The moral tone of motion picture entertainment has never been as high as it is at present. . . . And the most significant point of all is that the industry has regulated itself; has cleaned its own house.”

The Wilkes Barre Times-Leader: “Moving pictures since the inauguration of the Code may not say that the change is absolute, yet much more of the wholesome is to be enjoyed than before.”

The Gastonia Gazette: “It is with a sense of keen personal and social delight that we have watched the gradual evolution of the motion picture theatre from its not-so-long abandoned plane of sensationalized sex-madness to a higher level of cultural achievement.”

The Lawrence, Mass., News: “Moving pictures are on the reform. They are glad they started to purify their plots and clean up stories.”

The Los Angeles Post-Record: “The Legion of Decency has done a good job in suppressing the salacious movie. . . . The producers, too, are to be complimented for their prompt response to the demand for more healthful fare and, if published figures may be taken as an indication, the sanitation process has been a profitable as well as a moral step.”

The Hamilton, O., Journal: “Since the inception of the well-organized campaign against indecency and the exploitation of crime and immorality on the screen, there has been a marked upward improvement in the tone of picture pictures, but the standard could be raised still higher with out interference with box-office receipts.”

The Sioux City, Iowa, Journal: “The average fan might have difficulty in recalling a single film in the last two or three months to which he could find objection on the ground that it was offensive to morals.” The New Bedford, Mass., Standard Times: “That the past year has witnessed a distinct improvement to motion picture of- fering when judged from the standards of taste and morals has become increasingly clear to the aregoers. . . . It is only fair, however, that efforts to safeguard the public against indecency should be accompanied by the encouragement of patronage for really good pictures.”

The Los Angeles Times: “Hol- lywood is a barometer of public taste. The public is now bucking back from artificiality toward sincerity. The flapper has flapped out. . . . Bad manners, fast habits, extravagant living, pro-miscuous petting and free love are ceasing to be ‘smart.’ Even hip flasks are becoming relics. . . . We have muddled through considerable mud; but we are scraping it off.”

The Grand Rapids, Mich., Herald: “The movie industry, having thrown off its rather mot ted garm and donned the robes of purity, likes the prospect of a rain and so does the public.”

The Ogden, Utah, Standard Examiner: “Evidence of an earn est effort to improve the entertain ment standards of motion pic tures is to be found in the list of new productions. . . . The latest films have been freed from routine themes. . . . Because the films are a vital force in national entertainment, instruction, and social reform, the producers should be encouraged. The public in the end will determine whether this policy will be continued or otherwise.”

The Hartford Courant: “Since the great awakening, the indus try appears to have made a thor oughly good job of it. It has pretty effectively silenced its cry by producing pictures that not only are unobjectionable but possess merit in the highest order. . . . On every side one hears little but praise of what the industry has done to meet the re quirements of decent public senti ment.”

And so it goes in greater volume than the film man, engaged in this normal job of making, selling and exhibiting films, perhaps realizes. What you have read here represents a tiny voice in virtually a roar of editorial approbation which is de scenting on the industry. This is (Continued on page 15)

IATSE Cuts Week to Help More Members

In an effort to reduce unemployment within the organization’s ranks, the I. A. T. S. E., supervising the activi ties of Local 306, has been cutting off a working day from each employed member’s week.

Working members have been put ting in five days a week. Starting this week they will report for four as a result of an order issued by the in ternational union, of which there are about 1,800 members in Local 306, of which, it is said, approximately 400 are without employment.

Several operators have protested, but without results. The I. A. T. S. E. He will spend lake whatever emergency measures are necessary to in sure work for as many members as possible and has exercised this right.

With the windup of the NRA fact finding committee, the loose Local 306, Allied M. P. Operators, has been dissolved with the outcome that picketing of independent and circuit houses is in full force again. Compliance in the local’s efforts to reconcile the various unions and exhibitor leaders has failed. He wasasked to go to court only to find the situation with exhibitor heads, but did not indicate whether he would call another meeting of the body in Wash ington.

Some reports have it he may write a basic wage scale for the factfinding committee to the Coolidge go vernment when approved. The local boon plan is a part of the code, and before it is approved by the NRA it must first be accepted by Code Authority.

Universal Shutdown; Resume in 2 Weeks

Hollywood, March 17.—Universal City is at a temporary shutdown with not a single production in work. The hull will last only about two weeks with the studio expected to start at the end of that period.

Films slated for the cameras at that time are “Rainbow Rhythm,” “Chinatown Squad” and “Alias Mary Dow,” the latter to star Sally Eilers.

Barnes Opposite Arnold

Hollywood, March 17.—Binnie Barnes draws the feminine lead in “Diamond Jim,” Universal film fea turing Edward Arnold. Eddie Suther land will direct with production starting on or about April 1.

1,000 Observe “U” City’s 20th Year

Hollywood, March 17.—Universal City celebrated its 20th anniversary Saturday night with all available ex employees attending as well as present workers and their families to the tune of about 1,000. The attendance topped the 1,500 players who received their initial training under Carl Laemmle’s sponsorship were included.

Chevalier Sails on 23rd

Hollywood, March 17.—Maurice Chevalier, who is making his departure for New York so that he can catch the March 23 sailing of the Ile de France, the traditional summer vac ation in France and return to Holly wood in the Fall.

Warner Schedule Is 75 Per Cent Ready

Hollywood, March 17.—Approximately 75 per cent of Warners’ current schedule has been completed, according to studio figures.

The pictures finished and ready for release, including Warners, First Na tional and Cosmopolitan productions, are: “Lady of Burlesque,” “Bride of Frankenstein,” “Traveling Saleslady,” “Go Into Your Dance,” “In Caliente,” “The Buxom Bride,” “Traveling Saleslady,” “A Night at the Ritz,” “Black Fury” and “Dinky.”

Kirkwood Plans 24 To Star Chaney, Jr.

Hollywood, March 17.—Len Chan ey, Jr., has been signed to a three year contract by Ray Kirkwood Prod., which is working at the old Nellie studios on Glendale Blvd. The contract calls for 24 pictures, eight a year, if the pictures in which Chaney will be starring.

First on the schedule is “The Riot Squad,” a mystery-melodrama by Oliver Densmore. Community Pictures will release the series with the first slated to be delivered by May 1.

May Lift “Rumba” Ban

Havana, March 17.—Following screening of “Rumba” for Cuban offi cials, the intimation was advanced that the government will lift its objections after the lottery sequence is edited out.
THERE'S ONE THING THEY'LL AGREE ON—

next page spills it—
"Naughty Marietta and Reckless are the greatest musical pictures ever made"

**NAUGHTY MARIETTA**

**RECKLESS**
U.S. Gaining Old Position With Hungary

By ENDRÉ HVESES

BUDAPEST, March 5.—In this country of 8,000,000 inhabitants, the state of the film and the motion-picture industry depends entirely on the 1,000,000 population of the capital. Only a Budapest success getsboxoffice results that picture which fails to please here cannot pay its way even if it is well received in the provinces.

Most pictures are in Budapest speak a second language beside Hungarian. This is, in the majority of cases, German, owing to the proximity of the German language. This is the reason why, when sound first came in American films were almost entirely driven out of Czechoslovakia and their place taken by German talkies made in Berlin.

This situation has changed with the advent of the Hitler regime. German production for export purposes has practically ceased and has been unable to recover its former position. There is a lack of good German films without a political tinge, and the Americans have regained their former position in Hungary.

Meeting European Tastes

Imports by the Budapest branches of American companies are currently approaching the standards of European countries. These are in all cases mostly American, but pictures catering to 100 per cent American tastes are hopeless. The English language is a distinct drawback, since it is spoken by comparatively few people, particularly outside Budapest. Last season and in the current season there have been no outstanding financial successes among picture imports.

In spite of the heyday of German talkies, a run of six to 20 weeks was nothing unusual. During the past two seasons, however, such runs have been unperceivable. Three weeks is about the longest run in any theatre, and even this was given a few hits. American pictures were better not to count on longer runs than two or three, or even one week, in the "premieretheatre," and profits should be calculated on this modest basis.

There is no doubt, however, that American films will maintain their standard. Hungarian pictures are not popular here, English product is only beginning to build up a market, and with the one exception of "The Private Life of Henry VIII," none can boast of box-office results so far. An output of at least 12 Hungarian and German language talkies made in Budapest must be reckoned with.

German censors do not permit the importation of English-made pictures into Hungary, on the grounds that too much non-Hungarian talent is imported. There is no change in this German attitude, it will make the successful exploitation of the Budapest studios impossible, and in this connection the Hungarian government will almost certainly make reprisals and restrict the importation of German pictures. Austrian production does not count for much.

No more do Czech pictures made in Prague, some of which are good, and which are natural for political reasons, does not admit Hungarian pictures into Czechoslovakia, for foreign language films by that country is expected to lead to brighter days for the Czech theatre man. This opinion is based on reports received by the Motion Picture Industry from the Czech government, which is taking a more comprehensive attitude toward western imports.

Mexico Silver Boom Seen as Theatre Help

By JAMES LOCKHART

Mexico City, March 7—A new industry, an important phase of which is the increased world demand for, and price of, silver is mirroring itself in exhibition in this country.

As 1935 approaches its spring, general optimism, therefore, is prevalent. Major optimism holds that the turn for the better which conditions reflected last year will manifest itself more emphatically as 1935 grows older.

Exhibitors report a 25 per cent increase in business this year over last. In some cases business has doubled, which eliminated pictures from its budgets during the depression is returning this year. There is an expectation that as well as are at present, 1935 should show an increase of at least 50 per cent in attendances here, exhibitors expect.

A factor in this expected increased business is that several new and large theatres will be opened. Some exhibitors see a trend toward higher prices for this city in 1935. At present, an exhibition price is only very well indeed if he can get 1.50 per ticket (about 40 cents) per patron, orchestra, for a first, second, or first run picture. There is talk that this price will be standard in local first run theatres this year.

Distributors Also Optimistic

Distributors also view 1935 as a bright year. It holds promise for increased business for them, at least as far as Mexico City is concerned. This city will have five first runs as against three now. Furthermore, with houses already under construction and others that are to go up and to be put into service in the course of the year, distributors see more business ahead for them. Before 1935 passes into history, this city will have around 20 picture houses, a number which is not really increased, but it is more than likely that several more theatres will be wired soon.

All agree, however, that 1935 will not be without its clouds. Taxes and duties are very high. Nevertheless, some distributors are confident action will be taken by the government toward lowering both taxes and duties. Some foresee that several import duties will be reduced, and in the course of 1935, although they see little, if anything, beneficial in that direction concerning duties on films, discs and other equipment.

Although there is much improvement in Mexican-made pictures and they have become very popular in second-run houses here and in first as well as second runs in the provinces while domestic pictures have set up some of the box-office records in this country during 1934, distributors of foreign pictures have no worry in that direction. The consensus of opinion is that, while home production is holding its own and has at times shown as much as $50,000 in profit from running imported pictures off the screen. It is contended that at least 93 per cent of the films shown in Mexico this year will come from abroad.

Germany's Theatre Total Is Now Figured at 4,922

By J. K. RUTENBERG

Berlin, March 7.—German figures on theatres in the country currently operating are computed at 4,922. Of this total, 4,044 have under 500 seats; 52 have between 500 and 1,000 seats; 910 have larger capacities. In the minor division, bulk seats are figured at 1,135,104. Medium-sized houses seat 558,107 and the larger houses, 396,175, thereby making the grand total for the nation 18,889,941.

Theatres open daily run to 2,142. Open twice a week is 1,338, and the remainder give one show a week.

More than 40 nations to date have signed the Geneva convention abolishing taxes of every description on imports of motion pictures into the United States, Great Britain, Italy, France, Germany, Austria, Belgium, Poland, Switzerland, Sweden, Canada, and several countries in Latin America, for which such exemption is claimed must now be submitted to the Inter-Pecish, not wishing the Finance in Rome. There the film will be examined and decision made if the exemption may apply.

Two thousand 16 mm. reproductions have been delivered to German schools and cultural associations for exhibition are 4,000 educational subjects. The funds making this possible were contributed voluntarily by pupils at the rate of 80 pfennings a year.

An international convention of exhibitors is slated to be held here the end of April. The sessions probably will run a full week.

Focusing further his international policy, Tobis Tobis Syndicate, AG, will open an exchange in Prague by April 1 as the Czech Tobis Corp. Production of pictures in Czechoslovakia by the fall is also rating serious competition. This will give Tobis its own distribution outlets in England, France, Holland, Austria, Portugal, Switzerland and, of course, Germany.

Of the 285 features imported by Austria last year Germany claims the lead with 129. The United States is in second place, with 110, which came from assorted European countries. Thus, Germany is up on its 1932 total and the United States the same.

The German features, "Um das Menschenrecht" (Around Man's Rights) has been withdrawn from distribution. It was directed by Hans Zoberlein and dealt with German conditions after the Treaty of Versailles.

The Ass'n of German Film Industries, the Renters' Society, the Union of German Film Studios and the German Organization for Export control have laid and to the Ass'n of German Film Production and Film Exhibition (Verband deutscher Filmoffer) in accordance with the leadership of Carl Froelich.

As exclusively forecast in Motion Picture Daily, the conditions brought about by the introduction of a price of 20,000 Reichsmarks per import for the second country, have been defined by the negotiations by the remaining American branches in Germany, the fee has been considerably reduced. It is pretty certain that the above fee, which would have made the German market prohibitive for American companies, except in the case of unusual pictures, will be cut by 50 per cent for originals and will introduce a sliding scale for "dubbed pictures.

Czechoslovakian Film Prospect Brighter

WASHINGTON, March 17.—The re- sumption of activities by the American industry in Czechoslovakia with the lifting of restrictions against foreign films by that country is expected to lead to brighter days for the Czech theatre man. This opinion is based on reports received by the Bureau of Foreign and Domestic Commerce from E. A. Woods, commercial attache at Prague.

"Motion picture theatre owners," says a bulletin of the bureau, "will no longer be able to make the slightest profit on films, not even 10 cents, which is less than they have had, but it is more than likely that several more theatres will be wired soon. All agree, however, that 1935 will not be without its clouds. Taxes and duties are very high. Nevertheless, some distributors are confident action will be taken by the government toward lowering both taxes and duties. Some foresee that several import duties will be reduced, and in the course of 1935, although they see little, if anything, beneficial in that direction concerning duties on films, discs and other equipment.

Although there is much improvement in Mexican-made pictures and they have become very popular in second-run houses here and in first as well as second runs in the provinces while domestic pictures have set up some of the box-office records in this country during 1934, distributors of foreign pictures have no worry in that direction. The consensus of opinion is that, while home production is holding its own and has at times shown as much as $50,000 in profit from running imported pictures off the screen. It is contended that at least 93 per cent of the films shown in Mexico this year will come from abroad.
“Colonel” Is Twin Cities’ High Grosser

MINNEAPOLIS, March 17.—“Little Colonel” packed ‘em in on both sides of the river. At the State here the $6,000 take was over the line by $500, and at the St. Paul Riviera the $4,500 gross was up by $1,000. “Little Colonel” borders were cut to six, with the Time continuing a temporary second run policy.

Total first run business in Minneap-
olis was $30,000; at St. Paul’s was $21,500. Total St. Paul business was $17,500. Average is $15,500. Estimated takings:

Minneapolis:
Week Ending March 13:
“RUMBA” (Para.)
CENTURY—(2,600), 25c-40c, 7 days.
Gross: $4,600. (Average, $1,400.)

“THE LITTLE COLONEL” (Fox)
STATE—(3,000), 25c-75c, 7 days. Gross: $6,000. (Average, $850.)

“WHITE LIES” (Col.)
PALLACE—(1,900), 7 days. Five acts vaudeville. Gross: $2,500. (Average, $110.)

“THE IRON DUKE” (Gaumont British)
WORLD—(600), 35c-50c, 7 days. 3rd week. Gross: $1,500. (Average, $214.)

St. Paul:
Week Ending March 14:
“THE THREE TO LEASE” (Col.)
PARAMOUNT—(2,200), 25c-40c, 3 days.
Five acts vaudeville. Gross: $3,500. (Average for week, $1,166.)

“RUMBA” (Para.)
PARAMOUNT—(2,200), 25c-40c, 4 days. Gross: $3,500. (Average for week, $500.)

“LIVING ON VELVET” (F.N.)
ORPHEUM—(1,200), 25c, 7 days. Five acts vaudeville. Gross: $2,300. (Average for week, $328.)

“TRANSIENT LADY” (Univ.)
ORPHEUM—(1,200), 25c, 7 days. Five acts vaudeville. Gross: $2,200. (Average for week, $314.)

“ROCKY MOUNTAIN MYSTERY” (Para.)
TOWER—(1,000), 25c-35c, 4 days. Gross: $890. (Average for week, $222.50.)

“MAN OF ARAN” (Gaumont British)
WORLD—(100), 25c-35c, 7 days. Gross: $1,500. (Average, $214.)

Cincy Taft Garners $17,000 2nd Week

CINCINNATI, March 17.—The stage and screen policy inaugurated at the Taft with the recent visit of the head of the National Radio Artists’ local booking office, did an estimated $17,000 two-week gross which is the best since the collapse of the regular orchestra. The policy was continued during March 16 and 17. The stage performed. It is to be continued for the next two weeks.

Chicago House Gets 100% Apparatus for the Hard of Hearing

CHICAGO, March 17.—The first theatre of its kind—100 per cent equipped with apparatus for the hard of hearing—was opened March 22 as the initial unit in a proposed circuit of houses offering the latest technical facilities for the hearing-impaired. More than 20,000,000 hard of hearing are present in the metropolitan area, to which 4,000-seat house, but each individual may adjust the volume to suit his particular condition.

The theatre will be known as the Soundstage. It will seat 350. More than $20,000 was spent to make it standard for others to follow.

“Robertas” Up To $6,100 in Seattle Week

PHILADELPHIA March 17—Grosses hit the $2,000 limit this week with “Robertas" leading the way at $24,000—double the average—for its first week at the Boyd. Now in second week with third day.

“This Little Colonel," flanked by "March of Time," hit $18,500 for its third week, a top-notch figure. "Ruggles of Red Gap" was not a good $12,000 at the Stanley and "Night Life of the Gods" took $13,500 at the Earle.

The only definite winner of the past week was "Folies Bergere." After a corking first week, opposition of "Robertas" put down gross and picture goes out tomorrow after two weeks.

Total first run business was $57,000. Average is $7900.

Estimated takings for the week ending March 14:

"FOLIES BERGERE" (U.A.)
ALIEN—(1,200), 25c-50c-65c, 6 days second week. Gross: $6,500. (Average, $1,083.)

"RUMBA" (Para.)
BOYD—(4,200), 25c-35c-55c, 6 days. Gross: $2,200. (Average, $366.)

"NIGHT LIFE OF THE GODS" (Univ.)
EARL—(1,200), 25c-35c-45c, 6 days. Second week. Gross: $1,500. (Average, $250.)

"LITTLE COLONEL" (Fox)
FOX—(1,800), 35c-45c-55c, 6 days. Third week. Stage: Louise Bevers, Ward Wil-
stead, and very fine company. Also “March of Time." Gross: $1,850. (Average, $310.)

"SHADOW OF DOUBT" (M-G-M)
KARLTON—(1,000), 25c-35c-40c, 6 days. Gross: $2,000. (Average, $333.)

"AFTER HOUSE HOURS" (M-G-M)
KEITH’S—(2,000), 25c-35c-40c, 6 days. Gross: $4,500. (Average, $642.)

"RUGGLES OF RED GAP" (Para.)
STANLEY—(1,700), 35c-45c-55c, 6 days. Gross: $2,000. (Average, $333.)

"ALL THE KING’S HORSES" (Para.)
STANLEY—(1,700), 35c-45c-55c, 6 days. Gross: $1,500. (Average, $250.)

"Robertas" Strong As Omaha Holdover

OMAHA, March 17.—“Robertas” kept the No. 1 position in the second week at the Brandes, although the run was shortened to six days. The gross was $5,100, over the line by $1,000.

“The President Vanishes,” helped by a strong vaudeville bill, hit $7,100, above its previous weekly mark by $2,100, at the Paramount. “One Morning” was strong at the Omaha at $6,200.

Total first run business was $25,300. Average is $2,400.

Estimated takings:

Week Ending March 10:
"THE PRESIDENT VANISHES" (Para.)
PARAMOUNT—(1,800), 25c-35c, 4 days. Stage: Bill Hogan band; Melody & Du-
sey; Grebe Oddities; Three Little Kittens; Joan & Jerry Jackson; Barberina; Harris & Shore. Gross: $1,700. (Average, $425.)

Week Ending March 14:
"THE WHITE COCKATOO" (Warners)
SCHORELL & SONN (U. A.)
PARAMOUNT—(2,000), 25c-35c, 4 days. Gross: $7,000. (Average, $1,750.)

Week Ending March 14:
"ROBERTA" (Radio)
BRANDES—(1,200), 25c-35c-40c, 6 days. Stage: Man & Wife. Gross: $8,000. (Average, $1,333.)

Week Ending March 13:
"ONE MORE SPRING" (Fox)
OMAHA—(1,800), 25c-35c, 7 days. Gross: $6,000. (Average, $857.)

Week Ending March 14:
"SWEET MUSIC" (Warners)
"THE WINNING TICKET" (M-G-M)
ORPHEUM—(1,200), 25c-40c, 7 days. Gross: $6,000. (Average, $857.)
MPTOA Gets Cancellation Moves Started

Subject to negotiations which the committee will have with distribution representatives, M. P. T. O. A. will throw its weight against anti-block booking legislation, Kuykendall disclosed. In particular, it will oppose the Pettengill measure which has been introduced at Washington, and will recommend increased cancellation privileges as a more orderly solution of block booking problems.

M. P. T. O. A.'s new executive committee membership is currently being elected by its six regional districts, each of which will now be represented to the committee. In addition to the six, Kuykendall and Locewinestein also serve as members of the executive committee. Results of the balloting now in progress are expected to be made known within the next week or two.

Kuykendall leaves for Washington today and is expected back here toward the end of the week.

Flann Due Back from Coast Trip Tuesday

Los Angeles, March 17.—After conferring three days and nights with the local clearance and zoning board on final changes of the Los Angeles schedule, John Flann left yesterday for New York, where he is expected to arrive Tuesday, with the revised plan.

He would not discuss changes agreed upon by the board inasmuch as Campi has not approved them. The revisions will be put up to Code Authority at its next session.

Philadelphia Irked by Percentage Move

(Continued from page 1)

The Philadelphia Exhibitor.

Exhibitors claim this is a practice unfair to all except the exchanges "which take nothing at all," to quote the Exhibitor.

To Raze Rialto May 15

Demolition of the Rialto will begin on May 15. The present building will be replaced by a more modern theatre. Wreckers will begin work immediately after the last performance is over.

Plans are being made to have an array of celebrities who at one time or another played at the theatre on hand to see the wreckers start.

Century-RKO Near End of Long Hearing

By agreement between Louis Nizer and Mitchell Kupf and the local clearance and zoning board, testimony in the Century-RKO clearance dispute is to end today, and the way is cleared for summations to follow on Thursday.

"Today's session will be the eighth. At the last meeting, Abrams' patience was worn to a thread trying to keep witnesses on the witness stand, who had to strike from the record at the rate once every 15 minutes rejoinders by Kupf. However, during the last hour of the seventh hearing, the Century attorney, answering a remark made by Nizer, stated: 'I am doing this to amuse you.'"

"Abrams, who had to consult Executive Alfred E. Steers several times for information on points of law, was patient, if anything, when the remark was passed. He immediately dismissed the witness, George Green of KFW Radio, who had been waiting on the mailing list of the Alden, Jamaica, and also Joseph Nocera, who had been asked to point out an error on examination, and cross-examination.

"Considerable interest has been manifested in local circles as to the decision and the way varied. Members of the board will vote. Hearing the case are Abrams of Univerial, Robert Wolff of KFW Radio, Eugene Picker of Loew's, Harry Shiffman, president of Isle Theatres, an independent circuit; Laurence Bolognino, head of the Universal organization, and Edward Rugoff of Rugoff and Becker, an independently operated circuit, which is leasing theatres and votes only in the event of a tie.

"Both sides have already indicated that the decision will be appealed. With this statement on the record, the board may elect not to hand down a verdict and certify it to Campi. The local grievance board did this the other day in the Rosenblatt-Skouras case involving the former's Westwood, Westwood and South Pasadena, Westwood, N. J. The board held that in a previous case Campi had reversed a decision. The present appeal and, as the other side would appeal in the new case, the matter was certified to Code Authority for disposition.

Comerford Gaining; Has Passed Crisis

(Continued from page 1)

According to Dr. W. A. Bloedorn, attending physician, "Mr. Comerford continues to show improvement," the physician's latest bulletin reads, "and his condition is much improved since the last time he entered the hospital."

It will probably be two weeks, however, before he will be able to leave the hospital.

Report Loew Peace Moves From Chicago

(Continued from page 1)

place recently, in New Orleans, but details are not available. The indication at the time, however, was that the matter would be taken up in Chicago by the groups directly interested.

"No Limit to Number"

"There is no limit to the number of theatres we will build or acquire in the United States," he said. Bernestein denied reports that the circuit may expand its activities to include Detroit and further in Indianapo-

IEPA Men Forecast Big "Disclosures"

Philadelphia, March 17—Sensational disclosures are predicted by the Independent Exhibitors' Protective Association, at a meeting scheduled to take place here at the Broadwood Hotel Monday.

"Just what the "sensational disclosures" are has not been revealed, but the group feels that they are important enough to attract exhibitors outside of their own organization.

It is also expected a discussion will be held on a compromise with the state on the new proposed admissions tax, and it is thought an exemption will be asked for houses charging 25 cents or less.

Detroit Men on Sick List

Detroit, March 17.—Local flimflam on the sick list includes Willard Patterson, general manager of United Detroit (Public) theatres, who is seriously ill in a hospital; Frederick Schader, publicity director of the Fox, who has rheumatic fever, and M. Harlan starr, local G. B. manager, who is home sick.

Charles C. Perry, manager of the Adams, who recently underwent an operation for appendicitis, has returned to work.

Richmond, March 17.—Al Nowitsky, manager of the Colonial, has recovered from a severe illness and has resumed his duties.

Sells Trans-Lux Stock

A New York company identified as "Affiliates Equities" has disposed of a block of 60,000 shares of Trans-Lux Daylight Picture Screen Corp. stock to an undisclosed purchaser, according to the daily record change reports.

A. M. Andrews, former director of Trans-Lux, is understood to be associated with the seller. He is one of the larger holders of Trans-Lux stock. The stock involved in the transaction represents almost 25 per cent of the total number of shares outstanding.

Block Booking Bill Hearings Will Be Asked

(Continued from page 1)

grooved in the utilities problem, Pettit laid down the law until Chairman Sam Rayburn of Texas had disposed of that question before he approached him with the block booking. There is sufficient support behind him to assure the granting of hearings, he asserted.

Reason of the measure by the Federal Council of the Churches of Christ in America was seen by the congress as a request just received for several thousand copies of the bill, which will be distributed among all the churches papers of the Protestant faiths. While the Catholic organizations have not yet committed themselves, he said, he has received a number of communications indicating that their approval will be given.

Shelve Temporarily New Exhibitor Body

(Continued from page 1)

behind the new association is to have the country broken down into Congressional districts with exhibitor elected at large. The Independent Theatre Owners was not tentatively set.

Reason for abandoning the move at this time are the unsettlement of the code and the flaring up of the local theater war against this territory. There's a possibility the plan may be revived later in the year.

"Ruggles" $50,000 Draw at Paramount

(Continued from page 1)

Capitol fared nicely with "After Office Hours" and Ben Bernie and his band. The $1,200 Business at this house was around $40,000.

"Enchanted April" was weak at the Mayfair with $7,500. The Astor, with "Translant Lady," tallied $4000, while the Rivoli on the third and last week of "Poles Bergero" garnered $12,000. "Living on Velvet" at the Strand grossed around $11,000.

Francis Made Head Of Coast Photophone

G. K. Throckmorton, executive vice-president of RCA Manufacturing Co., has appointed James E. Francis, formerly manager of the RCA Victor Coast Photophone, manager of the company's Hollywood operations. Edward M. Hartley, who has been service manager for some time, has been appointed to fill the vacancy made by Francis' promotion and F. B. Ostman, assistant to Hartley, is now in charge.

Francis, who will leave for the coast in about a month, will supervise all activities in recording, selling, servicing and the maintenance of reproducing equipment.
McKay Says Studio
Exodus Is Serious

(Continued from page 1)

ifornia legislature now realizes this fact.

He also expressed the belief that as a consequence, California will not enact any extreme tax measures which would make the move necessary. McKay also said the transfer of "The Great Ziegfeld" from Universal to M-G-M is just about completed on the basis of an outright sale and that this was one of the reasons for his trip to Hollywood.

Roth Gets Assignment

Hollywood, March 17—Murray Roth draws the directorial assignment on "Chitamatron Squad" from Universal. The picture will get under way in a couple of weeks.

Valerie Hobson, only cast assignment to date, has been handled by the feminine lead. Maurice Pivar will direct.

Ready with "Healer"

Hollywood, March 17—Monogram has signed Ralph Bellamy, Karen Morley and Mickey Rooney for leads in "The Healer," which is similar in theme to "The Miracle Man," and is from a novel by Robert Herrick. George Waggner is doing the adaptation, and Reginald Barker will direct.

Fire at Lincoln Center

KANSAS CITY, March 17—A film fire in the Princess, Lincoln Center, Kansas, destroyed the booth and the interior and caused $8,000 damage. The audience, mostly children, escaped unharmed. The house is owned by Ray Muselman.

Renew with Bulgakov

Hollywood, March 17—Columbia has exercised a six-month option on Leo Bulagak. The director recently completed "White Lies" and "I'll Love You Always." The latter will be released soon.

Re-Sign Grace Bradley

Hollywood, March 17—Grace Bradley has had her option lifted for an additional year by Paramount. The actress' last picture was "Stolen Harmony," top spot in George Raft and Ben Bernie.

Cooper-Lombard Teamed

Hollywood, March 17—Paramount has purchased "The New Divorce," a French play by Milhaeux, for Gary Cooper and Carole Lombard.

La Hiff's Tavern

A chop house of exceptional merit

156-8 West 84th St., N. Y. C.
MOTION PICTURE DAILY GETS THE TRUTH ABOUT UNIVERSAL!

Read Next Page....
1...Universal’s “It Happened in N
Roxy Theatre for April 5th!

2...Universal’s “Princess O’Hara,”
sought after by several big Broa

3...Universal’s “The Mystery of Eu
ences everywhere in the Unite

4...Universal’s “Mr. Dynamite,
Dashiell Hammett’s successor

5...Universal’s “The Bride of Fra
sensation your audiences have

6...Universal’s “The Unholy Hou
of the year!

7...The truth about Universal is
line-up of box office babies to
"Out Universal!"

"New York" is booked into the N. Y.

Runyon's best story, is being way houses!

"Drood" is now fascinating audi-
States!

starring Edmund Lowe, will be "The Thin Man"!

"Menstein" will be the gol-darndest gasped at!

will be one of the big surprises

something to shout about—a strong laden every exhibitor's heart!
possible vacancy may have on the initial speculation. To report that he or his interests will be at liberty to designate a successor-regarding his resignation. Others point out that if the vacancy does not occur until next fall, a successor would be elected by the shareholders and might, or might not, be a representative of the British insurance companies.

Fortington could not be reached for comment on Saturday, but a spokesman for him was of the opinion that his proposed return to England late in the year would be for temporary business purposes and, while they might be of lengthy duration, would not involve him in an absence in evidence there and, hence, would not affect board membership.

Fortington’s interests are regarded as guiding factors in the Paramount creditor group comprising, in addition to the British insurance companies, Allied Owners Corp., Atlas Corp., Lehman Bros., Lazar Freres, Erpi and others. This group has presented five nominees for the board, amongst them John D. Hertz of Lehman Bros. Opposition to Hertz, manifest for some weeks in scattered creditor and stockholders quarters, is now reported to have invaded the inner circle of the Fortington hold.

Report Altschul to Fight

The version of this report most frequently heard in creditor ranks is that Frank B. Altschul of Lazar Freres, who was prominently mentioned for a place on the board just prior to the naming of the group that should have been given the place which went to Hertz and is preparing to contest for it, as he feels that he and Hertz are reliably reported to hold more than $1,000,000 of Paramount bonds and debentures and the withdrawal of this support of the Altschul group could be of considerable significance in the reorganization.

An attempt has been made in responsible reorganization quarters that individual bondholders, representing approximately $1,500,000 of Paramount securities, and not identified with any of the large creditor groups, are dissatisfied with the proposed board setup and may come into court at the next scheduled hearing on the reorganization plan, April 4, to voice their objections. The group, it is said, is considering the retention for this purpose of some nationally known counsel, such as Newton D. Baker of Cleveland.

Assists Para. Staff Should Oppose Plan

Louis M. Levy, attorney, said to represent some holders of Paramount Public Stock, notified Paramount's management on Saturday that he had written George J. Schaefer, Paramount general manager, a letter expressing the opinion that Paramount employees holding the company’s stock give their assent to the reorganization plan now before the Federal court here.

Levy’s letter to Schaefer, read over the telephone by his secretary, set forth the attorney’s opinion that the plan should be opposed by stockholders as “unfair and inequitable” and advised that Levy would submit a new board of directors for Paramount which would include Schaefer, Charles E. Richardson and Percy H. Johnston as the only members from the proposed board now before the court. The letter praised Schaefer for his work for Paramount.

Levy is counsel for professional talent and advocates a place on the board for their representatives.

Lucas Gets Eighth Term

New London, March 17.—W. W. Lucas has been elected president of Local No. 493, I. A. T. S. E., for the eighth consecutive season.
“Little Colonel”
Providence Smash

MOTION PICTURE DAILY

Insiders’ Outlook

(Continued from page 2)

Wisconsin I. T. P. A.
Seeks Playdate Ban

Milwaukee, March 17.—The legislative
committee of the Independent Theatres
Protective Ass’n, headed by
J. McWilliams, has introduced a
bill in the state legislature similar to
that championed by the Ohio Inde-
pendent Theatres Ass’n, to bar preferred
playing dates.

The association is also sponsoring
a measure amending local codes to
prevent similar marathon contests. The
bill has already been before the committee
hearing and indications point to its passage.

Fox Roxy Bond Suit
Is Postponed Again

(Continued from page 1)

Fox Theatre, busboy manager, that
a representative will be sent to this
city shortly.

Federal Probe for
Milwaukee Assured

(Continued from page 1)

and producer controlled theatres, Har-
old M. Stephen, assistant attorney
general at Washington, has advised
Fox Theatre, busboy manager, that
a representative will be sent to this
city shortly.

RKO-M. & S. on March 25

March 25 has been set as the tentative
date for resumption of arbitration
hearings by the Meyer & S. stickers.

Oestreicher Advanced

COLUMBUS, March 17.—William A.
Finney, divisional director for Loew’s,
has appointed Fred P. Oestreicher as
press agent for the local Ohio and
Broad. Oestreicher, a former newspaper
on a Columbus daily, has been handling
publicity for another house here.

Wall Street

RKO Gains 1/4 on Board

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Fox Exchanges Get Rich Drive Awards

Christmas this year is nine months
ahead of time for a number of Fox
executives, who will receive as a result of five
different sales drives.

Branch personnel in the Atlantic office
will get four weeks' extra salary, this
exchange having been first in the
13-week S. R. Kent Drive. Second
place was taken by New Orleans
and all employees will receive three
weeks' additional salary. Charlotte was third
and two weeks' extra pay will be given each
worker. Fourth rating goes to
San Francisco with one week's salary
as the award.

Among the short subject delivery drive,
New Orleans won $1,000, which will be
distributed among exchange employ-
ees. First place was second with a
$500 prize; Atlanta, third, getting $350; Charlotte, fourth, for an award of
$250.

New York takes top money in the
15-week “Peck’s Bad Boy” delivery
contest with $1,750 to be handed out.
Los Angeles was second, taking the
$1,500 award; Philadelphia, third, for
$1,000; Omaha, fourth, $500; Des Moines,
second, $350.

First award, totaling $1,750, in
“Cat’s Paw” drive, goes to To-
ronto; second to Los Angeles, for
$1,500; third to San Francisco, $1,000;
fourth to New York, $500; fifth to
Philadelphia, $250.

In the bond sale delivery, Don Reed
of Atlanta won first place; G. Calvert,
Memphis, second; G. Palst, New Or-
leans, third; C. Thompson, fourth;
S. Kohlberg, Milwaukee, fifth; S.
Glasier, Toronto, sixth.

“The Time” Opens in Cinci

CINCINNATI, March 17.—Differ-
ences between the parties concerned
having been ironed out, “March of
Time” is making its initial Cincinnati
appearance at the RKO Albee.
PRIVATE WORLDS
A WALTER WANGER PRODUCTION
PARAMOUNT

With Claudette Colbert

LEON SHAMROY
PHOTOGRAPHER

Du Pont Film Manufacturing Corporation

GREGORY LA CAVA • CLAUDETTE COLBERT
CHARLES BOYER • LEON SHAMROY

Du Pont Film Manufacturing Corporation
35 WEST 45TH STREET
NEW YORK CITY
PLANT • • PARLIN, N. J.

REG. U. S. PAT. OFF

THE TRADE MARK HAS NEVER BEEN PLACED ON AN INFERIOR PRODUCT
Loew Launching Theatre Program to Cover Globe

Code Reopening Indefinite; MPTOA Moves for Revision

By SHERWIN A. KANE

M.P.T.O.A. code committee of seven has been named by Ed Kuykendall, president, to present to Compliance Director Sol A. Rosenblatt "at the earliest date that can be arranged" recommendations for code changes which were proposed by the organization's recent national convention.

The code committee is comprised of Kuykendall, chairman; Morris (Continued on page 4)

Bitter Fight Rages Around Censor Bill

KANSAS CITY, March 19.—Aroused to fighting pitch by a drastic censor-ship measure which would increase rentals by an estimated $300,000 a year, Missouri exhibitors are deluging their state representatives at Jefferson City with a hundred of protests. The bill, introduced by Senator John P. Shea of St. Louis, has obtained the approval of the Senate committee on criminal jurisprudence and may be called up for a vote at any time.

Not in years have all elements of the industry in the state worked so concertedly as they are now to prevent the passage of the bill. Leaders (Continued on page 4)

Franklin Back with 1st Love: Theatres

HOLLYWOOD, March 19.—Harold B. Franklin, in association with Alexander Kemper, New York real estate man, is now set with plans to return to exhibition with the formation of Standard Theatres, Inc., it is learned here. Articles of incorporation have been filed in Sacramento, calling for a capitalization of 9,000 shares of no par value. Offices have already been established in Beverly Hills.

The following are members of officers: Jules Goldstone, David Sondel, John Tracy, Stanley Pearson, M. C. DuVall, M. E. Hopkins.

With no houses yet tied up, the company will lease and operate theatres throughout California.

Industry Wins Point In Cal. Tax Battle

SACRAMENTO, March 19.—The industry had its first taste of victory in its fight against the California tax program this year when the Assembly included the three per cent sales tax on rentals and leases to exclude short term rentals, such as films.

The amendment also saved New York studios, which would have been taxed under a bill passed by the As-
By RED KANN

PICTURES and what they gross.
Window dressing, of course. Attendant problems, naturally. But here in a phrase is the picture business.

Taking a bow, deep and from the waist, Motion Picture DAILY, for many months now, has been catching pictures up and down the Pacific Coast, in big towns and in small towns, for telegraphic transmission to New York and publication immediately beyond that. The practice has earned for itself recognition in all industry quarters as invaluable and indispensable.

Product work is demonstrated by the following foray into the realm of statistics:
In January, 19 attractions were previewed.
In February, the total hit 35.
In March (to date), 12.

Many of these pictures will not be released for months, thereby compelling the picture buyer to try their first inside track on what is heading their and their screens' way.

Industry instances, New York executives learn first from the columns of Motion Picture Daily what the entertainment content, plus or minus, is in the product they are selling and merchandising.

This activity is aside from, yet it parallels, reviews caught regularly along Broadway, in neighborhood theatres in Greater New York and everywhere throughout the nation.

Merely a service that serves.

Joseph P. Birderton, Jr., is a well-known New York lawyer. He is also the arbiter through whom clear sales of New York plays to film producers. It appears his records show an intake of $24,123.38 for 1934, this representing three and one half per cent of the total expenditures by producers for taxi rights. Mathematical calculation, to try this along to its logical conclusion, finally proves it was approximately $700,000 which this industry's bought word of the complex ruling from the National Recovery Board which may make necessary the same job all over again.

The ruling has to do with taxi rights, and is based on the reminder of our Latin and proceeds to tie neatly, but effectively, in red tape the financial sus- tenance which even a code must have. If it should happen that the ruling isn't complicated enough!

The M.P.T.O.A. Indians who went off the reservation at New York, recognized producers and others have kept the sounding boards of New York theatres busy with plays of indifferent merit and, confused, and, rarely wrong, moreover, that the film business will pay handsomely for works which many writers in Hollywood will be complicate and best if given the time and the chance. There seems to be something alluring and attractive about a New York stage play which few film producers can resist.

Today'saside has nothing at all to do with the worthwhile which hit Times Square. There is plenty of reason to annex them for want of representation to meet the toll which is always exacted. This has to do, however, with the many vehicles of average or less merit which, for some unrecognizable reason, it be habit, are kept breathing long enough for a sucker producer to salvage. Everybody talks about the system and why it flourishes. Nobody does anything about it.

Philadelphia type excitement concerns the revival of "It Happened One Night" at the downtown, first run Stanton beginning today. There, good and stanch memories hold this is a precedent because the first run follows in the wake of return dates at various local Warner neighborhood houses. All of this persuades us to rise, to pound down the sidewalk and ask Why not? What reason is there against re-dating old pictures except a usual lack of courage on the part of the exhibitor? Re- datings have come along possibilities hardly are even wrung dry. And another question: What's the smarter thing to do? Play an indifferent release because it's new or a clicker even if it's old?

Funnier and funnier gets the code. The budget for the first stage has been determined, set and given an approving nod by NRA officials down Washington way. The industry's brought word of the complex ruling from the National Recovery Board which may make necessary the same job all over again. The ruling has to do with taxi rights, and is based on the reminder of our Latin and proceeds to tie neatly, but effectively, in red tape the financial sus- tenance which even a code must have. If it should happen that the ruling isn't complicated enough!

Orleans with wild war cries about dumping the code and ended their whoops with demands for changes were warned at the time that their bass would turn to soprano by the time it reached Washington. It has. Yesterday the wires told what anyone with knowledge would have known anyway: That there will be no changes, that code reopening will not even be discussed until the Blue Eagle gets its new phumage.

"FERA" is the way its to be.

Harold B. Franklin has cast the die. He returns to exhibition in his old stamping ground, Cali- fornia. All is the same. Nevertheless, re-puted agent for Bill Fox in many matters, and a new company known as Standard Theatres, Inc. He says that Mr. Frank- lin is running for some of Fox West Coast's prestige may sound like saying a mouthful. However, we're saying exactly that.
"Previewed 'NAUGHTY MARIETTA'
last night and it is terrific. With
Jeanette MacDonald and Nelson
Eddy as the new team-sensation of
the industry. Their duet of 'Sweet
Mystery of Life' is the grandest thing
ever recorded."

—ED SULLIVAN, in the
NEW YORK DAILY NEWS

IN A NUTSHELL!
NRB’s Ruling Snarls Campi Budget Plan

(Continued from page 1)

Lowenstein of Oklahoma City, secretary, and A. W. Wisconsin; Jack Miller, Chicago; Leven Flon, Philadelphia; George A. Giles, Boston, and O. C. Lam, Rome, Ga. This committee will raise the reorganization of Code Authority to provide a membership comprehensive type of agreements and of national territories, the increase of authority of local grievance boards with their rulings, the retaining of a chief as long as necessary unless reversed by Campi and provisions calling for review of local clearance and zoning board rulings only when necessary to establish or support the legality of such rulings.

This committee may also conduct negotiations with distributors and Rosslatt to obtain a 20 per cent cancellation privilege, a reduction as proposed by the MPTOA convention. Similarly, the organization’s resolution calling for elimination of all prohibitions score charge levies and asking for revision of the code clause relating to designated play dates will be considered by the committee. The committee will also be asked to investigate the possibility of a more intensive study of the subject by the organization’s counsel and to determine whether a revision of the NLR may be made before the plan is finally confirmed.

Is Opposed to Hertz

The Mnger committee is known to be opposed to John D. Hertz of Lehman Bros. as a board member.

The committee’s report also indicates that the action is based on a proposal made by the Paramount trustees against former officers and directors involving an agreement to pay more than $3,800,000 for Paramount, $12,600,000 of which would be based on operations of the so-called Paramount em- ployees’ stock purchase plan of 1928 to 1931.

The committee represents approximately $800,000 of Paramount debentures under powers of attorney.

Reports that Sol A. Rosenblatt, NFA’s compensation director and administrator of the film code, had been approached by representatives of the Paramount stockholders’ committee in connection with a proposed post as general counsel of the reorganized company and a possible vice-presi-

dent. The reports stated that the proposal had been discussed with Rosenblatt by members of the Paramount stockholders’ committee and nominee for the new Paramount board.

“There is absolutely no truth to the report,” Newton told Motion Picture Daily when queried yesterday.

Alfred A. Cook, counsel for the stockholders, is now on vacation in Bermuda and is not ex-pected to return until April 1, but other spokesmen for the committee termed the report “ridiculous.”

Square, the reorganization of which has been embodied in the Paramount plan. There are now on deposit approximately $1,875,000,000 in the Bank of Boston in 85,000 Broad Street unsold, or about $3,300,000. De-

Para. Assents Rolling In; Nearing Mark

See More for More

NATIONAL TEEN Quiz

WASHINGTON, March 19—The Senate Commerce Committee will em-
ploy a Federal Trade Commission in-
vestigator to assist in the conduct of the hearings on the Recovery Act, it was learned today.

While it was said the main duty of the new assistant would be to aid in compliance with such investigations, it is believed the move is a prelude to a more intensive study of the subject by the Committee, but it will be made by the Committee, but it will be made for the assistance of the witnesses who have so far appeared.

Clarence Darrow, head of the Re-

view Board, which investigated the film and other codes a year ago, will ap-
pear before the committee tomorrow.

While it has always been im-
possible to predict Darrow’s next move, it is not believed he will go deeply into individual cases unless asked to do so by members of the committee, but he will devote himself largely to painting a picture of the NLR setup as he saw it.

Bank Envelopes Are Orderly

Cut Danielle Clearance

WASHINGTON, March 19.—The grievance board today voted to trim clearance of Danielle first runs over Schenectady. Danielle, a membership corporation which was chartered here Oct. 24, 1933, has filed a certificate increasing its directors from five to not less than five and not more than nine.

Up to Directors

ALBANY, March 19—The M. P. Foundation of the United States of America, a membership corporation, is now in-
MOTION PICTURE DAILY

Wednesda,y March 20, 1935

Purely Personal

Herman and Mrs. Rosenberg celebrated their 55th wedding anniversary last night at their home in Mt. Vernon. All seven of their children were among those present. Mon, Sam and Al Rosenberg, all three of whom have been associated with Warner and other amusement enterprises, were there with their wives. The other children on hand were Isaac, Wilda, Mrs. Ben Libman and Mrs. J. Zinoviev. The daughters had their husbands along and Isaac had the missus with him, too.

Tom Gertey yesterday received the following wire among a batch at M-G-M:

"Pace Press and all its vice-presidents join in congratulating you and Mrs. Gertey on your return trip back to Nassau County. "14 Vice-Presidents."

Quip of the Day

In Hollywood for his first looksee of Americas Indies, Michael Balcon, head of Gaumont British, was asked about press reports he was to take back to England a bevy of American chorus girls. "Jove!" he exclaimed. "I can't, you know. What would my wife say?"

Edward Schrinder, Irving, Wormser, Harsby Shifman, Arthur Fischer, Mitchell Kupf, Charles Moses, Tom Murray and Nat Cohn found the food at the Paramount Chop House yesterday much to their liking.

Mary Ellis, work in Paris in Spring" completed, hits town tomorrow on her way to England to appear in a play. She sails Friday on the Majestic. In fact, she'll be back to resume film work under her Paramount contract.

Tom Howard and George Shelton begin work at the Eastern Service studio in Astoria today on their fifth Educational comedy of the season. Al Christie is personally directing. "Love in Gloom" is the working title.

Claudette Colbert plans to return to the coast by way of the Canal on Saturday. She has been ordered back to co-star with Gary Cooper in Paramount's "The New Divorce."

Nat Holly leaves for Cleveland today after conference both with RKO home office executives on bookings. Charles Koerner of Boston stays over a day or so.

James Christie, supervisor of RKO theatres in Chicago, Omaha, Kansas City, St. Louis and other spots, is scheduled to arrive from Chicago today.

Nate Blumberg is slated to fly to Denver today, weather permitting, to be on hand for the opening tomorrow of the Orpheum, recently reacquired by RKO.

Jerry Sacklem, story editor for Universal, arrived in town yesterday to look over the current legitimate offerings. He is at the Warwick.

John A. Curtis and William M. L. Fisher, III, both vice-president of First Division Prod. are due in New York from the woolly west today.

Travis Banton, Paramount fashion designer, gets in today from the coast. On Saturday he sails on the Ile de France on a European vacation.

Jack Cohn is back from another Miami vacation. Brother Harry is due from the coast within the next few days.

Meyer Rosen, of the Boston Film Poster Service, is missing out cigars now that he's the father of a son.

Adolph Zukor has been conferring with Paramount officials, now that he has returned from Hollywood.

Captain Richard Norton, British and Dominion producer, plans to sail for London late this week.

Dave Charen, the stooge, fame, has left for Hollywood via the U. S. highway route.

Tom Moore, former Washington exhibitor, is mourning the loss of his wife.

Mrs. Sam Eckman was among the passengers on the Ile de France, which docked last night.

Myrtle Russell left for Buffalo yesterday on his weekly trip to that city.

Richard A. Rowland is now on the coast, having departed quietly over the week-end.

Hal Horne plans to leave Hollywood Friday for New York.

M. A. Lightman is due from Memphis early next week.

Harry M. Warner is back from the coast.

Ruby Crawford in New York again. This time, from Hollywood.

Bob Gilliam plans to enthrall for the west on Friday.

The Olympian Acres, aerial act, opens at the Roxy, Friday.

And in New England

Max Melnick, Jack Walton, Mildred Shore and Harry Spink, handled detail of the Warriner Club party in Boston's Cocoanut Grove the other night. Chris Joyce, assistant manager of the Paramount, New Haven, has been transferred to the Allyn, Hartford, where he will assist Walter Lloyed. Ted Smalley, formerly at the Capitol, Worcester, replaces him. Al Kamm, Louis Schaefer, Harry Germain and George Rissing were among Paramount theatre and exchange employees who gathered together for a farewell party, all for Mr. Joyce's sake. A. I. Moreau, M. and P.-Publix district manager for Northern New England, is again on the Portland scene what with a Bermuda holiday behind him. Jack Hassett, Paramount manager in Barre, Vt., was his companion.

Revenge Motive

Kansas City, March 19.—Senator John P. Shen of St. Louis, author of what is the most drastic censorship bill ever introduced in Missouri, admits he introduced the bill as a "spite measure" to "get even" with a certain major film company which he asserts caused him a financial loss. He made this assertion to a group of industry representatives gathered in Jefferson City last week to protest the bill at a special hearing called by the committee to which it had been referred.

Conn. MPTO to Ask For Code Revisions

New Haven, March 19.—The secretary of the M.P.T.O. of Connecticut has been instructed to send letters demanding relief on the shortage of prints to local exchanges, home offices, Campi and Senate investigating committee. A committee including J. B. Fishman and Edward G. Levy will be sent to Washington to demand 20 per cent cancelation privilege on blocks of 10 or more, no restrictions eliminating preferred playing time and changes in the grievance board and Campi.

M-G-M Retains Owen

Hollywood, March 19.—M-G-M has re-signed Reginald Owen to a new long term contract.

Bitter Fight Rages Around Censor Bill

(Continued from page 1)

in St. Louis and Kansas City are busy as beavers to bring the dangerous importation of the legislation to the attention of theatre men.

Considerable assistance has been forthcoming from civic organizations, churches, and, in St. Louis, from the press. Dailies in that city are editorially denouncing the bill as harmful to the best interests of the state.

Arthur H. Cole of Paramount in Kansas City and George S. Italier, manager of the Publicx Newman, have enlisted the support of the Chamber of Commerce here. After their appearance before the legislative committee of the Chamber, that body went on record as throwing its weight behind the industry in opposing the proposal.

Dr. Bullis Jenkins, pastor of the Community Church here, and other churchmen in the state have made their opposition heard at the state capital.

Fred Wenneisen, president of the M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois, has called exhibits to arms in that state, while in western Missouri John C. Stapel, president of the Kansas-Missouri Theatre Ass'n, and R. R. Bice, secretary, are also calling out churchmen to keep up a barrage of protests until death of the legislation is assured.
“Roberta” Is Double Smash on the Coast

Los Angeles, March 19—“Roberta” was the big noise both downtown and in Hollywood. At the Hill street it was 100 per cent over normal on a take down. And at Warners’ Hollywood it was strong at $14,300, although not sensational.

In its second week at the 4-Star “Sequoia” took $5,000, which was $1,750 over a first-week average. “Unfinished Symphony” held up to $3,900 in its third week at the Filmart. The only other spot to display any activity was Pantages, which had a dual, “Transcendent Lady” and “The Nut Farm.”

Total first-run business was $76,834. Average was $9,604.

Estimated takings for the week ending March 13:

- **BIOGRAPHY OF A BACHELOR GIRL** (M-G-M)
  - CHINESE—(2,500), 30c-55c, 6 days. Gross: $6,000. Average: $1,000.
  - “UNFINISHED SYMPHONY” (G. B.) FILMART—(2,000), 30c-55c, 3rd week, 7 days. Gross: $2,600. Average: $371.43.

- **SEQUOIA** (M-G-M)
  - 4-STAR—(2,000), 30c-55c, 2nd week, 6 days. Gross: $9,900. Average: $1,650.

- **ROBERTA** (Radio)
  - WARNER BROS. (Hollywood)—(2,000), 30c-45c, 6 days. Gross: $14,600. Average: $2,433.

- **WHILE THE PATIENT SLEPT** (F. N.)
  - “CINNAMON” (Radio)
    - UNITED ARTISTS—(2,500), 30c-55c, 6 days. Gross: $2,064. Average: $344.

- **THE NUT FARM** (Monogram)
  - LAFAYETTE—(2,000), 30c-55c, 6 days. Gross: $3,300. Average: $550.

Industry Wins Point In Cal. Tax Battle

(Continued from page 1)

sensibly and means committee enabling California to collect a sales tax from firms doing business outside the state. Assemblyman Jones of Los Angeles, who sponsored the amendment, said: “I don’t think film rentals should be assessed a sales tax. If we are going to tax the motion picture industry in Los Angeles we had better do it in an open manner, not through hidden means.”

A new plan to balance the budget, with the state budget Committee. Receipt tax as its principal feature, was proposed by Assemblyman Donohue at a meeting of raising $30,000,000 11.

Flash Review

The Cyclone Ranger... run-of-the-mill western that should provide adequate fare for neighborhoods and small towns... This will be reviewed in full in a later issue of Motion Picture Daily.

“Roberta” Up To New Mark In Cleveland

Cleveland, March 19—“Roberta” broke the house record at Warners’ Hippodrome with a $23,000 gross. The picture played to over $10,000 on the opening week, which is also a week-end record, the house average for the week being $6,000.

The film was dismissed with “Dangorous Corner” on the screen was a smash at the Circle with a $6,000 gross against $3,300 average. “Sequoia” went $800 over average at Loew’s Stillman. The weather was good during the week, but was bad over the week-end.

Total first run gross was $32,900. Average is $4,120. Estimated takings for the week ending March 15:

- **NIGHT LIFE OF THE GODS** (Univ.)

- **ROBERTA** (Radio)
  - WARNERS’ HIPPODROME—(3,000), 30c-55c, 6 days. Gross: $23,000. Average: $4,600.

- **LIVING ON VELVET** (F. N.)
  - RKO—(1,700), 30c-55c, 6 days. Stage: George Olsen and Ethel Shattuck. Gross: $17,500. Average: $2,833.

- **FOLLES BERGERE** (U. A.)
  - LOEW’S STILLMAN—(1,600), 30c-55c, 6 days. Gross: $6,000. Average: $1,000.

- **DANGEROUS CORNER** (Radio)
  - LOEW’S HIPPODROME—(2,100), 30c-55c, 6 days. Stage: George Jessel and vaudeville. Gross: $6,000. Average: $1,000.

“Rumba” Lincoln’s Best Draw, $2,400

Lincoln, March 19—“Rumba” was the chief attraction of the town last week to overcome the Lenten slump and get into the profit class. It was up $3,200 on a $2,400 take in the Lincoln.

“Afcr Office Hours” was weak at the Stuart on a $2,750 gross, and a director of the Broadway, the “Spiral” and the “Romance in Manhattan” was just so-so.

Total first run business was $8,650. Average is $9,100.

Estimated takings for the week ending March 15:

- **SILVER STREAM** (Radio)
  - “MURDER ON A HONEYMOON” (Radio)
    - ADAMS—(2,500), 30c-45c, 7 days. Gross: $4,100. Average: $585.

- **ROBERTA** (Radio)

- **GILDED LILY** (Para.)
  - FIGUEROA—(2,200), 30c-55c, 7 days. Gross: $8,000. Average: $1,143.

- **SWEET MUSIC** (Warner)
  - MICHIGAN—(4,000), 15c-55c, 7 days. Stage: ‘Harlem Express’. Gross: $22,000. Average: $3,143.

- **THE NUT FARM** (Monogram)
  - “WOMAN IN RED” (F. N.)
    - STATEN ISLAND—(2,800), 30c-55c, 7 days. Gross: $8,100. Average: $1,157.

- **FOLLES BERGERE** (U. A.)
  - UNITED ARTISTS—(2,000), 30c-55c, 7 days. Gross: $5,400. Average: $771.

LeBaron Move Undecided

Hollywood, March 19.—With the future status of William LeBaron, Paramount producer, as yet undecided, the picture business is a waiting game for what his next move will be. LeBaron, once chief executive of Radio, credited with the production of “The Jazz Singer” and lately with all of the Mae West vehicles at Paramount, is reported to have received offers from major studios.

LeBaron has indicated that he might become an independent producer, releasing through a major company—
World Drive
For Theatres
Set by Loew
(Continued from page 1)
Schoedstadt circuits, is predicated principally on the success Loew's has experienced in Australia and on demonstrated successes in other cities abroad. Recently the circuit took over two theatres and built a third, which gave it representation in Sydney, Melbourne, and Brisbane. Some time ago a theatre was built in Johannesburg, South Africa, in opposition to the Schoedstadt interests.

Harry Moskowitz, in charge of Loew's construction department, is working on blue prints for houses in the following cities: Santiago, Chile; Lima; Perú; Osaka and Tokyo, Japan. The first two will seat approximately 1,500 each and cost $250,000 each. The Japanese units will be a trifle larger and more expensive. No starting dates for construction have been set.

Loew and Moskowitz plan to go abroad some time in the fall when building is expected to get under way. It was announced that house would go up first.

No talks with Chicago exhibitors who have held out against M-G-M product deals have been held in the last few weeks, it was learned yesterday, with the arrival from the Windy City of E. Irving, president of the Essaness circuit, operating 23 units.

May Confer With Feist

While his presence yesterday was required at Campi where he appeared on behalf of the Embassy, Chicago, respondent in a clearance and zoning complaint filed by the Liberty, Silverman told a reporter of Morroco Picture Daily that he may confer with Felix Feist, M-G-M sales manager, before he leaves for home Saturday, May 14, by the way he acted as his counsel in the appeal hearing.

"M-G-M's deal is impossible," Silverman stated. "It's like building theatres next to ours and we just cannot agree on their terms.

"We have dealt with M-G-M every year we have been in business and have gotten along, but this year it's impossible," he added. Silverman said the distributor was asking for "something like" 14 pictures on percentage and preferred playing time.

He declared Essaness was not affiliated with Schoedstadt or Aaron Saperstein and maintained his stand against M-G-M was independent of any other.

Following his return from Chicago last week with Louis K. Sidney and Thomas Lamb, David Bernstein, vice-president and treasurer of Loew's, stated there was no limit to the number of theatres the company would acquire and build in the Windy City.

New Theatre Company

ALBANY, March 19.—E. J. Kennedy and Associates, Inc., Cornell-on-Hudson, has been chartered here with a capital of 200 shares of no par value stock to exhibit and operate theatres. John J. Kenney, E. J. Kennedy and Phyllis L. Connolly are the incorporators.

Mass. Licenses for
Stage Hands Poised

BOSTON, March 19.—A bill to put the licensing of stage hands under jurisdiction of the Commission of Public Safety will be heard in executive session Wednesday. This petition, brought forward by George Corran, is at present being held under advisement by the Legislative Committee of Public Safety. It is considered significant.

"No person shall be employed or allowed to work as a master mechanic or a stage hand on any stage in the commonwealth during the period when a performance is being given unless he has received a special or a first class license to do so from an inspector," the bill, House No. 1648, reads.

Add Sipes House

CHARLOTTE, March 19.—The North Carolina Theatres, Inc., local company, has purchased the Alamance at Burlington from the Sipes chain and has closed the house with J. B. Austin as manager.

Racing Bill Licked
In Jersey Assembly

(Continued from page 1)
lobbying today for the necessary bills to enable him to obtain another vote on the measure after the legislature reconvenes on April 1, to meet during the last session before the scheduled recess.

The pressure of church lobbies was increased today as they were fighting to defeat the bill a week ago enough votes were pledged to pass the measure, but they were reduced under the pressure of church organizations.

The Rev. Dr. Lester H. Clee, Presbyterian minister, who is House speaker, appeared against the measure. Others opposed to it emphasized that pari-mutuel dog racing in New Jersey last year took so much money out of the territories where the tracks operated that theatres, in common with stores and other establishments, lost business.

Sidney Samuelson, Allied president, was one of those who witnessed the bill's defeat.

"U" Convention Set
For Chicago May 25

(Continued from page 1)
A general manager of distribution, who has been on the coast since Saturday. Details are now being filled up.

Complete plans for next season will be announced at the convention, which Laemmle has promised to attend. Granger will be here two weeks passing on material in hand and to be purchased.

Legion," Final Title

HOLLYWOOD, March 19.—Edward Small, production head of Reliance, has changed the title of "Let 'Em Have It" to "Legion of Valor."

Marion Burns Signed

Hollywood, March 19.—Monogram has signed Marion Burns for two westerns opposite John Wayne.

Looking 'Em Over

"Lilimom" (Far)

American audiences should enjoy this French production, made at the Fox plant in France by Fritz Lang and starring Charles Boyer. The dialogue is all French, but English subtitles are supplied. In most instances, however, it is possible to follow the story despite any lack of knowledge of the language spoken on screen.

Boyer is, by far, the outstanding character in the film. His portrayal of the immoral, cruel, but lovable rogue, Lilimom, is done with vitality and understanding. Lang's direction never lets the acting lag.

The story is Ferenc Molnar's familiar modern semi-classic, but the setting and treatment are different from previous versions. Boyer, as Lilimom, is the swaggering carnival Barker who falls in love with a chambermaid and sets up housekeeping with her. He fails to provide for her, however, and continues his easy way of living. When told he is to become a father, Boyer attempts to rob a paymaster and kills himself when trapped. Before he dies, however, he leaves a note to_women, where he is shown the evil of his ways.

Others in the cast who perform admirably are Madeleine Ozeray, Akover Forelle, Robert Arnoux, Henri Richard, Maximilienne and Mini Fournier. A special musical accompaniment by Jean Lenoir and F. Waxman is appropriate.

This film is recommended particularly where foreign pictures are appreciated. This is not a regular Fox release, but is available through Fox exchanges.

Production Code Seal No. 0611. Running time, 90 minutes. "G."

Frisco Bank Night
Hearing Is Started

SAN FRANCISCO, March 19.—Hearing of the contempt charge against 32 theatricals by Herman Cohen, operator of the United Artists, who charges violation of the code through the use of bank nights, opened before the local grievance board today. Some 10 theatre men, representative of the entire industry in northern California, were present.

Cohen was represented by A. S. Newburgh, Fox West Coast by L. S. Haines and Nasher Bros. by J. W. Ehrlin.

Testimony today was heard against F.W.C. and Associated. Those who testified were Cohen, James Nasser, Charles Thall of F.W.C. and Ethel Taylor, a Cohen employee. The board ruled each case must be proved. The session was presided over by Aaron Goldberg. The hearing will be continued on March 27.

Haines Does a Solo

Roy H. Haines of Warners acted as a Campi appeal committee of one yesterday, hearing three Chicago and one Buffalo clearance and zoning cases. The cases were Lyric, Earlville, Ill., against State, Sandwich, Ill.; Liberty, Chicago, against the Embassy, same city; Regent, Buffalo, against Victoria, Jefferson and Elmwood, Buffalo; Fairy, Nappannee, Ind., against Colfax, Granada and Palace, South Bend. Sidney Justin appeared on behalf of Publix for the Colfax and Palace. South Bend, while Louis Nizer and Mr. Nizer appeared for the Embassy, Chicago.

Phil Ryan Coming East

HOLLYWOOD, March 19.—Phil Ryan left for the east tonight on a combination feature production and distribution deal. He would not reveal details.
WO HEARTS IN BOX-OFFICE TIME!

Lovely
JILIAN HARVEY

TULLIO CARMINATI
that man from
“One Night of Love”

“Has what it takes to swoon the lady trade!”
—Hollywood Reporter

“Directed with delicate charm!”
—N. Y. Daily Mirror

“Carminati sings excellently!”
—N. Y. Daily News

Let’s Live Tonight

Directed by
VICTOR SCHERTZINGER

featuring the new song hit
“LOVE PASSES BY”

with
Janet Beecher
Hugh Williams
Tala Birell

Now packing the Roxy Theatre, New York

A Columbia PICTURE
English Firm
Will Produce
With 1st Div.

Dean to Complete Deal
Here for Associated

By BRUCE ALLAN

LONDON, March 6.—Basil Dean will visit Hollywood in September to complete arrangements for joint production with First Division, it has been announced by Associated Talking Pictures.

Associated British Film Distributors, distributing link of A. T. P., which is handling First Division product here on a reciprocal basis giving A. T. P. product the F. D. release in the states, is also distributing 20 features from Maskoi and announces a big increase in its own production.

Directors during the new season will include Alfred Hitchcock and

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Darrow Criticizes
President on NRA

WASHINGTON, March 20.—Criticizing the President for shelving the first report of the National Recovery Review board for three weeks in order that NRA officials might have the opportunity to prepare a reply, Clarence Darrow, chairman of the board, today told the Senate Finance Committee that later reports were issued “sur- rectly” in order to get them into the newspapers.

Avoiding all reference to specific codes, Darrow told the committee that

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Campi Upholds Four
Bank Night Orders

KANSAS City, March 20.—Campi has struck again at bank nights and cash nights in affirming four cease and desist orders issued by the local grievance board.

The decisions upheld on appeal were: E. Van Hyning vs. Dickinson and Kelley theatres, Iola, Kan., bank night; Greenleaf, Greenleaf, Kan., vs. Majestic; Washington, Kan., bank

(Continued on page 8)

New Haven May Take
Clearance to Court

NEW HAVEN, March 20.—Dissatisfied with the failure of Code Author-

ity to act on clearance and zoning complaints involving what they believe is excessive clearance for Loew’s

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Fox Met Plan
Going Before
Court Friday

Hearing Will Be Held
After 20-Day Lapse

The reorganization plan for Fox Metropolitan Playhouses sponsored by Joseph M. Scheck and Fox Theatres will be filed with Federal Judge Julian W. Mack tomorrow and a date will then be asked for a creditor's hearing on the plan.

The hearing date will probably be about the middle of April as a mini-

imum of 20 days' notice must be given to creditors.

The plan provides for the forma-

tion of a new Fox Met company, the stock of which will be owned jointly by Scheck and Fox Theatres, al-

though the latter has offered to sell to Skouras Theatres a large part of its Fox Met holdings subsequent to reorganization. Scheck will become president of the new company and operation of its 86 theatres will con-

(Continued on page 8)

Allied Heads Going
To Northwest Meet

Sidney Samuelson, Nathan Yamin-

and Abram Myers have next week for Monopola to be on hand for the annual meeting of Allied Theatres of the Northwest, which will be held

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Sum Up Today in
Century-RKO Case

Simmons in the Century-RKO
clearance dispute in Long Island will be given this morning and afternoon by Mitchell Kugh, representing the

(Continued on page 8)

Pennsylvania
House Passes
10% Tax Bill

HARRISBURG, March 20.—Despite organized opposition from the indus-

try, the Pennsylvania House late last night passed the administration’s 10 percent admission tax bill. The vote was 117-52.

Governor Earle estimates it will pro-

duce $6,000,000 in two years.

Strong opposition is expected in the Senate, which is controlled by Republicans, but its passage is held improbable.

(Continued on page 8)

Tax Exemption Move
Reported in South

RICHMOND, March 20.—Southern states are taking seriously this talk about moving studios from California.

Governor George C. Peery of Vir-

ginia says he is ready to sponsor a move to furnish tax exemptions. It is understood that tax exemption moves will be made in other southern legislatures to match any offer which Florida may make to the industry.

(Continued on page 8)

More License Bills
Appear in Bay State

Boston, March 20.—Two more bills in the legislature are disturbing theatre men. One provides that no license for billboards or other out-

(Continued on page 8)

BRANDT MOVERS

TO END DUALS, RAISE PRICES

Want General Meeting For This Territory

Harry Brandt, president of the I.T.O.A. of New York, last night told "Motion Picture Daily" he was about to issue a general industry in-

vitation to discuss a method of elimin-

ating duals in Greater New York and, at the same time, couple with the movement a general hike in admissions.

"The I.T.O. has learned by direct comment of patrons which attend its members' theatres that many of them are much disgusted with considerable at the product offered them on double bills," he stated.

"I am, therefore, about to issue in-

vitations for a conference of major circuit executives, independent thea-

tres, as well as producers and dis-

tributors, at which the problem can be discussed. I am not hopeful that one meeting will solve the problem, but I feel the practice can be elimi-

nated by a thorough and sincere air-

ging of the various concerns involved. However, I am opposed to any plan

(Continued on page 3)

Monogram-1st Div.
Split Details Set

W. Ray Johnston, president of Monogram, yesterday said that nego-

tiations whereby his company would acquire First Division Exchange's stock interest in Monogram and its franchise in New York and Philadel-

phia have been concluded and con-

tracts signed.

The contract for New York ter-

minates immediately, with the excep-

tion of two westerns not yet delivered.

(Continued on page 3)

Para. Unit Enters
Plea to Reorganize

LOS ANGELES, March 20.—Seeking to protect bondholders against losses in either capital or income, Paramount Properties, Inc., owners of the

(Continued on page 6)

CINEMATOGRAPHIC DAY
Is Staged in Mexico

By JAMES LOCKHART

MEXICO CITY, March 20.—As a means of stimulating the Mexican indus-

try the National Revolutionary

(Continued on page 8)
GEOEGE COYLE, flyweight champion of the Golden Gloves contest, who is also an usher at the Music Hall, was host to 45 members of the boxing squad and their trainer, AL COPELAND, last night. Trophies were presented.

NICHOLAS LUDINGTON, William M. L. Fiske, 3rd, and John CURTIS, who were scheduled to arrive from the coast yesterday, didn't. They're still in Hollywood unaware of any need to be here for the present.

S. BARKER McCORMICK left last night for Indianapolis to become manager of the Circle there for one month. He has lined up 25 of his old employees to help him out.

QUIP OF THE DAY

Leonard Goyer of Fox read that ad of Eddie Cantor's offering himself as a "radio consultant." "He'd better hire himself," was all he had to say.

JIM CUNNINGHAM, editor of "Asides & Interludes," disrupted diners at the Willow Cafeteria yesterday by objecting to a five-cent orchard charge for cream on his baked apple.

EARLE W. HAMMONS, William F. ROGERS and BILL SCULLY were among those who did their daily lunching stot at the Astor yesterday.

HUNT STORMBERG, W. S. VAN DYKE, CHARLES HACKETT and FRANCOIS GOORHAN, all Enngames, trek to the coast today.

ROBERT KATZER, Austrian composer, arrived on the Ile de France the other night en route to the M-G-M studios.

GEORGE J. SCHAFFER, Paramount general manager, left for the Bahamas last night on a 10-day deep sea fishing trip.

F. PHILPS, Warner theatre executive, left last night for Cleveland on business. It's a flying trip.

J. J. McCARTHY is due in from Hollywood Saturday after two weeks on the coast.

ED KYVENDAL is en route to his Columbus, Miss., home following a two-day Washington stopover.

GEORGE WECKELE celebrates a birthday today, but, like the daisies, won't "die.

ROBERT W. WILBY of Valatedge Theatres, Inc., Atlanta, is in New York.

HERMAN REIFEN came to town from Boston yesterday for a two-day visit.

GEORGE SKOOGAS was spreading smiles around the Hays office yesterday.

PAT CAYLEY expects to head westward this week-end.

CHARLES ROSENZWEIG has returned from a long Miami vacation.

BARRABA BLANE, who has been dancing in Broadway clubs for some time, has been signed to a long-term contract by Fox. She'll leave for the coast shortly. ROBERT WILDE, who has been appearing in "Life Begins at 8-40," left for Hollywood yesterday to report to M-G-M. William Morris Agency handled the deals.

HARRY SHAW, in charge of the Fox circuit for London in England, is vacationing at the Laurel-in-the-Pines at Lakewood. He originated plans to make a southern cruise, but decided on Lakewood the last minute.

AL JOLSON leaves Hollywood Saturday for here. He is on a vacation and will complete arrangements for his Shout broad April 1. It's been next month. RUBY KEELER, Mrs. Jolson in private life, will accompany him.

PHIL SHEPHERN of the Winnipeg U. A. branch returns to the U. S. on April 13 when he becomes attached to the New Haven office of the same company.

NOO BEERY, who was recently signed for a Gaumont British picture to be made in England, will sail early next month to start work.

DAV FAY of Providence and George WELTY of the British studios, spotted at the Tavern during the lunch period yesterday.

GEORGE RAFT intends to take a European trip upon completion of "The Keys." That is, if nothing interferes.

DAVE LOEWF is due back from the coast of Guatemala. British studios have planted at the Tavern are among the few who can't find the time.

E. J. Vallen of Valen Curtain Control, Akron, O., is in town visiting theatre equipment dealers.

BILL SCULLY and JACK ELLEL are back in Miami with fans that will take weeks to wear off.

LYNN FARNON has been through a slight case of morale trouble on some advertising art.

... and at Detroit

RAY E. MOON, general manager of Co-Operative Theatres of Michigan Inc., has returned from Florida. He watched a film, a motion picture.

COBANK, Monogram salesman; MAC COBAIN, McColl, Columbia salesman, and ARMSWORTH of the Loon and Capitol theatres, are others returning from the South.

FLINT ENDS COAST JOB

LONDON, March 20.—Campa Secretaries John C. Flinn today ended conferences on final changes in the local clearance schedule and will fly east tomorrow night. The changes, according to Flinn, have been predicated on the belief that the clearance board is equitable to all. He expressed the opinion Cammies would give its approval in time to have the revised schedule become effective March 31.
Brandy Moves To End Duals, Raise Prices

(Continued from page 1)
looking toward the end of twin bills unless admission prices can be raised on some general plan and by the same juncture.

He explained he felt a hike in scales is a necessity subject to the plan because the increase in grosses will fortify the exhibitor against "sloughing" of mediocre product. Adding profitable conversations already have taken place with some circuits, independent and producer, Brandy expressed it as his opinion that, while no producer deliberately sets forth to make a bad picture, many emerge that way, nevertheless.

He believes this is the time to launch the endeavor, well in advance of the new buying season and to actually put it in effect by Labor Day, getting across the increase under the guise, perhaps, of a "Greater Movie Season." His idea is not to increase admissions on a set plan as applied to all houses in the metropolitan area, but to advance prices five or ten cents, the increase depending upon zones and conditions in them. It is his thought further, that independent producers might be persuaded not to fight the idea and cited the instance of "The Girl of the Limberlost" which, he said, rated five times its rental draw in many local situations, but failed to get its worth because of the prevalence of twin features.

Move to Hike Prices Failed

Several months ago local circuits, through Charles McDonald, a division head at RKO, planned to increase admissions at all theaters with the cooperation of the I.T.O.A. and T.C.C. A meeting was set to be called by McDonald at which all exhibitors in this territory would discuss the move. The session sized.

Some exhibitors contacted by Motion Picture Daily at the time gave little hope to any move to advance prices, particularly in the evening. It was held that the low matinee tariff was reflected in the early box-office receipts, but that in the evening when admissions are higher, attendance was not so good anyway unless the attraction was unusual.

About two years ago major and independent circuit leaders held several conferences with producers in move to eliminate duals, but RKO took a stroll.

Monogram-1st Div. Split Details Set

(Continued from page 1)
and in the Philadelphia territory the contract terminates at the end of the 1934-35 releasing season.

Johnston said yesterday, "The two organizations, Monogram and First Division Exchanges, are distinctly competitive and it would have been advisable to have continued any operation together for a longer period.

Monogram's plans for the operation of the local exchange will be announced shortly, when expansion plans for the new season are ready.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Strangers All"

(Radio)

Hollywood, March 20.—Dealing with a quaint family whose respective tendencies make them strangers to each other, this film is well spiked with laughs and is thoroughly entertaining. The direction and performances are No. 1 caliber and the picture will keep audiences laughing most of the time.

May Robson, as the mother, has a tough job keeping peace in a family consisting of James Bush, a youth with radical tendencies; William Bakwell, a histrionic type who wants to be a Hollywood actor; Preston Foster, who runs a discount store on a shoestring, and Florine McKinney, a harum-scarum daughter. Comedy situations leading to the climax are the usual incidents but are put over in fine manner. The hictic windup features Foster unable to meet a bank debt, Bush arrested for starting a riot, Miss McKinney marrying the wrong guy, proves to be the right one, and Bakwell trying to run out on a muddle to protect his histrionic name before he has one.

Miss Robson's savings of $1,000 transfer hands several times, finally saving the day. The comical fadout has the family thrilling to Bakwell's performance as atmosphere in "Hollywood film, the flash being so quick Miss McKinney missed him.

Charles Vidor's direction keeps the film moving fast at all times. All performances are first rate with Bakwell's comedy role the standout. John Boyle's photography is above the average. Milton Krum is given the screen play from the play by Marie M. Berovici.

Previewed without production code seal. Running time, 70 minutes. "G."

"Motive for Revenge"

(Darnoux-Majestic)

Hollywood, March 20.—Where entertainment bristling with melodramatic action and suspense is appreciated, this fast-paced modern yarn should give satisfaction. What romance and comedy there are, and there's plenty of both, provide the primary elements.

The title gives definite hint to the picture's character. Mother-in-law Doris Lloyd continually harping upon bank clerk Donald Cook for his refusal to provide extravagant luxuries for his wife, Irene Hervey, succeeds in making him a thief. His only hope during prison years is his wife's promise to await his release. The interfering mother-in-law, however, contrives to have Miss Hervey marry the fanatically jealous tycoon, Edwin Arnold. Upon Cook's release, with revenge now his ambition, he is in Arnold's house when that worthy is killed.

Suspicion is centred upon Cook. Important upon taking the blame himself, Cook and Miss Hervey are aboard a deserted gambling boat in sequences that are made funny by the antics of a pair of dumb detectives. In the meantime, maid Kenilworthy confesses the killing of Arnold. The way made clear for the lovers to pick up their broken romance, the mother-in-law is killed, eliminated in the finale. Although the cast boasts no outstanding names, Cook, Miss Hervey, Doris Lloyd and Arnold contribute convincing performances in the feature roles. Support is adequate with Edwin Argus, John Kelly, Billy West and Fern Emmett being outstanding. Burt Lynwood's direction took advantage of the Stuart Anthony story so that there is lots of opportunity for tricky showmanship exploitation based upon the yarn's dialogue, situations and action.

No code seal. Running time 65 minutes. "G."

Pennsylvania House Passes 10% Tax Bill

(Continued from page 1)
of, with no tax on tickets of 10 cents or under.

The principal sections of the bill provide for a two per cent sales tax to be passed on to the consumer.

Calif. Income Tax Looms

Sacramento, March 20.—It is believed that the state is considering an income tax calling for a third of the Federal rate, to raise $20,000,000. It is claimed this would give California the highest state income tax rate in the country.

The Senate has passed the resolution, in which Congress to pass the Townsend old age pension plan, and this is taken as an indication that the administration will force through its income tax measure.

Nebraska Tax Killed

Lincoln, March 20.—The measure seeking to levy a 10 per cent tax on the gross of film and film equipment rentals was killed in the House today. Speakers against the measure were President C. E. Williams, of the Omaha M.P.T.O.A.; Regina Moshel, code secretary in this territory; D. V. Mclucas, exchange manager for United Artists; Bob Livingston, Capitol manager here and head of the lobbying committee, and Representative Haycock, Democratic floor leader who also is a commit-tee on the bill and a showman from Callaway, Neb.

This was the sole measure in the legislature that had any effect on ex-hibitors.

Allied Heads Going To Northwest Meet

(Continued from page 1)
April 1-2. H. M. Richard of Detroit will also attend.

Elections and code topics will highlight the two-day session. Samuelson within the next day or so will announce six regional vice-presidents. There were four previously whose terms expired Feb. 1. The new list will add as well as two additions.

More License Bills Appear in Bay State

(Continued from page 1)
door advertising can be granted without the written consent of a Mayor or alderman.

The other bill provides a complicated licensing system for heating and cooling systems under the control of the Department of Public Safety.

"Copperfield" Leads Herald's Champions

"David Copperfield" led Motion Picture Herald's "box-office cham-pions" for the month of February.

How'd You Like to Sell A GOLD

Hear the Records Crash in BOSTON - PHILADELPHIA - DES N
You can do it with "Gold Diggers"— and Warner Bros. show you how by putting 30 a minute through the turnstiles at the Broadway Strand's morning premiere!

**Diggers of 1935**

**DICK POWELL • ADOLPHE MENJOU • GLORIA STUART • ALICE BRADY • FRANK McHUGH • GLENDRA FARRELL • HUGH HERBERT • WINI SHAW • JOE CAWTHORN, 4 OTHERS**

*The story and the most superb spectacles yet screened directed exclusively by BUSBY BERKELEY*

**DINES - WASHINGTON - MEMPHIS**
Para. Unit Enters Plea to Reorganize

(Continued from page 14)

Paramount theatre building in New York was asked Federal Court today for permission to reorganize. Revamping of its capital structure would involve no reduction in par value or lowering of interest rates on the company's $7,750,000 bonds, per cent bonds now outstanding and no change in ownership or control of the properties.

While a hearing on the proposed plan is set for April 8, the court authorized the company to remain in possession of the properties and to continue operation as heretofore. The company is a subsidiary of Paramount, and this move is part of the reorganization plan of the parent company.

One of the major changes in the plan provides for elimination of some maturities in the company's bond issue and establishment of a sinking fund so that all bonds would have a single maturity on Sept. 1, 1942.

Harry L. Dunn, counsel for the company, stated that through the proposed reorganization it would eliminate all existing provisions permitting release of certain properties from the mortgage security. As his next step, he said, it would be possible to obtain release of the studio properties from mortgage if the theatre properties now earning two and one-half times bond interest requirements were to be sold.

Under the proposed plan the company would only obtain the release of studio properties upon payment of 60 per cent of the principal amount of the bonds then outstanding, providing the remainder of the outstanding bonds were fully guaranteed by the parent company. This plan supersedes all other plans and is believed to satisfy all interested parties, according to counsel.

N.H. House Votes to Ban Daylight Saving

CONCORD, N. H., March 20—Upsetting a majority vote on the floor, the House yesterday voted, 186 to 100, to prohibit daylight saving in the state. Substantial lines are provided for modifications of standard time schedules, even by private business. The measure is expected to receive strong support in the Senate.

For some years there has been a bitter fight over the adoption of Daylight Saving Time by some municipalities and counties. An emergency local option amendment was shelved under.

A bill to give selectmen the authority to censor films met with strong opposition yesterday at a hearing before the judiciary committee of the House. Senator Ancil Sanborn holds that town officials should be given more authority. No decision on the measure has been reached yet.

Wins Richmond Permit

RICHMOND, March 20.—Objections to the location of a new theatre in Highland Park have been overcome, it is said, and the permit will be approved by the Board of Zoning Appeals in a few days. The application has been made by Charles A. Somma, partner of Walter J. Goeltz.

Looking 'Em Over

(Continued from page 5)

a last good time. He tells her he has accepted an engineering job in Russia, although he goes to prison. Their letters are diverted by friends and, the girl, still believing her husband is in Russia, returns to New York to await the birth of their child. Brent at last realizes that love for his wife is the only reason she is still with him and he is able to make her happy.

Other principals include Jean Dixon, Harry Beresford, Robert Allen and Arthur Hohl.

Production Code Seal No. 636. Running time, 75 minutes. "G."

"The World Accuses" (Chesterfield)

If this production was designed to capitalize on the recent Vanderbilt-Whitney court battle for the custody of the former's child, it falls far short of the mark. It is also shy on entertainment value except when Dickie Moore and Cora Sue Collins are on the screen. These two youngsters supply the only zest in a cast that includes Vivian Tolin, Russell Hopton, Harold Huber and Robert Elliot.

The yarn has Miss Tobin, who gives up a theatrical career to marry into society, unable to get along with her mother-in-law. When her husband is killed in a brawl in a Broadway club her child is taken away from her by her grandmother. The youngster grows up to be Dickie Moore after two reels. In the meantime, Miss Tobin gets a job in a nursery and meets Hopton, father of Cora Sue Collins. The murderer of her husband escapes from prison and hides in the nursery where Miss Tobin is now in charge. This enables the authorities to recapture him and return the child to his mother. The romance that had sprung up between Miss Tobin and Hopton winds up at the altar, providing a happy ending for those liking the hero and heroine in each other's arms at the fadeout.

Charles Lanston's direction is satisfactory in spots, but he didn't have much material. The photography of M. A. Anderson is fair.

The film might prove suitable for small towns and neighborhoods. Reviewed without production code seal. Running time, 65 minutes. "G."

"The Fighting Pilot" (Allied)

The chief trouble with this picture is that it has no regard whatever for plausibility or restraint—not a wee bit.

The sole concern of its producers, Reliable, seems to have been to supply action, action and then more action. In this they have succeeded well, although the result is not always to the film's advantage. There's much smashing around that after a time it all becomes a bit monotonous, if not downright comical. One tussle between the hero and the villains alone consumes almost half of the footage.

All this should suggest that "The Fighting Pilot" is meat for the kids but hardly for mature audiences.

It must be said for Richard Talmadge, the star, that he takes a lot of risks to give his fans what they presumably expect of him. The wonder is that at the end he is still on his feet and has enough strength left to squeeze the heroine (Gertrude Messinger) to his manly bosom.

The story has to do with the efforts of Robert Frazer, a foreign agent, to learn the secret of a new airplane motor invented by William Humphrey, Miss Messinger's dad. The film is nothing more than a series of encounters between Talmadge, a pilot in love with Miss Messinger, and Frazer and his gang. Talmadge comes out the winner, of course.

Eddie Davis is the comic of the piece. Noel Mason directed. No code seal. Running time, 60 minutes. "G."

"The Little Colonel," this morning's opener at the Radio City Music Hall, was reviewed from Hollywood by wire Feb. 7.

"Naughty Marietta," opening at the Capitol tomorrow morning, was reviewed from wire from Hollywood Feb. 19.

"The Mystery of Edwin Drood," which was reviewed from the Rialto yesterday night, was reviewed by wire from Hollywood Jan. 19.

"Woman in Red," which is to be reviewed tonight at the Rialto, was reviewed from wire from Hollywood.

"The Mystery Man," which opened at the Criterion yesterday morning, was reviewed from Hollywood Feb. 4.

W. C. Fields Is Better

HOLLYWOOD, March 20.—W. C. Fields, who was stricken with a severe attack of influenza several days ago, is now reported very much better.

Duels Spread in Ohio

CLEVELAND, March 20.—Warrers' Strand, Akron, and Allambra, Canton, have gone to a double feature policy the last half of each week.

"U" and M-G-M Close Deal for "Ziegelfield"

HOLLYWOOD, March 20.—After four weeks of negotiation signatures for the final transfer of present "Ziegelfield" from Universal to M-G-M have been affixed by Frank Mastroly for M-G-M and Louis Mayer for M-G-M.

The deal totals more than $250,000 and is a pre-production cost. William Anthony McGuire and his entire staff go over to M-G-M, but Universal gets the privilege of calling on William Powell and May Robson for one picture each.

Change in Utah Sale Tax Law to Be Asked

SALT LAKE CITY, March 20.—A bill has been introduced by Senator Philip W. Mansfield, to prohibit Walking Aikens and similar endurances which continue longer than 24 hours. The bill specifies penalties of not less than $50 or more than $300, with imprisonment of 30 days, each day's exhibition to be considered a separate offense.

Files Suit Over Song

Mrs. Basil Burke, of Stanford, Conn., has filed suit against Warners claiming the melody of the song, "Happiness Ahead," which Dick Powell sang in the picture of that name is the same as hers. "P. V. D. I. S. Man." In reply to Mrs. Burke's charge of plagiarism, Warners allege that the melody was old before she used it.

Plan Advertising Films

Promotion Films, Inc., chartered last week in Albany, will produce and distribute a series of "F. 1. R. U. Z. Board," and the separate basis a series of commercial advertising films.

R. M. Savini is president, J. Micheloni, vice-president and treasurer, and C. Bernier, secretary.

Open in Philadelphia

Tyrploon Air Conditioning Co., Inc., has opened a Philadelphia office to handle eastern Pennsylvania, New Jersey, Maryland and the District of Columbia. Charles S. Dingleman, former chief engineer of the Stanley Co., is in charge.

Louisiana House Burns

NEW ORLEANS, March 20.—Fire, which started between 3 a.m. and 5 a.m. at 3507 Simon Road, La., operated by L. J. Langlois, destroyed the building, a two-story structure, carrying all the supplies over the entire commercial section.

Ampa Meeting Closed

Appointment of a nominating committee was the principal business at a closed meeting of Ampa tomorrow. Reports of committees on the Naked Truth Dinner also will be heard.
“Brilliant drama. Takes its place as one of the finest pictures of the season. Cooper gives a magnificent performance. Don't miss it.” — N.Y. JOURNAL

“Gary Cooper...giving one of the year's most capable performances. Well directed, intelligently acted, handsomely produced...it will hold your interest right from the first scene...” — N.Y. SUN

“One of the finest films Samuel Goldwyn has ever produced. Magically acted, magically directed...a work of distinction...Gary Cooper excellent.” — N.Y. WORLD-TELEGRAM

(Highest Rating; EXCELLENT)

“In considering the stunning qualities of 'The Wedding Night' it is easiest to bracket Anna Sten and Gary Cooper at the top...together they are the perfect team.” — N.Y POST

“Believable...touching...convincing and curiously powerful.” — N.Y. HERALD-TRIBUNE

“Dramatically striking! A credit to Mr. Goldwyn and Mr. Vidor.” — N.Y. TIMES

A unanimously enthusiastic tribute to one of the finest pictures of the year!

SAMUEL GOLDWYN presents

GARY COOPER
ANNA STEN
in

THE Wedding Night

with
RALPH BELLAMY • HELEN VINSON
and SIEGFRIED RUMANN
Directed by KING Vidor

Released thru
UNITED ARTISTS
English Firm Will Produce With 1st Div.

(Continued from page 1)

Monty Banks. The former will direct "London Symphony," first of two features to star Clive Brook; the second of these will be the Anglo-Australian film already announced.

Stars lined up include, in addition to Brothers John Leslie Henderson, Victoria Hopper and Edmund Gwenn, and among the authors are J. B. Priestley, Margaret Kenneth, Ian Hay, R. L. Sheriff, H. M. Harwood and Eleanor Smith.

A.B.F.D. will move in June from Wardour St. to big new premises in Oxford St.

Plans Are Not Definite

While Associated Talkies Pictures is planning to produce one or two pictures in this country in line with the cooperative arrangement and production agreements with First Division, no definite plans have been set, Reginald Baker, financial head and joint managing director of this company and Associated British Film Distributors in England, stated yesterday.

The company will not make any definite moves until it is convinced there is a possibility of commercializing its stars for future development in the film field. Baker said he is the first star the company has in mind for the test, providing a decision to produce here is made.

First Division in turn, would make one or two films in England. The cooperative deal runs indefinitely, Baker stated. The A.T.P. executive stated he feels the United States and will probably return in about six months for another visit. He sails tomorrow on the Hays-Ohio.

While in Hollywood for two weeks, Baker met a number of friends and conferred with First Division production heads on new product.

Sum Up Today in Century-RKO Case

(Continued from page 1)

complainant, and Louis Nizer, for the respondents.

Upon request of both parties, the declarations by both attorneys will go into the record, which to date is about 1,250 pages. It costs 93 cents a page for recording the testimony. Indications are that today's session will go for about four hours with from 100 to 150 pages of copy in the record.

The public stenographer's bill on this case will tally around $1,275, which Century will pay, having ordered the minutes taken.

Urge Moe Silver for Albany Board Place

ALBANY, March 20—Moe Silver has been unanimously recommended to Code authorities by the grievance board to succeed Louis Lazar, former WARNER manager here. Silver is Lazar's successor with Warners.

The board has issued a stop order against the Regent on its opportunity contests. The complaint had been brought by A. Stone, Eagle Theatre.

Not Right Now


Compliance Director Sol A. Rosenblatt has no intention of resigning "at this time," it was declared today.

He refused to say whether he had received any recent offers, as rumored.

New York reports have it Rosenblatt had been approached by Paramount, but he declined.

Sundays Ruled Out In Filing Appeals

Sundays do not count as one of the five days allowed exhibitors and distributors in which to file appeals. Tyree O'Connor, Jr., legal advisor of Campi, yesterday told an appeal committee. He said this was his understanding with Compliance Director Sol A. Rosenblatt and he had ruled that way in other cases.

The committee consisted of Sidney J. Fishman, Warner Bros., and Charles Moses. The case was an appeal by M-G-M from unanimous decisions by the New Jersey advisory board and local clearance and zoning board in the case of Irving Dollinger of the Plaza, Linden, against Warner Bros., at Rahway and Regent, at Linden, N. J.

Dollinger claimed the decision was rendered Jan. 24, sent on the next day and Metro appealed on Jan. 31. The two unanimous verdicts were in favor of Dollinger. The Plaza was given the right to play seven days after Rahway, and the two Warner houses in Linden instead of the 14 days demanded by his competitor.

M-G-M was not concerned in the case and no one could understand why Dave Levy, branch manager, appealed. Levy has been ill for the last week and could not attend the session. William Scully promised to attend in place of Levy, but never showed up.

Darrow Criticizes President on NRA

(Continued from page 1)

the NRA is taking business away from the small concerns and giving it to the big ones and foresaw in continuation of the organization the enslavement of all workers and small business men.

Discussing the activities of his board, he declared that within a few weeks of its creation he was given the impression that speed rather than intensive investigation was desired by the Administration.

An effort to have the committee investigate individual codes will be made by Senator Gerlad F. Nye of North Dakota, who has secured a reapportionment on the clothing code, which the charges, contains evidence of oppression.

Issue Toledo Stop Order

CLEVELAND, March 20.—Film service for the Ohio at Toledo has been ordered stopped by the grievance board as a result of the failure of Jack O'Connell to maintain scales alleged to have been stipulated in his contracts. The order becomes effective March 25. A compliance order was issued on March 11.

Urge Sliman for Board

NEW ORLEANS, March 20.—Philip Sliman has been recommended to Campi as the successor of Joe Barcelonas, resigned, on the clearance and zoning board. Sliman, who runs the Laurel here, qualifies as an independent subsequent run exhibitor.

Estimate RKO Loss Will Be $500,000

(Continued from page 1)

however, that the final result will show a loss well under the $875,000 estimate recently made in connection with the annual financial report of RCA.

RKO's loss the preceding year was $4,384,654. The company showed a profit of $231,348 for the first six months of 1934.

Cinematographic Day Is Staged in Mexico

(Continued from page 1)

Party, which controls the government, staged a Cinematographic Day throughout Mexico yesterday in the form of lectures on the necessity for encouraging production here and exempting from taxes for the day all exhibitors who showed at least one Mexican production. Exhibitors who showed complete Mexican programs were officially praised as well as exempt from taxation.

Third Poster Out Soon

Third of a series of good-will posters being distributed by the Hays office will be shipped April 1. They will be printed in a rose tint.

Letters praising the two first posters have been received from all over this country, Canada and Australia, the Hays office states.

"Dictator" Retitled

Gaumont British has changed the name of "The Dictator" to "Farewell to Love," the transition applying only to American distribution.

HIS HERE!... HE'S EVERYWHERE!... HIS STRIPES... HIS SPINES... HIS SLEEPS... HIS WINGS... HIS TAIL... HIS...
Fox Reports
1934 Net As
$1,273,069

Equals 52c Per Share; Slightly Under '33

Fox Film Corp. reports a profit of $1,273,069 for the year ending Dec. 30, 1934, after all charges, including Federal income taxes. This compares with a loss of $557,122 for the 13 weeks to April 1, 1933, the period after reorganization, and a profit of $1,410,793 (without tax deduction) for the 39 weeks ending Dec. 30, 1934.

On the basis of 2,436,409 shares of Class A and Class B stock outstanding, the $1,273,069 net amounts to 52 cents per share.

For the 13 weeks prior to the end of the fiscal year, Dec. 29, the company sustained a loss of $233,143. During January and February earnings

(Continued on page 10)

Century-RKO Both Predict Victory

Both Century and RKO are confident of victory in the Long Island clearance dispute, following summations yesterday by Mitchell Kibby, representing the complainant, and Louis Nizer, for the respondent.

The entire day was devoted to the highlights of the case with Kibby taking the floor in the morning for two and a half hours, starting at 10:40 and winding up at 1:10 P.M. Nizer took the floor at 2:30 P.M.

(Continued on page 11)

Campi Budget Being Studied in Detail

Following a breakdown of the 1935 budget, as requested by the NRA Division of Research and Planning, Campi has submitted the financial outline to its finance committee, which is going over the plan. It is expected to be approved by the committee for presentation to Campi on March 28. Expenses for local branches and Campi are broken down individually

(Continued on page 11)

Richberg Is Made New NRA Chairman

WASHINGTON, March 21—Donald R. Richberg has come to Washington to be chief counsel of the NRA under General Johnson and more recently has served as first assistant to

(Continued on page 11)

Legislative Battles Gain In Intensity

Ohio Passes Playdates Bill; Taxes Impend

Legislative battles are being waged in a number of spots. Both branches of the Ohio Legislature have passed the Waldvogel bill banning designated playdates. Missourians are organizing a statewide campaign against the proposed two per cent sales tax now that the censorship bill seems to have been shelved. Omaha exchanges are threatening to move across the river to Council Bluffs, la., if a footage tax is passed.

Racing bills are stirring agitation in a number of spots.

Pass Waldvogel Bill
COLUMBUS, March 21.—Senator Edward N. Waldvogel's bill prohibiting designated playdates passed the House

(Continued on page 11)

California Income Tax Hit by Bryson

SACRAMENTO, March 21.—John G. Bryson, industry representative, told the Senate Revenue Taxation Committee that, with the proposed California rate, the state and Federal income taxes would total 76 per cent on incomes of a million dollars.

The committee chairman said that it appears that the state rate, based on a third of the Federal, would

(Continued on page 11)

Court Rules for Dog Track in Bay State

Boston, March 21.—Opponents of dog racing suffered their first defeat yesterday when Judge Henry Lummes of the Massachusetts Supreme Court

(Continued on page 11)

Code Revamping Outlook Goes to Recovery Board

By BERTRAM F. LINZ

WASHINGTON, March 21.—Suggestions by Ed Kuykendall, president of the M.P.T.O.A., for a conference with Compliance Director Sol A. Rosenblatt on the question of revising the code will be discussed by the latter with members of the National Industrial Recovery Board in the next few days with a view to deciding whether anything could be accomplished by reopening the code at this time. The board this week refused to reopen the shoe code pending

(Continued on page 11)

LOUIS WILEY

I N the passing of Mr. Louis Wiley, business manager of the New York Times, the motion picture industry has lost an old and valued friend. Mr. Wiley's richly significant constructive service in the service of the New York Times, an institution which he so importantly helped to build into its greatness beginning in 1896, precisely coincides in years with the development of the art and industry of the motion picture. His acquaintances and friendships in this world of the motion picture were many and important. He was ever an encouraging counsellor and a friend of influence in important places.

The spirit of Mr. Wiley, with his constructive, kindly

(Continued on page 11)

Loew's to Aid Move for Dual Stoppage Here

RKO, Skouras Attitude Not Stated as Yet

The cooperation of Loew's in the projected I.T.O.A. industry conference to be called by Henry Brandt, president, to discuss means of eliminating double featuring and increasing admissions in Greater New York houses was reported yesterday. The attitude of RKO and Skouras, however, could not be ascertained.

C. C. Moskowitz, supervisor of Loew's New York theatres, said that while the company had received no official notice of the conference from Brandt as yet, Loew's would be "glad to join in it if and when the conference is held.

In the absence of the city of Nate Blumberg, RKO theatre director, and Major L. E. Thompson of RKO's

(Continued on page 6)

Tri-Ergon Loses in Move Against Para.

American Tri-Ergon's petition for leave to file an amended claim for damages against Paramount for alleged infringement of patents was denied yesterday by Federal Judge Alfred C. Coxe, who cited the recent Supreme Court decision holding the patents to be invalid.

Tri-Ergon had filed a claim against Paramount for an indeterminate amount in the course of the latter's bankruptcy proceedings and sought leave to file the amended claim after Paramount was adjudged a debtor for reorganization purposes.

British Will Abide By Production Code

British producers aiming at distribution in the American market will observe the terms of the Production Code by an understanding reached between the Hays organization and

(Continued on page 8)

Associated to Take "Time" for England

Although no contracts have been signed, Associated British Film Distributors has closed with First Distri-
Insiders' Outlook

By RED KANN

Motion Picture Daily, issue of January 11, in the selfsame spot wherein you find it today, thus:

"Not at this time" will condemn consider sponsoring an exchange organization for the varied assortment of independents in the financing of which the big laboratory company plays a part. Herb Yates says so and that means he knows, for, when you talk about Consolidated, it's virtually the same as saying Yates. The understanding is these selfsame independents have approached him at various times over a period of some months to do something about it to the end that they get the break which they are not getting now but which they say should be theirs in the constant struggle for a proper place in the sun. "Not at this time," it might be said, is as permanent as was yesterday, a hectic day when with all this excitement over Federal grand jury probes thundering up in the north, south, east and west.

March 21: Something big is in the air in the Yates domain. There is talk, all quiet but not quite all, about a company known as Republic Pictures. It is being aired about as a new appendage to the production and distribution structure of the industry. Yates usually clam up whenever a newspaper man is within striking distance, remained true to form yesterday. Regardless of other quarters, all mysterious in the nature and extent of their guarded whisperings, the word was around that the something "big" may happen in about two weeks.

Congressman Sirovich, who once wrote a play about which nothing happened, is in The Congressional Record again. This time, he proposes a bill creating a new Cabinet post to carry the grandiloquent title of Secretary of Science, Art and Literature. Not understanding the occasional difficulty of tried and true film men in keeping their own business within bounds, he would have his new department supervise pictures with radio added for further fun. It is his lofty flight of words, however, that has filtered under our epidermis. Get a load of it:

The limitations of the olden stage have been removed by the motion picture, accompanied by sonancy, and the genius of dramatic authors and writers is no longer pent up in the Uteca of confusion to small stages and auditoriums, but ranges the United States so that the lesser villages may now receive the same presentations as the major cities and towns. Something is being done.

There's grave danger in all of this, Hollywood, having read with dictionary in hand, may dangle a contract.

No sooner did this space go institutional when what should reach the desk but additional evidence of the manner in which Motion Picture Daily's pre-

Wall Street

Eastman Gaines 5% on Big Board

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| Warner Bonds 1/2

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| (c) Defaulted in principal but not in interest.

(B. & K. Dividend Declared

A dividend of $5.25 on preferred stock and $1.00 on common stock March 11, 1935, has been declared by Balaban & Katz.

Finney Named Head Of Aampa Nominators

Ed Finney of Monogram yesterday was selected chairman of Aampa's nominating committee which includes Edward McNamara, Tom Hamlin, Dave Davidson, Ben Atwell, Charles Leonard and Jack Harrower. A meeting of the group is slated for Montego but selection of candidates for office next season must be in the hands of Mel Heymann, secretary, by April 4.

Story of Holcott wired his appreciation to the organization for the reception given him at the last session.

Reisman Closes Deals

Phil Reisman, vice-president in charge of foreign sales for RKO, has closed a deal with Cine Colombia of Medellin for the distribution of his company for distribution in Colombia. He also has closed with M. A. Schlesinger, acting for African Consolidated Films, Ltd., Johannesburg, for South African distribution of all Radio product for 1934-35.

Next Forum on March 26

The next M.P. Club Forum will be March 26, it was announced yesterday. A number of prominent speakers are being lined up.

Goldwyn Signs Brown

Hollywood, March 21.— Lew Brown has been signed by Samuel Goldwyn to work on Eddie Cantor's next, "Dreamland.

view service out of Hollywood registers with many on-their-toes showmen. The photographic proof adorns the area neighborly to this comment. It is a shot of the talent of the Paramount Theatre, Portland, Ore., where Frank Newman, Jr., did what the picture proves he did. "Sondheim's Bible," he calls this publication. Who are we to deny it?

It was a Captain Boycott, a landlord in Ireland, back in the '80s who, through devious reasons, started the term. Today, our favorite dictionary disposes of it with this definition: "To combine against (a landlord, tradesman, employer or other person), to withhold social or business intercourse from him and to deter others from holding such intercourse." The L.T.O.A. of New Jersey and Allied of New Jersey may not know the origin of the practice, but that does not at all prevent them from discussing such a joint idea along similar lines, meaning Metro and Warners. Two-thirds of the combined membership are reported in favor of severing relations with Leo while one-third seems anxious to end it all with Warners. In both instances, the report contains the same: opposition to sales policies providing for designated playdates, percentages and the forcing of shorts with features. It has an ugly connotation, that word boycott.

Friday, March 22, 1935
It's Holdover Time Again

Your undisputed box office champ is coming to K. O. your B. O. in

"LIFE BEGINS AT 40"

Fox
This can't help but land in the No. 1 money. Elaborate, showy nonsense, skilfully concocted and expertly aimed at the box office. —Hollywood Reporter

George White sat in the Fox California here and heard an audience applaud his "1935 Scandals" because he has turned out a spectacular musical comedy with the right mixture of tuneful songs and real, sure-fire comedy! —Motion Picture Daily
THE biggest NAME IN MUSICALS...
LAST YEAR'S MOP-UP!

GEORGE WHITE'S 1935 SCANDALS

ALICE FAYE • JAMES DUNN
NED SPARKS
Lyda Roberti • Cliff Edwards • Arline Judge
Eleanor Powell • Benny Rubin • Emma Dunn

GEORGE WHITE
Entire production conceived, produced and directed by George White

Believe Para. Plan Cinched By Agreement

M ARGARET CAMMACK and her sister "Toos," are getting a real kick out of the dress business. Sisters-in-law of Nub Devery, they spend their days planting in the very commercial pursuits over in the East Fifties.

NATE SPINGOld, NEL Agnew, JACK CoHN, SAM DEMbow, JR., HERMAN ROBINS, CAPT. BAYNE, and EDNA VATES were amusing in the stub at "21" around luncheon time yesterday.

JOHN D. HERTZ, former chairman of the Paramount finance committee and a nominee for the reorganized company's board, is collecting Florida sunshine.

Quip of the Day

Nate Spingold tells the story of the director, busy in production but somehow or other missing out on the job at hand. While he simply failed to get his hooks in most part of the trouble, it was all very clear to the assistants and the grips. Among the decide which something about and foregrounded outside the camera lines.

"We'll do this and that. Let's show this Russian so-and-so a thing or two," they agreed.

At that point, the director walked by and remarked: "My Russian, my French, Porth."

J. P. CUNNInghAM denies he will make a nickel at the Willow Cafe. He insists it wouldn't be in keeping with his social position.

MES. RObERT STEVENs BaRLETT, daughter of the late VICTOR HERBERT, will be at the Capitol tonight for a performance of "Naughty Marietta."

Binnie Barnes is on her way to this country on the Bremen on a hurry call from Universal to start work in "Diamonds.

W. Ray JOHNston is battling the gripes and thinks right when he figures he'll stay in bed until the first of the week.

Capt. TUNiNGton's first novel, a football story called "While the Crow Roars," has been purchased by Universal.

HERMAN ROBBINS is another who is doing up train schedules to the west coast. His departure date looms near.

CAPT. RICHARD NORTON of British & Dominions sails tonight on the Majestic after a three-week stay here.

DR. JULIUS KLEIN, member pro tem of the Paramount board, leaves today for a Florida vacation.

NEIL Agnew is preparing for a Hollywood trip. He may get away Saturday or Sunday.

ALINE MACMAHoN was among those at the premiere of "Black Pit" Wednesday evening.

Purely Personal

HOWARD S. CullMAN, trustee of the Roxy, paradoxically is inviting his friends to see "The Wedding Night" at the Rivoli. The reason being that Cullman's toast plantation at Tariffville, Conn., is the exterior background of the picture.

Gregory Ratoff probably will be a member of the cast of "On Your Toes," forthcoming Shubert musical with Rodgers and Hart music and lyrics. They're usually very good.

GENORoso Ponce FilHo, distributor of Radio pictures in Rio de Janeiro, is on route back home on the Western under a five-year sojourn here, looking over the 1934-35 product.

Jim LOUGHBOURGH, once a film press agent, is now attached to the public relations division of the Federal Housing Administration in Washington.

SAM Fox is a busy man nowadays completing plans to move his publishing company, the Movietone Music Corp., from present quarters to Radio City.

JAMES CHRISTIE, mid-west division manager for RKO, is due to arrive from Chicago today. He was scheduled to arrive Wednesday, but delayed.

Laurence BOGNENtino will finally get off on that long-awaited vacation the end of next week. The Century-RKO case has been holding him up.

BERNIE BROOKS, upstate Paramount salesman working out of the local office, has acquired a Ford in which to do his traveling.

SOL SCHWARTZ, manager of the RKO Fordham, is busy lining up special talent for the theatre's 14th anniversary next month.

ROBERT DONAT is due to arrive here from England about the middle of next week to make "Captain Blood" for Warners.

CASSANDRA, psychic and palmist who recently arrived from Europe, is now under the management of MAX RICHARD.

GEORGE W. WeeKS of Gaumont British left yesterday for Philadelphia and Washington. He will return Monday.

Abe Blumstein has resigned as sales head for the Audio shorts at the First Division exchange in New York.

Bob FOX, winner of the Fred Allen amateur broadcast will appear at the Roxy, beginning today.

Jack Cohn expects to show off for California Saturday. Over the airline."

Tallahah Bankhead's next will be "Something Gay." For the Shubert.

Barsey BALABAN is in town from Chicago for a visit of several days.

Amos HIATT expects to hit the rails any day now.

Oscar Doon has been the recipient of suspicious glances since that French metropolitan theatre division, no authoritative statement on the company's attitude toward the Brandt proposal could be obtained. While views within the company, however, were that RKO might disregard any move to run "Stoppage" with George Skouras, Ed Pesley and Louis Weiber for the Skouras Theatres' attitude were unsuccessful.

Meanwhile, Brandt stated yesterday that letters were being sent out immediately to all exhibitors in the New York area advising them of the plans for the conference and its purposes. The holding of the meeting, he said, depends on the reaction from the exhibitors. If sufficient interest is displayed, the meeting will probably be held at an early date.

Reactions to Brandt's proposal were immediate in independent production and distribution circles, he reported. Several letters were received from these sources, together with reminders of the injury which a curtailment of double featuring here might work on independent producers and distributors. Brandt's reply was that the evil of duals, as disclosed within I.T.O.A., was the pinching quality program shown on the double feature program. Elimination of the policy, he said, was aimed at no single producer or distributor. It was only the elimination of the poor quality feature, regardless of whether it came from an independent or a major company.

Para. Set for a Rush

Hollywood, March 21—With the installation of Harold Hurley as executive production assistant to Ernest Lubitsch, at the studio, set to line up on the producers and get its new schedule under way.

Al Santell is the latest director to be signed.

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May Oppose Loew And Mandom Ruling


The original Loew and Mandom claims asked treble damages of Para- mount of approximately $10,000,000 as a result of alleged violations of the anti-trust laws. Judge Joyce ruled recently that while proof of actual damages might be proper, the penalty of treble damages should not be considered. Filing of ex- ceptions to this ruling might result in a different finding by Judge Coxe.

Overruling of the Loew claim for $75,000 by the Paramount trustees are in an advanced stage and may be heard prior to April 20, however. No offer to settle the Loew claim has been made as yet, so far as could be learned.

Loew's to Aid Move for Dual Stoppage Here

(Continued from page 1)
TONIGHT

the eyes of show business are on the

CIRCLE THEATRE

INDIANAPOLIS

as all Indiana helps celebrate the fame of her own

GENE STRATTON-PORTER

through the GALA WORLD PREMIERE of

LADDIE

at a theatre of international fame and of great motion picture tradition.

PETE HARRISON SAYS: "'Laddie' will go down in the history of the business as another unexpected hit . . . It should be shown in every theatre, to all members of the family, on any day of the week. CLASS A, both in quality and suitability."

with

JOHN BEAL

GLORIA STUART

VIRGINIA WEIDLER

Directed by George Stevens
Pandro S. Berman Production
RKO-RADIO PICTURE
“Baboon" Is Capital Wow: Gets $7,200

WASHINGTON, March 21.—"Baboon," the new picture of John W. Rein's Columbia, has been meta into the hands of the Martin Johnson opus, abated by a popular ex-tosser. The film, for which Mrs. Johnson, dressed $7,200, over average by $4,100.

"Roberta" took $20,000 at RKO-Keith. Average is $11,400. It was held a second week. Playing "The Woman in Red," the Metropolitan broke par for a tale of $4,500, or $400 over the line. Total first run business was $83,600. Average, without the Belasco, is $7,120.

Estimated takings, exclusive of tax:

**Week six (days) Ending March 13**

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<th>Title</th>
<th>Days</th>
<th>Stage</th>
<th>Time</th>
<th>Days</th>
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<td>RKO</td>
<td>&quot;POWER&quot;</td>
<td>6</td>
<td>St. J. &amp; Mrs. Martin Johnson</td>
<td>Gross</td>
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<td>&quot;THE LITTLE COLONEL&quot; (Fox)</td>
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<td>Gross</td>
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<td>St. J. &amp; Mrs. Martin Johnson</td>
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**Week Ending March 13**

"THE GIRLS FROM MACKINAC" (Col.)

EARLE—GLR-4, 25c-75c, 7 days. Stage: Boswell Sisters, Frank Galy, the Royal Union. Gross: $1,100. (Average, $157.14)

LORE'S COLUMBIA—(1,260), 25c-60c, 7 days. Stage: Mr. and Mrs. Martin Johnson. Gross: $2,000. (Average, $285.71)

"... VANESSA" (M-G-M) ,

"THE WORM PALACE—(2,800), 15c-75c, 7 days. Stage: The Cafe de Jare Revue, with Milton And Mike & The Cardinols. Gross: $1,200. (Average, $171.42)

"THE GIRL AT THE GILDED LILY" (Para.)

LOEWS PALACE—(3,000), 15c-75c, 7 days. Stage: Mrs. and Mrs. Martin Johnson. Gross: $1,200. (Average, $171.42)

"THE WOMAN IN RED" (Walters),

"WHEN A MAN'S A MAN" (Fox)

CAPITOL—(1,200), 25c-36c-55c, 7 days. Gross: $8,000. (Average, $1,142.86)

"ONE NIGHT OF LOVE" (Col.)

MIDWAY—(1,350), 15c-36c-55c, 7 days. Gross: $3,500. (Average, $492.86)

"THE PRODIGAL SON" (Columbia)

STAGE: (1,350), 15c-36c-55c, 7 days. Gross: $4,500. (Average, $642.86)

"WHITE COATHELL" (Walters)

LIBERTY—(1,300), 15c-36c-55c, 3 days. Gross: $500. (Average, for week $200)

"Glazer on Way East"

Hollywood, March 21.—Benjamin Glazer started east tonight to sign a contract for Paramount's "The Big Broadcast of 1935" and to arrange for filming "Anything Goes," current on Broadway.

"Robert" Is Second Week Coast Leader

Los Angeles, March 21.—"Roberta," led by RKO in its second week downtown, but failed to create much of an impression as a holdover in Hollywood, where it grossed $12,000, which was $3,100, above the line, but at Warners Hollywood it was $2,000 under the line on a total of $29,000.

Total first run business was $80, $46. Average is $92,100.

Estimated takings for the week ending March 20:

**THE LITTLE COLONEL" (Fox)**

CHINESE ARTS—(66), 6 days. Gross: $5,500. (Average, $916.67)

"UNFINISHED SYMPHONY" (Gaumont-British)

FILMARK—(3,000), 25c-75c, 7 days. Gross: $4,500. (Average, $642.86)

HILLSTREET—(2,700), 25c-60c, 2nd week. Gross: $3,100. (Average, $442.86)

"SEQUOIA" (M-G-M)

4 STAR—(600), 25c-36c, 3rd week. Gross: $1,500. (Average, $500)

"THE LITTLE COLONEL" (Fox)

LOEWS BROADWAY—(2,500), 25c-40c, 2nd week. Gross: $6,000. (Average, $2,400)

"GIOGLETTLE" (Radio)

WARNER BROS.—(3,000), 25c-60c, 2nd week. Gross: $6,000. (Average, $2,000)

"THE LITTLE MAN ON THE STAGE" (Para.)

WARNER BROS.—(2,700), 25c-40c, 2nd week. Gross: $5,500. (Average, $2,000)

"IT HAPPENED IN NEW YORK" (Univ.)

15c-36c-55c, 7 days. Gross: $6,000. (Average, $857)

"ROBERTA" (Radio)

WARNER BROS.—(2,500), 25c-40c, 2nd week. Gross: $5,000. (Average, $2,000)

"OUTER EDGE" (Col.)

WARNER BROS.—(2,800), 25c-60c, 2nd week. Gross: $5,000. (Average, $1,785.71)

British Will Abide By Production Code

"Colonel" Is Kansas City Bet, $6,400

Flinn to Confer in K. C.: Also Chicago

KANSAS CITY, March 21.—John C. Flinn is due here tomorrow for informal conferences with members of the clearance and zoning board and exhibitors to discuss protection and clearance in this territory.

The I.T.O. has adopted for this area until Camp finds that the Los Angeles plan, which goes into effect March 21, is workable and favorable to all concerned.

The I.T.O. has dropped plans for Federal court action upon being assured by Elmer F. Clark, that Fox will not grant on protection over equally priced houses this season. The I.T.O. however, opposes clearance as favored by Camps and wants equal protection for identical admissions written into the forthcoming schedule.

A new I.T.O. committee will attempt to obtain unrestricted dealing privileges from distributors, offering as a condition to delay deals 29 days after regular spots. Most distributors at present place limitations on double bills.

From here Flinn will go to Chicago, arriving there Saturday, to contact exhibitors. From the Windy City, he will go to New York, where he is due Sunday.

Sign Federal Operator

Hollywood, March 21.—The Producers' Association has retained Thomas E. Cullen, special agent in charge of the New York Division of the Department of Justice, to serve as Federal Operator in the New York metropolitan area.
Ruling Reserved on Stanley Co. Probe

WILMINGTON, March 21.—Decision was reserved here today in the Superior Court on the petition of Harry Schwalle of Philadelphia, for a writ of mandamus to compel the Stanley Co. of America to permit him or his representatives to examine the books and records of the company for the purpose of obtaining certain information relative to management and operations. Judges Harrington and Reinhardt sat on the case.

Schwalle testified that he was associated in the formation of the Stanley Co. some years ago and that about seven years ago control was obtained by Warner Bros., Pictures, which now owns all but about 8,000 shares of the company stock. Schwalle owns about 6,000 shares.

Schwalle denied his desire to examine the books was actuated by any ulterior motive such as to force the defendant company to purchase the stock he owns.

Scranton Opposing Opening on Sunday

SCRANTON, March 21.—Action proposed in the State Assembly to legalize Sunday shows in Pennsylvania has drawn numerous protests here. Meeting in this city, the members of the Northern Welsh Presbytery went on record as voicing a "strong protest." Others who have added their protests are the Lackawanna County Booster Ass'n, Jr. O. U. A. M.; the Scranton Mountain Men's and Plymough Congregational Church.

Schenck-Blumenthal Buy Florida Villa

Joseph M. Schenck and A. C. Blumenthal yesterday completed the joint purchase for Mr. Schenck Villa at Palm Beach, Fla., the former property of the head of the international banking house of J. & W. Seligman & Co. It was stated that Schenck plans to occupy the house only two or three months out of the year unless Hollywood moves to Florida, in which case he might extend the residency another month or two.

Dividend by Loew's, Ltd.

Marcus Loew's Theatres, Ltd., of Canada, has declared a dividend of $1.75 on preferred stock to take care of accumulations. Payment will be made April 1 to stockholders of record on March 23.

Charlie Northwest Unit

PORTLAND, March 21.—H. D. R. McBride and L. L. Francis of Spokane have incorporated Howard Amusement Co. to operate a circuit in Washington.

Named in Tax Liens

LOS ANGELES, March 21.—Tax liens have been filed here against Ruth Chatterton, George Brent, Ted Healy, and Harry D. Edwards and his wife, Evelyn Brent.

"One Night" Reopens

"It Happened One Night," Academy prize winning feature, has been booked for a return engagement on Broadway and opens at the Astor this morning.

Variety Club Chatter

Cincinnati

CINCINNATI, March 21.—A drive for a limited number of new members is in progress, with Joe Grady heading one team, and Jim Grady the other. Results are beginning to show. Local barker returning from Florida during the past week include Meyer Lantz, Charlie McDonald, Belle Ben and Noah Scherber.

Local management of the local RKO spent a few days of last week in Chicago on business.

Mrs. E. A. Barker, first assistant chief barker, has transferred from the RKO Palace to the Albee. Joe Alexander, who previously hung out at the Capitol, now makes his stand at the Palace.

Representative Frank McFarland of Topeca gave the barker an insight into the legislative machinery at the Kansas capital at a meeting at which C. C. Alexander, Frank Cassill and Norris B. Cresswell were present.

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Mrs. Joe Feldman Gains

ATLANTA, March 21.—Mrs. Joe Feldman, wife of a Universal sales man, is convalescing from a fall in which she sustained a triple fracture of her leg and fourth Wednesdays of each month, according to a club vote.

Kings for the next luncheon will be appointed soon.

Test No. 13 also voted to expand its membership to 130, with applications, endorsed by two members, now being accepted. It is expected that this number will be filled soon.

A new steward has been appointed. The club program, with Tuesday night as Stage Night, and special entertainment Saturday and Sunday, is working out well. More and more, club members are making the clubhouse their downtown headquarters.

"Laddie" Opens Tonight

INDIANAPOLIS, March 21.—"Laddie" will have its world premiere at the Circle here Friday night with S. Barrett McCormick, advertising and publicity director for Radio, who arrived in town this afternoon, acting as managing director of the house for the occasion. McCormick held that post at the theatre 15 years ago.

VIRGINIA WELLS, eight, who appears in the film, also arrived today from the coast. She will make personal appearances at the opening and during the first week's run of the film.

New High Speed Camera

A camera developed for high speed photography has been demonstrated before the American Society of Mechanical Engineers by George Lane. The new device, known as the Western Electric "Ultra Speed Camera," has been called "the microscope of time," and is used in aiding detection of flaws in rapidly moving machinery.

Omaha Club Meeting Set

OMAHA, March 21.—First meeting of Variety Club, still in the process of organization, is scheduled for Monday with a luncheon. H. J. Shumow and William Miskel, promoters of the club, will be in charge of arrangements.

Pathé Working Out New News Broadcast

Pathé is working out the details of what it hopes will be a new technique of news broadcasting for its bi-weekly series of 18-minute broadcasts on Bromo-Seltzer time over an NBC hookup. The first experimental program is now being done by John Beng, who has been put in charge of the broadcasts by Courtland Smith.

The plan is to avoid news dramatization like that used by the "March of Time" and to confine it to material to be shown in forthcoming reeds. Where persons actually speak in the reeds their voices will be used in a narrative recorded on film to be furnished for the broadcasts. Other sounds may also be introduced.

The program will be called "Pathé News on the Air." The first broadcast will be April 8.

Philadelphia

PHILADELPHIA, March 21.—First fortnightly luncheon of Tent No. 13 was held at the Bellevue Stratford Hotel with 130 in attendance and Iz Elyekin and Harry Elyekin in charge of the day. Mayor General Smiley Butler and Orphans' Court Judge Charles Klein were other speakers. The affair made a great impression and was covered by the dailies.

Chief Barker Earl Sweigert announced that Miltoc Rokassner had been elected second assistant chief barker, with Doc Levy succeeding him on the board.

Luncheons will be held the second...
Fox Reports 1934 Net As $1,273,069

(Continued from page 1)
showed a decided improvement over the fourth quarter, the company reports.
The report states that the popular-
ity of its three principal stars in-
creasing, taken despite the efforts of the stars are Will Rogers, Janet Gaynor and Shirley Temple. On the last page of the report this statement is:
"Six thousand motion picture exhibitors, voting in the annual can-
vass conducted by the Motion Picture Herald to determine the most popular
film stars in the country's box-oftices, named among the first ten the follow-
ing three Fox stars: Will Rogers— the country's greatest box-office at-
traction; Janet Gaynor—first among all female stars; Shirley Temple—first child star ever listed among the first 10."
Gross revenue for the 52 weeks ended Dec, 29, 1934, amounted to $57,546,360, compared with $55,285,706, an increase of $4,260,619.
Fox Film's balance sheet shows current liabilities of $2,079,779, which includes cash—$4,499,462; receivables—$1,382,233, and inventories—$13,678,351, against current liabilities of $4,442,240. The corporation has no bank loans. Investments and advances to affiliated companies of the corporation that will be re-
serve for revaluation of $14,500,000 are given as $16,340,537.

Fixed Assets at $10,130,022

Fixed assets, after deducting re-
serves for depreciation, total $10,130,022. Funded debt includes five-year a six per cent convertible debentures totalling $1,069,600, and subsidiary reserves and bonds of $2,194,206, a total of $3,809,806.
The net worth of the corporation, as shown by its balance sheet Dec, 29, 1934, is $10,500,812, which represented earned surplus accumulated since April 1, 1933, of $3,006,812, and was represented in the company's shares of Class A and 16,650 shares of Class B capital stock, indicating a book value of $14.59 per share.
It is noted in the balance sheet that National Theatres Corp. (formerly Wesco Corp.) has been reorganized and that Fox Film is now the owner of 42 per cent of its outstanding capital stock. As a result of the reor-
ganization National Theatres Corp., as such, has $15,000,000 funded debt or bank loans. During 1934 continued pro-
gress was made in improving the oper-
ing position of the various sub-
sidiary circuits of theatres compris-
ing the former Wesco group which have been for some time in bank-
ruptcy.

Subsequent to the closing of the corporation's fiscal year, the most im-
portant news along with the taking of the company out of bankruptcy and the report expresses
the hope that by the end of 1935 the entire system will have been reorgani-
zed. In the company's report it notes that Fox Film's former owner-
ship of Wesco Corp. has been re-
duced to 42 per cent, but that the elimination of large debts formerly ex-
isting ahead of Fox Film's 100 per

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Chasing Yesterday" (Radio)

Hollywood, March 21—In the realm of whimsical charm nicely
decorated with virtues of a quiet home life, George Nicholls has touch-
ingly and charmingly directed Anatole France's tender tale of a French
college professor and his adopted daughter, patterning the drama in-
volving their loving lives.

While in tempo it moves completely in harmony with a mood of
gentleness, interest is constantly held by the creation of the feeling of
well being radiated by the sympathy invoked by character portrayals.
O. P. Heggie, a bachelor watched over by Helen Westley, harking
back to his only love, returns to the scene of that romance and meets
Ann Shirley, daughter of his dead flame. How he kidnaps her from a
harsh environment, gets embroiled with a scheming lawyer (Etienne
Girardot) and enmeshed with schoolmarm Elizabeth Patterson, and is
finally betrothed by John Qualen, a book agent, is the framework of
the yarn.

Miss Shirley, reminiscent of Mary Pickford in "Pollyanna," reflects
adolescent girlhood charmingly. Few screen performances have equaled
Heggie's portrayal. Girardot and Qualen are fine. Miss Patterson's
performance is outstanding. Miss Westley, Hilda Vaughn, Doris Lloyd
and Trent Durkin complete the cast.

The production has a cause melody, cared with care and tenderness.
Cliff Reid produced it. Francis Faragoh did a good screen play.

Where homespun and whimsy go, this should find favor, particu-
larly among viewers of charming homespun portrayals.

Reviewed without production code seal. Running time, 80 min-
utes. "G."

"Baby Face Harrington" (M-G-M)

Hollywood, March 21—This picture teams Charles Butterworth and
Una Merkel in a laugh-crowded farce that speeds along, letting down only
in the last few hundred feet.

Butterworth is a sap clerk married to Miss Merkel. She prods him
to ask for a raise and the boss fires him instead. Butterworth then
cashes an insurance policy and loses the money, accusing Donald Meek, a
real estate agent, of stealing it. He takes the money from Meek, finds
his own and then is robbed of both rolls by Nat Pendleton, Public
Enemy No. 1. Meek has Butterworth jailed and put in a cell with one of
Pendleton's mob. A jail delivery is arranged by the mob and But-
terworth and Meek start playing him up as the brains of the gang, a
man with a dual personality.

While a prisoner of the mob, he overhears plans for a bank robbery,
tips off the police, who capture the entire gang, thus vindicating him-
self and restoring himself to Miss Merkel, whose faith in him had never
shaken. Miss Merkel is played by Helen Stephens, the heavy, who
has tried to steal her during the trouble.

Director Raoul Walsh paces things nicely until the last sequences.
Production by Edgar Selwyn is good. Nunnally Johnson and Edwin
Kneafly contributed some snappy dialogue on the screen adaptation from
the play by Selwyn and William LeBaron.

Reviewed without production code seal. Running time, 63 min-
utes. "G."

Associated to Take "Time" for England

(Continued from page 1)
sion to distribute "The March of Time" in England, Reginald Baker,
financial head and joint managing director of the English company,
stated yesterday. He added no con-
tracts would be signed.

"One difficulty remains in the han-
dling of the subject," Baker explained. "That is the comment which has to be changed for English audiences." He
could not consider this angle much of a
problem.

Baker sails today on the Majestic after three weeks in the United States and plans his return again in six
months.

WARNERS BUY IN DANBURY

Danbury, March 21—Warners to
day purchased the Empress from the
Griffing estate.

It is understood the house will be converted into office space.

Set Film Board Costs

Reduction of the budget for the New York Film Board of Trade was
approved by the executive committee at a meeting at the M. P. Club.

Short Subjects

“Better Housing News Flashes”

(Federal Housing Administration)
The first two releases in the series of or-
phaned Municipal Housing Adminis-
tration films to aid recovery by extending
Government funds for property im-
provements admirably suit the pur-
pose for which they were intended.

Their value, however, does not stop here.

The films are interesting and informative at the same time, and, ad-
ditionally, considerable value as entertainment pure and simple.

They are an appeal to the homeowner and the operator of busi-
ness properties in such graphic terms that exhibitors will find it worth their
while to play the films, which run slightly more than six minutes each.

Women especially will find "Better Housing News" of great interest, for the pictures, in clinching
their argument for better housing by the presentation of specific cases of "bad housing" and scenes
showing how the kitchen and other parts of the home that are the special domain of the housewife,
can be altered to make the housewife's job easier.

This, but not least, it won't cost the exhibitor a penny to show the
films. They will be offered to him for the asking by the Federal Housing
Administration, which will handle dis-
tribution directly.

The pictures have been produced by Pathe in fine fashion. Distribution starts early next month.

William Boyd Dies; End Was Unexpected

Hollywood, March 21—William Boyd, whose Sergeant Quirt in the
stage version of "What Price Glory" was given a standing ovation last
night at the Hollywood Hospital from an intestinal disorder. His condi-
tion had not been regarded as serious.

He had been on the stage for years before he achieved his greatest fame in the Stallings-Anderson play, having appeared also in "Adams and Eades" and "French Without Tears" under the management of Anglin, Margie Anglin, Emily Stevens and others.

Joseph Roth Passes

Boston, March 21—Joseph Roth, president of Cameo Screen Attrac-
tions, died here today from a cere-
bral hemorrhage. Roth was 52 and had been active in the industry since 1905. He was a former president of the local film board. Funeral ser-
vices will be held Friday.

Lapp, Denver, Killed

Denver, March 21—Walter Lapp,
23, assistant manager of the Plaza,
was shot and killed last night north of
Denver, in which a girl, another oc-
uant of the same car, was also fatally injured.

Two Men Succeed Green

Portland, March 21—Forest F. Fitzgerald and Herb Cass, formerly of Omaha, have taken over the territory previously handled by William Green for Na-
tional Screen. Green has passed away early this week from pneumonia.
Legislative Battles Gain In Intensity

Threaten to Quit Omaha

OMAHA, March 21—Film contracts provide that footage taxes, if imposed, will be passed on to exhibitors, but distributors are taking no chances on the House measures—which would impose a 10 per cent tax on all film rentals. They are threatening to move production elsewhere.

This state also has a pari-mutuel betting bill pending and a new type of billboard tax which calls for a $200 annual fee for each panel in addition to a five-cent-per-foot tax.

Missourians Fight Tax

JEFFERSON CITY, Mo., March 21—Exhibitors’ worries have been only partly relieved by the Temporary Side-tracking of the censorship bill. The Senate has passed a horse and dog racing bill authorizing racing within 20 miles of St. Louis and the question is now up to the House.

In the state these sales tax problem is getting more acute. Newspapers and radio are being used by merchants and exhibitors to convince Missourians that the present 10 per cent tax would cost every inhabitant $24 per year and that the smaller its income, the greater proportion of it would be diverted to taxes.

Wash. Tax in Balance

SEATTLE, March 21—What will happen to the proposed state tax on admissions, a part of the contemplated retail sales tax, is still a matter of conjecture here. The Washington state legislature is still in session in Olympia, although the gathering ended officially five days ago.

At present distributors are hard-riding the sales bill, one provision of which calls for a tax of one cent on theatre admissions of 20 cents one-and-one-half cents on a 30-cent ticket, and two cents on a 40-cent ticket. Admissions are non-taxable under 20 cents. This amendment, however, is reported to be opposed in the House.

So that when (and if) the Senate finally approves the bill, the Senate will send it to the House, the latter body is said to be inclined to kill the theatre bill altogether.

Indiana Men Satisfied

INDIANAPOLIS, March 21—Indiana exhibitors are satisfied so far with the results of the legislative session.

In a bulletin to members, Associated Theatre Owners lists a number of bills it has succeeded in having killed or shelved, but it is admitted that a long afternoon special session is a source of worry.

The special session is to be held within the next few months to raise additional revenue.

A 10 per cent admission tax bill has been indefinitely postponed, a bill increasing penalties for discrimination has been killed, as has a pari-mutuel betting bill, and bills lightening carnival license fees. A measure requiring the use of licensed electricians for repairs is still on the calendar.

Among bills favored and passed was one prohibiting marathons, and others restricting night clubs. The association claims credit for amendment of the Diffusion law, act clarifying national codes from state assessments.

Repeal Iowa Blue Law

DES MOINES, March 21.—Repeal of the Sunday blue laws has been passed by the Senate and the bill is now up to the Senate. Only two towns in the state have been enforcing blue laws, except on horse racing and dancing.

California Income Tax Hit by Bryson

(Continued from page 1)

California’s state income greater than that of any other state.

Bryson said that the business recovery, Federal income tax returns for 1934 indicate a 50 per cent increase. The Governor recommended an act to raise $17,500,000. This measure will produce $27,000,000.

Assemblyman Frank Laughlin of Los Angeles, chairman of the House director, and other studio employees are urging him to fight for his film tax bill, saying the industry is the greatest tax dodger and ought to bear a fair share of the tax burden.

Court Rules for Dog Track in Bay State

(Continued from page 1)

ruled that Cambridge must issue a transcript of the record.

Over 600 attended the public hearing yesterday before the State Legislative Committee on the proposed receptivity of the pari-mutuel referendum passed at the last general election. Another meeting is scheduled for next Monday. This report will be set for the Legislative Committee.

Campi Budget Being Studied in Detail

(Continued from page 1)

and smaller producers and distributors have an option of paying assessments, either by one eighth of one cent of the gross business for the first six months or according to their classification, up to $18,000.

Files Astor Complaint

Having previously won a decision restraining the Mayfair from distributing “service” passes, Howard S. Buckley, manager of the Roxy, filed a similar complaint against the Astor, another Walter Reade house. Hearing is set for Tuesday by the New York grievance board.

LOUIS WILEY

(Continued from page 1)

attitudes, in the commonewal, has been an integral part of the journalistic and commercial sincerity of the newspaper which he helped to build. Of him it may be said with rare verity that the world, our world, is a better world for his having lived. No greater success has any man ever achieved.

MARTIN QUIGLEY

Century-RKO Both Predict Victory

(Continued from page 1)

and ended his summary at 4:48, following which Kuhl was allowed 20 minutes for rebuttal. Operations will start 3 P.M next Tuesday.

Both attorneys presented well prepared arguments. One of the cases which has been before the board on eight different days for a duration of 20 hours. During most of the hearings, Camp went over a representative piece in sit and observe the procedure.

Commendation for Leo Abrams’ handling of the meetings as chairman has been heard on all sides. The case is regarded as the most important ever before the local board. Century seeks to have the service clearance RKO’s Strand and Columbia, Far Rockaway, and Alden, etc. has over the Fantasy, Rockville Center. The plaintiff claims there is no competition between the situations involved, while RKO holds the opposite view.

There were numerous interruptions during the summations and again, as in practically all previous sessions, each speaker was challenged by attorneys, who made questions at which counsel answered at length.

Shorty after his opening remarks, Nizer made much ado over Kuhl’s quoting of “giving the people something to think about.” Kuhl challenged Nizer to find the remark in the record. It was not there, the public stenographer having missed it.

Motion Picture Daily’s reporter did not and Nizer brought out the fact that it was reported in the trade press, charging Mr. Kuhl with the fact since no one has taken the trouble to cover the case. It was then that Kuhl explained how he happened to pass on the remark.

In expressing his confidence of victory, Nizer told the board he had full assurance of victory for dismissal.

He also said: “There is evidence here to sink a boat.”

The record, with summations included, ran to approximately 1,500 pages.

Files Astor Complaint

Having previously won a decision restraining the Mayfair from distributing “service” passes, Howard S. Buckley, manager of the Roxy, filed a similar complaint against the Astor, another Walter Reade house. Hearing is set for Tuesday by the New York grievance board.

Code Revision Outlook Goes To NRA Board

(Continued from page 1)

ing action by Congress on extension of the administration, and there is some doubt in Roosevelt’s mind as to whether it would not be best also to defer consideration of the film code.

The legislation extending the Recovery Act will make some important changes. The legislation was written, possibly to the extent of requiring the revision of all codes. If this is the case, it is pointed out, changes which would repeal all A., has in mind could be considered at that time.

Richberg Is Made New NRA Chairman

(Continued from page 1)

the President in the coordination of the 10 recovery agencies, today was placed in charge of the Recovery Ad-

ministration by President Roosevelt. His title is chairman of the National Industrial Recovery Board.

Richberg succeeds S. Clay Williams, tobacco magnate, who took the job temporarily following the departure and who advised the President some days ago of his desire to resign.

While the Recovery Administration was being handed over to one of the chief supporters of regulation, the 10 recovery agencies, an amendment offered by Senator Borah of Idaho, NRA enemy, for incorpora-

tion in the pending work relief bill passes, received the favorable vote of the anti-trust laws.

The amendment was defeated by a scant 10 votes, a decision which the attack on continuation of the Recovery Act, ex-

pected when the legislation comes up for a floor vote, will have considerable support.

Ohio Exhibitor Gets Stay on Film Order

CLEVELAND, March 21—A temporary injunction has been granted Gran-

cis Reoch, Shelby Theatre, Shelby, by Common Pleas Judge Homer G. Powell against all local distributors restraining them from cutting off his service in compliance with a local grievance board order. The injunc-

tion was granted without notice and a hearing and holds until the case is heard. Reoch has filed suit against the NRA and also against the state NRA Act.

NRA to Set a Date For Booth Hearing

WASHINGTON, March 21—A date for a new hearing on New York booth costs is expected to be set within a week. A number of conferences have been held between officials of the Amusement Division and the industry and a schedule has been developed which will be submitted for considera-

tion at the forthcoming hearing, which will probably be held during the first week of April.
WHO DOES WHAT FOR WHOM?

Well, there's Paramount, which in the first twelve weeks of 1935 has released these seven outstanding box-office attractions:

"Here is My Heart" · "Lives of a Bengal Lancer" · "The Gilded Lily" · "Wings in the Dark" · "Rumba" · "Ruggles of Red Gap" · "Mississippi"

If it's a Paramount picture · it's the best show in town
Missouri 2% Tax Passage Seems Likely

Jefferson City, Mo., March 22.—Passage of the state administration's two per cent sales tax bill, which has been in doubt, now appears probable. The measure has been perfected by the House with amendments after a strenuous two weeks' battle in the lower chamber over allocation of the expected revenue.

As perfected, the bill specifically levies the tax on theatre admissions and other amusements, newspaper advertising, billboards and other outdoor advertising, advertising agencies and numerous services used by theatres.

(Continued on page 4)

NRA Counsel to Act
In Ohio's Film Suit

Cleveland, March 22.—Robert Strong, head of the NRA legal department here, has been delegated to defend Campi next week when the suit for a permanent injunction by Francis Reeh of the Shelby, Shelby, O., to restrain exhibitors from cutting off his film supply goes before the State Court. Other defendants are RKO, U. A., Universal and Gumont British.

A temporary injunction was granted by Common Pleas Judge Homer J. Powell the other day.

Advertising in FHA Shorts Causes Worry

Affiliated circuits are reported to be hesitating over offering playing time in their de luxe houses for the Federal Housing Administration's new series of shorts because of alleged advertising matter in the reels.

In the first issues of "Better Housing News Flashes", to be released through Pathe, General Electric refrigerators, R. H. Macy and other furnishers and institutions come in for criticism.

(Continued on page 3)

First Division to Do Quality Series

Hollywood, March 22.—First Division is about to start a series of quality productions intended for first class houses, it has been learned.

It is understood some names have already been signed and that negotiations are on for others.

Another Censor

Paris, March 22.—Those fishermen on the islands of St. Pierre and Miquelon off the Gulf of St. Lawrence who found American prohibition so profitable, aren't going to have their morals corrupted by pictures.

The French government has decided they need a censor, and what the French government decides in a case like this is decided, and that's that. The total population is 3,384.

Premiums Big Peril,
Says Flinn in K. C.

Kansas City, March 22.—The premium situation is a serious one to the industry, asserted Campi Secretary John C. Flinn at an open code board session here this afternoon attended by local exhibitor and distributors.

Flinn said it was the sentiment of the code framers to subordinate such practices to showmanship as gifts and the like tend to lower the importance of star, story elements and other product values vital to the industry's development.

He added the consensus

(Continued on page 5)

Cut in Operators' Week Is Protested

Local circuits and members of the Local 306 are protesting the plan of the I. A. T. S. E. to reduce the number of working days for regular card men from five to four days a week. The proposed move by the international is to relieve the unemployment situation within the union's ranks.

Theatremen are objecting on the ground that inexperienced relief men will be placed in the booths which

(Continued on page 3)

Booth Cost Hearing
Off; No Date Fixed

Washington, March 22.—Due to the absence from Washington of Division Administrator Sol A. Rosenberg, no date for the proposed hearing on the New York booth costs will be set until next week.

Kansas Dust Storms
Bump Theatre Takes

Kansas City, March 22—Severe dust storms which have visited Kansas and western Missouri in the last

(Continued on page 4)

Loew's to Get Three Allied Owner Houses

Will Pay $12,875,000
For Brooklyn Spots

Loew's will acquire outright the Kings, Pitkin and Valencia from Allied Owners Corp. for $12,875,000 under an agreement embodied in the Allied plan of reorganization which was given tentative approval yesterday by Federal Judge Robert Inch in Brooklyn.

The three houses were erected by Allied in 1928 under an agreement with Paramount, subsequently assumed by Loew's when the latter took over Allied's houses. The agreement called for eventual purchase by Loew's but when Allied became involved in financial difficulties, Loew's suspended payments, contending that Allied's

(Continued on page 5)

Fox Met Creditor
Hearing April 12

A creditors' hearing on the Joseph M. Schenck-A. C. Blumenfeld plan of reorganization for Fox Metropolitan Playhouses was set for April 12 by Federal Judge Julian W. Mack yesterday following the filing of the plan with the court.

Earlier, Judge Mack granted the petition of creditors' committee to intervene in the reorganization.

(Continued on page 3)

Hornig Is Reelected
By Maryland MPTO

Baltimore, March 22—Frank Hornig has been reelected president of the M.P.T.O. of Maryland, Inc. Other officers elected are: Vice-president, Arthur B. Price; treasurer, J. Harry Grover; secretary, Helen Connely; directors, Louis Gaertner, Walter Pacy, Herman A. Blum, Sam Solts, J. Louis Rome, Jacob Levine, Earl Burkins.

Louis Schneider and Sam Solts were named as an auditing committee.

Mastroly Resigns as "U" Studio Manager

Hollywood, March 22—Frank Mastroly, the past year Universal executive in charge of the studio, has announced his resignation effective Monday.

He has been a company executive 11 years, for three of them Carl

(Continued on page 4)
Purely Personal

(Continued from page 1)

ROBERT GRACE of Paramount won the Variety Club bowling trophy.

GEORGE BILSON, who was once advertising manager for Warners in New York and who now has charge of trailer production in Hollywood, has turned car with a vehicle for JOAN BLOUND. GLENDA FARRAR and HUGH HERBERT. "Serves You Right" is the title.

HAROLD HENDE, head of Radio's research department will talk to BARRY Townley's Theatregoers' Alertness Course for Teachers at the Belasco tonight. BIDE DUDLEY will preside.

HARRY N. MORAY at Vitaphone, is now a Kentucky colonel. Governor LOPFON sent his commission late last week.

Quip of the Day

Max Seligman, noticing the 100% increase in the bills Columbia was receiving from a slipping service bureau, wanted to know the wherewithal.

"Having sent a note to Hortense Schorr, demanding an explanation and got it. I went this way: "Can I help it if Columbia won eight Academy awards?"

JULES LEVY strayed from the "new theatrical center" of N.Y. and was spotted giving Times Square the onceover yesterday afternoon.

JOHN HOWARD LAWSON, who is known in Hollywood purlieu, lectured on playwriting at New Theatre headquarters last night.

CARTER BARON, LOEW'S division manager in Washington, left for home yesterday after a short visit at the circuit's headquarters.

ROBERT KATSCHER, Viennese composer of "Wonder Bar," who is und contract to M-G-M, will leave for the coast tomorrow.

JOHNNY O'CONNOR'S important date has been set back until next week and he has no control over the booking.

MAURICE HOWELL, recently signed for Gaumont British by Michael Bie- low, sailed last night on the Majestic.

VICTOR NEWMAN of United Ticket Co, Springfield, Mass, was visiting theatre equipment dealers yesterday.

JOE HORNSTEIN, after remodeling theatres for local dealers, buys the first tickets to reopen.

CHARLIE PETTITNO, beginning to feel the spring sunshine, is practicing golf swings in hazy.

ARTHUR SELIG, stepson of ALBERT L. WARNER, celebrated another birthday.

day last night and had films taken of the party at his home.

JAMES CLARKE of Horlacker's, Philadelphia, was in town for a brief session yesterday.

JOEL SWENSON aided the mission in picking out a new spring coat yesterday.

... and in Boston

Ben CROSSBY, the singing brother of BING, in town this week. . . . A. J. MORE, district manager for M. and B., is back in the city from Bermuda tan. He was accompanied by MRS. MORE. . . . JOHN HASSETT, manager of the circuit's Para- mount, has left for seven days. . . . DON MARTIN, assistant manager at the Park, in town yesterday. . . . The Rev. J. M. Valentine,Pastor, Brooklyn, will join Mrs. MARTIN. . . . E. M. LOEW has returned from Florida.

Josephs Named Head Of Columbian Club

George Josephs yesterday was elected president of the Columbia Club, 594 Hudson Ave. Competition with Josephs on the ticket was Al Seligman.

Jeanie Dresler was unopposed for the chairmanship of the library. Harry Zieve won over Simon Bell as second vice-president. Lea Jaffe was named treasurer. H. MEMEN, secretary; Rene Roses, assistant secretary; Etta LeVoff, financial secretary; Mary Koban, chairman of the board of gov- ernors, Seymour Zwillinger, publicity head.

Schlesinger May Do An Opera in Color

HOLLYWOOD, March 22—Leon Schlesinger is planning to do an animated cartoon opera in Technicolor on the screen of "Looney Tunes" and "Merrie Melo- dies." The cartoon producer is toying with the idea of doing "Carmen" as the first.

Schlesinger has also taken an option on a well known cartoon strip and the deal is nearly closed to add the char- acter to his next year's program.

Harry M. Goetz Returns

Harry M. Goetz, president of Relia- ble Pictures, returned yesterday from the coast where he held a series of production conferences with Edward Small, vice-president in charge of production. Two pictures are to be put in work as soon as "The Le- gion of Valor" is completed. They are "Maverick's Country" and "The Melodyingers On."

Zanuck Signs Whiteman

HOLLYWOOD, March 22 — Paul Whiteman and his band, with Ramona Wise, his stepdaughter, took the stage, having been signed by 20th Century for "Sing, Governor, Sing."

Loew's to Get Three Allied Owner Houses

(Continued from page 1)

The court have approval of the plan is conditioned upon its acceptance by two-thirds of the creditors of the company at a meeting to be held before Judge Iach March 29.

Bernhard Taken Ill; To Be Away 2 Weeks

Joseph Bernhard, operating head of the Warner circuit, yesterday suffered a nervous attack at his office and was immediately ordered home. He will be away for at least two weeks.

Plan Dinner for Wurtzel

Hollywood, March 22 — Fox executives will give an informal dinner at Movietone City next Tuesday night to honor J. B. WURTZEL and M. H. GOLDEN to celebrate two years of operation of the Western Avenue plant by the trio. Forty English and 14 Spanish productions have been made at the studio since it was reopened.

Funeral Rites Held For William Conklin

Los Angeles, March 22 — Funeral services were held here today at the Hollywood Chapel for William Conklin, aviator, who died in Chicago in the age of 63. He suffered a paralytic stroke two months ago.

Harry L. Davis, an aviation stage actor. He came to Hollywood 13 years ago and worked for the pioneer Balboa Pictures and other companies until he took over the control of the Academy five years ago as an actor-producer re- presents representative.

Charles J. Kelly Dead

ATLANTA, March 22 — Charles J. Kelly, 59, formerly managing editor of Weekly Film Review, but more recently news editor of the Atlanta Georgian, died here of a heart at- tack which had kept him in a hospi- tal for more than a month.

T. M. Wise Passes

ATLANTA, March 22—T. M. Wise, of Winder, Ga., exhibitor at that place and Commerce, Ga., who was a well known figure in the Atlanta circles, died of pneumonia at his home. He is survived by his widow, a son and a daughter.

Para. to Open Wednesday

The Paramount has adopted Wed- nesday openings, and with the windup of the third week on "Buggles of Red Gap" on March 27, "Private Worlds" will follow.
Premiums Big Peril, Says Flinn in K.C.

(Continued from page 1) of industry leaders was that premiums should be eliminated entirely as a factor in selling screen entertainment.

An open forum developed into a debate on clearance, bank nights and other subjects. There were far reaching discussions. Flinn declared bank nights and similar gift enterprises were a moot subject on which only the courts could render final determination and indicated there would be an early decision on this point in cases now pending in Denver and Oklahoma City.

Describing his visit here as unofficial, Flinn cautioned the grievance and clearance boards at a morning session that he could not solve any local problems. Later at the open meeting he was the target of numerous questions fired at him chiefly by independents.

Flinn told MORTON PICTURE DAILY he was carrying back to New York the Los Angeles clearance board's recommendations on Fox West Coast's application for the zoning schedule for that territory which he will submit to Camp at Thursday's session. He said it was not his function to predict how soon the Los Angeles plan would be in effect, but asserted that exhibitor elements there had evidenced a desire to be fair and arrive at something workable.

Tonight Flinn conferred further with Elmer C. Rhodes of F.W.C. and Jay Means, T.T.O. head, and made a survey of theaters with reference to Kansas City's cleared clearance schedule, following which he boarded a plane for Chicago, where he will spend the week-end, arriving in New York on Monday.

The net result of his day's visit was to clear up some moot points which had aggrieved both parties and collect voluminous information for Camp's guidance in dealing with Kansas City's clearance problem.

Cut in Operators' Week Is Protested 

(Continued from page 1) may result in projection complications. The operators themselves are against the plan, inasmuch as salaries will be cut proportionately.

In addition to the elimination of a day from the working week, the I.A.T.S.E. is asking all members to devote two days a week to picketing as a result of the failure of the factfinding committee to settle the three-union operator controversy.

Although the acceptance of the plan by the members was March 18, many projectionists are not answering the call to turn out. However, it is believed the international which has assumed control of Local 306 will put through the emergency measure regardless of the members' apathy.

Looking 'Em Over

"La Dame aux Camelias" (DuWorld) 

This is a beautiful, poignant picturization of the immortal love story of Alexandre Dumas, fils.

Despite the fact that the dialogue is in French, audiences should appreciate this film because of the fine character portrayals of Yvonne Printemps and Pierre Fresnay. It is to be noted that the love of a lifetime is represented.

The picture moves at a rapid pace and Fernand Rivers is to be commended for his direction. The music, written by Reynaldo Hahn, and particularly the song that Miss Printemps sings and of which the censors evidently disapproved, for its English sub-titles are blacked out, is appropriate.

The story has been changed but little from Dumas' novel. To Paris comes little, country-bred Miss Printemps. In a few short months she has blossomed out into "The Lady of the Camelias," in whose salon gather DeMussel, Gautier, Liszt, the Duc de Murulis and all the splendiferous gaiety of Paris. Then comes Freunay and love. The two are deliberately happy until their romance is shattered by Freunay's father. From that point on Miss Printemps slowly withers and dies because of the havoc wrought by a contagious and her love of Preserver affiliated.

This picture is to be recommended. For those who don't understand French, there are English sub-titles. In places, however, the story is easily followed without the translations of the lines, so forceful is the acting of Miss Printemps and Freunay.

The cast are Lague Poe, Armonite, Latulive, Andre Dubosc and Jeanne Marken.

Reviewed without production code seal. Running time, 85 minutes. "G."

"The Cyclone Ranger" (Spectrum Pictures)

This is a run-of-the-mill western that should prove adequate fare for neighborhood and small town audiences. It lacks the usual amount of action in pictures of this type and Director Bob Hill tells his story in a manner that presents too much dialogue. The photography of Donald Keyes is only fair.

Bill Cody, who is starred, Earl Hodgins, Donald Reed and Eddie Gibbons are satisfactory in their roles. Others in the cast are: Nen Quarto, Solidad Jimines and Collin Chase.

The yarn has Cody as leader of a band of ranchers who have been swindled out of their land. They steal their own cattle and are considered outlaws. Reed is found to be the son of a powerful woman rancher in Mexico who is being protected by a foreman, Cody. Hodgins and Reed are returning to Mexico when the latter is killed. The remaining two continue the trip and Cody is mistaken for the lost son. He carries on the deception until the former members of his gang arrive and try to fleece the old lady of her cattle and money. A light comedy, the outlaws are killed and Cody and Hodgins find themselves free men again. This clears the way for the romance that had sprung up between Cody and Miss Quarto.

Reviewed without production code seal. Running time, 60 minutes. "G."

Advertising in FHA Shorts Causes Worry

(Continued from page 1)

directed and produced by George Cody the above mentioned circuit owners have objections to the prominent use made of the Pathe name in the F.H.A.'s releases.

While it is understood that the national circuits have no objections to showing the reels in subsequent run, neighborhood situations, many of them are dubious as to offering playing time in the first run de luxe houses.

June Graber Signed

The Advisory Committee has signed June Graber Signed with Hollywood, March 22—Applica
tion of the Film Advisory Committee to have Miss Graber, who has just signed a contract with New York Curran Exchange of 250,000 shares of one dollar par value common stock of Universal Pictures Company, Inc., has been filed with the Securities and Exchange Commission.

Fox Met Creditor Hearing April 12

(Continued from page 1) zation proceedings. The committee will petition the court early next week for an order declaring the deposit agreement under which the theatre represents bondholders to be a "fair" one.

The reorganization plan, as disclosed in earlier issues of MORTON PICTURE DAILY, provides for the acquisition of the theatre and related property by a new company by Schenck and Fox Theatres, with Schenck becoming president of reorganized Fox Met. Holders of the $1,460,700 of Fox Met bonds outstanding will receive 75 cents on the dollar for their equity. The payment will be 20 cents on the dollar in cash and 55 cents in new bonds. For the cash distribution, $600,000 will be paid into a special fund by Schenck and Fox Theatres. The new fund will be $6,835,000, with interest at five percent.

Skouras and Randiforce will continue to operate the 86 Fox Met houses under new 10-year contracts.

NRA Refuses to Fix Bank Nights' Status

WASHINGTON, March 22—Efforts to build a backfire under the NRA for the purpose of securing an interpretation that bank nights come under the provisions of the film code rather than the lottery act clause, failed today when officials of the NRA declared they had no intention of taking any action in the matter.

For several days the arrangement division has been receiving telegrams from various sections of the country, some from exhibitors but mostly from people in other lines of business which it was declared bank nights were proving a great impetus to business in general and that they should not be treated as a lottery but rather as a premium, thus, giving the exhibitors in each locality an opportunity to vote on their continuation.

It was said at the NRA however, that no recommendations have been received for withdrawal, and that nothing would be done in the matter.

Kansas Dust Storms Bump Theatre Takes

In many towns all business virtually ceased because of the facilities stopped as day became night. State officials closed several Kansas highways when dust storms became too dense for safety. In Great Bend and other Kansas towns exhibitors had to stop their shows when dust drifted in and obscured the screens.

Monogram Sets Dividend

A dividend of six percent on the capital stock of Monogram Pictures will be paid next week. The Advisory Committee has voted to pay the dividend and has made the policy of keeping 25 percent to accumulate to the reserve fund of the company. It is payable to holders of record May 1 in quarterly installments of 1/2 per cent each on May 1, Aug. 1, Nov. 1 and Feb. 1.

Kansas Dust Storms Bump Theatre Takes

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**Missouri 2% Tax Passage Seems Likely**

(Continued from page 1)

It makes it compulsory to pass on the equivalent of the tax.

The bill is in Kansas City and St. Louis will encounter competition in the form of horse racing and probably dog racing this summer, parallel betting being illegal in Missouri by the House. The Senate has approved a bill permitting gambling on horse racing only, and a conference committee will be necessary to work out the differences. As passed, the House racing measure permits dog tracks only at St. Louis. The state would collect three per cent of all wagers, and, in addition, the tracks would pay a fee of 20 cents on each admission.

The theatre circuits would be hit by a bill which has passed the House providing for a one per cent admission tax pending in the Legislature, but exhibitors are worried for fear it will be passed as a part of the relief program.

See Delay in Bay State

Bospor, March 22—Being put over on a five per cent admission tax pending in the Legislature, exhibitors are worried except those passed by a religious body and that of James Scanlon to make license authorities into individual censorships whose approval would be necessary for all pictures opened to anyone under 21.

Sunday Bill Passed

Ann Arbor, March 22—A bill to permit Sunday shows in Allegan County passed the House. Representatives Baker and Meade have introduced a measure banning medicine shows. It has been referred to the Hygiene Committee.

**Try Foreign Press Book**

United Artists has begun issuing foreign supplements to its domestic press books. The first is on "Clive of India," in a four-page issue. The second seems to be the best possible fate of the two foremost bills against the industry, that of Thomas Dorgan to bar foreign press in the States, except those passed by a religious body and that of James Scanlon to make license authorities into individual censorships whose approval would be necessary for all pictures opened to anyone under 21.

May Do "Leonardo"

Hollywood, March 22—"The Life of Leonardo." His last triumph in the next-all-Technicolor feature to be produced by John Hay Whitney under the Parmount banner, Rouben Mamoulian may direct.

**"Colonel" Is $9,500 Smash In Pittsburgh**

Pittsburgh, March 22—The custom-mercenary Leventon reaction failed to hit at least two houses here last week. At the Fulton "The Little Colonel" ran up a national $200,000, the Penn, with a combination of "Vanessa" and Earl Carroll's "Vanities" claimed $57,000.

"Robertta," after a record-breaking week at the Stanley, was moved to the Davis and did a nice $45,400 in eight days, while the Stanley ran down $5,000 with "Living On Velv. At the Alvin, credit for $10,000 goes to Fred Dray's indoor circus, rather than to the film, "When a Man's a Man," and at the Warner, the features, "While the Silent Slept" and "Let's Live Tonight," couldn't bring in $2,000.

Total grosses in six first run houses were $55,750. Average is $9,250.

Estimated takings for the week ending March 14:

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**Mastroy Resigns as "U" Studio Manager**

(Laemmle's personal contact with News for the release of a long list of films, probably with Paramount.)

**Take Up Loew's Stock**

Irvine Thalberg has taken up an option on 10,000 shares of Irving J. Robert Rubin on 2,000 and David Bernstein on 13,800 at $30 per share; it was learned yesterday. The option was exercised between Dec. 31, 1934, and March 1, 1935.

**Schadler on Sick List**

Des Moines, March 22—Frederic Schadler, former veteran trade paper man who was stricken last week in the offices of the Fox here, is ill with rheumatic fever. He has been in bed for about two weeks with at least two more to go.

**Para. Claims Denied**

Exhausting of $225,000 of claims filed against Paramount Publix by the 15th street Studio Relations Corp., Los Angeles, was affirmed yesterday in an order signed by Federal Judge Francis G. Caffey.

**RCA Opens New Branch**

A new visual sound products department headed by G. K. Throckmorton, executive vice-president of RCA Manufacturing Co. The department will handle film sound for television, film and projectors. Three branch offices will be opened in New York, Chicago and Hollywood. E. F. Kerr is in charge here, C. S. Kernaghan has the Chicago district, and Mark Smith is manager of the coast office.

**Delay Somerbee Dinner**

Boston, March 22—The date for the dinner in honor of Al Somerbee, manager for Lathrop Theatre Corp., who has been on a goodwill tour for years, has been shifted to April 8 at the Copley Plaza. Instead of a "Gypsy Night," it will be formal. Louis Boas and Stanley Sumner are treasurer and secretary, respectively, of the committee. Joe Brennan, executive secretary of the M.P.T.O. unit, is chairman.
Lynch to Set Loew Chicago Theatre Deals

Authorized to Close on Several of Sites

CHICAGO, March 24.—Robert Lynch, M-G-M branch manager in Philadelphia, arrives tomorrow to close deals for a number of sites for Loew's. Lynch has been active in the local negotiations since the start of Loew's planned invasion and has the official okay from the Loew home office to go ahead on several sites. A deal is on for a number of theatres, but investigation of mortgages and other details is holding up consummation.

Approximately 200 exhibitors have dropped M-G-M product this season.

(Continued on page 12)

Schenck Conferring On New M-G-M List

HOLLYWOOD, March 24—Nicholas M. Schenck is here from Tuscon, Ariz., and will spend several weeks conferring with studio executives on next season's budget and number of pictures.

Approximately $20,000,000 will be spent on the 52 features and shorts planned next season. Fred Quimby, short subject sales manager, is here from the east and Felix P. Feist, general sales manager, is due within the next few weeks.

Conventions details may also be outlined here. Tentative plans have the

(Continued on page 10)

Samuelson to Name 6 Aides This Week

Sidney Samuelson will name six new regional vice-presidents to make up his cabinet for the new year some time this week. Heretofore there have been four whose terms expired Feb. 1. The appointment of an additional two will give the Allied leader coverage for the entire country with the exception of the far west.

Samuelson, Nathan Yamin and Abram Meyers will leave Friday for Minneapolis to be on hand for the two-day annual meeting of Allied Theatres of the Northwest on April 1-2.

Patrons Chase Bank Night, Frisco Finds

SAN FRANCISCO, March 24.—Studies of the bank night situation here pending a grievance board hearing on Herman Cohen's general complaint

(Continued on page 6)

Start of Lent Cuts Takes In Key Cities of Country

March grosses failed to maintain the pace they attained in February in the 22 key cities reporting to Motion Picture Daily. For the week ending March 7-8 the gross for 139 theatres was $1,295,650. The following week was somewhat better. The total reached $1,538,384 for 137 houses.

Opening of Lent is given as the reason for the falling off, with the first impact having worn off during the week ending March 14-15 six

(Continued on page 10)

Brandt-S. & C. Acquisitions 'War Growing

Widening of the theatre acquisition "war" and ticker campaigns in Cocalis and Harry Brandt, current for some time, is seen in the latest moves by S. & C., which has just taken over the Century, Brooklyn, in the vicinity of the Empire, another Brandt unit.

Other Springer & Cocalis deals are reported, but could not be confirmed due to absence of both Sam Cocalis and Jack Springer from the city. One of the deals reportedly completed is for the City Hall, Springfield, Mass., and his partner are due back from Miami next week.

Friction between the two independent circuit operators started several

(Continued on page 12)

Tax, Racing Bills Appear In New Spots

Tax bills calling for levies on admissions and billboards and racing measures continue to pop up in legislatures. In Massachusetts the House has defeated the Economic Council measure which would have set up something resembling a state N.R.A.

The Bay State's advertising bill goes over for study.

Mass. Council Bill Dies

BOSTON, March 24.—Decision defeat has been handed the House bill calling for an Economic Council. The idea was to control all phases of every industry, including films, with

(Continued on page 10)

Discuss Changes in Cleveland Dual Pact

CLEVELAND, March 24.—Modification of the single feature agreement is expected as a result of the opening of six houses since it went into effect last summer. All six of these spots are dominoes.

The Cleveland M. P. Exhibitors' Ass'n will meet shortly to discuss the problem. The pact expires July 1. One plan suggested is to permit all houses to dual at least once a week, if they desire.

Paramount Gets Set For "Mae Day" Riot

Paramount is getting set for a "Mae Day" riot—the spelling is correct—in Illinois.

To see that it is put over in a big way, $1,500 in prizes will be distributed and ticker campaigns in newspapers will be put out in advance.

Neil F. Agnew, Paramount sales manager, originated the idea and Rob-

(Continued on page 6)

Clearance Comes Up Before Campi Today

A special session of the Campi clearance and zoning committee has been called for this morning to analyze the report on the Los Angeles schedule which John C. Flinn brought with him on his return last night from the coast, Kansas City and Chicago.

On the committee will be Sidney Justin, representing George Schaefer.

(Continued on page 6)

Intimate Fox Met. May Get U.A. First Run

Upset in Metropolitan Booking Deal Hinted

Intimations that Fox Metropolitan Playhouses may secure first run United Artists and 20th Century product, following the reorganization of the circuit, are contained in the Fox Met reorganization plan filed in a Federal court here last week.

"The entry (into Fox Met) of Joseph M. Schenck, president of United Artists," the plan states, "reasonably fortifies the potential availability to the new company of product. This will materially strengthen the company and the intangible worth of the securities issued by it.

"One of the elements of strength, if not necessity, in successful theatre operation," the plan continues, "is access on fair terms to an adequate supply of pictures. By fair terms is meant not only cost, but also such other vital trade points as right of selection, playing time and dates, par-

(Continued on page 6)

Expect Reelection Of MPPDA Directors

Reelection of all M.P.P.D.A. directors is expected at the annual meeting today. No board vacancies exist and no nominations of new directors are anticipated, it was stated at the Hays office on Saturday.

The meeting will hear the annual reports of Will H. Hays, president, and all heads of M.P.P.D.A. departments.

B'way Dull, Except Music Hall, Para.

With the exception of the Music Hall and the Paramount, theatres along Broadway last night did so-so business. As previously reported, "Rogberta" at the Music Hall garnered $81,000 for the second week. "Little Colonel," its successor, is aiming for a figure in the neighborhood of $80,000.

Second week of "Ruggles of Red Alert," Intelligence and Faithful Service to the Industry in All Branches

DEPINET ATTacks His Indictment as Vague

A demurrer to the indictment of Ned E. Depinet, RKO distribution head, in the St. Louis conspiracy case

(Continued on page 10)
While an apparent truce has been called in Paramount reorganization circles providing for final agreement on the presently constituted board of 16 members in return for the de-posit of $3,500,000 of basic stock, it is understood that a Fortington group to assure creditor confirmation of the plan, opposition to certain members of the board will be presented by the major creditor circles. If this opposition succeeds in attracting to itself sufficient support to displace a Fortington board nominee, that group continues in a position to throw the selection of a new board, or individual member or members, back into the laps of the major groups.

This could be accomplished by a withdrawal from the bondholders' committees of $3,500,000 of basic stock on deposit with the committees in asent to the plan or by withdrawal of assets of the additional $3,500,000 of bonds which it is understood to file in抗ion to the plan as general claims. The group represents another $11,000,000 of claims which it might, or might not control, to the extent of bringing about its withdrawal.

The Fortington group, primarily, wants the assurance that no attempt will be made by the major creditors to displace its five nominees for the board—Stephen Callaghan, John D. Hertz, Fortington, Floyd B. Odum and Charles E. Richardson. Hence, the demands will be made of several of them, which the group retains in its aristocratic sleeve. The assurance, it is reported, has now been given them in return for their support of the plan. The point is, if it is pointed out, however, that such support can be given without any finality—in case.

The truce has apparently calmed the kingspins of reorganization, the bulk of whom have departed for sunny climes preparatory to that long-awaited April 4 hearing in Federal court, which by present indications will be the last of a long succession of them. Hertz of the Fortington group and Julius Klein of the Vanderbilt bondholders' group are in Florida. Vanderbilt, himself, outstanding candidate for chairman of the board, is in California. As is Percy H. Johnston, board member. Albert Cook of the stockholders' committee is in Bermuda and Robert Szoilof of the Munger debenture committee and Arthur Ballantyne of the board. On the attorney side, several of the legal staff are sojourning in the south. Those who remain ap-

pear to be busy with other matters. • • •

Mailbag stuff from "Skip" Weschner, in charge of Warner first-runs in Philadelphia, and a limit of strength in the charm fashioned in this space the other day about re-dating old, but formidable, attractions in lieu of new, is, one believes, the answer.

"I read your paragraph in the Insiders' Outlook column Wednesday, March 20, regarding the booking of 'It Happened One Night' at the Stanton Theatre, which gets 55 cents top, after it played two or three times at 12-cent houses near by and after it played all of the neighborhood theatres. Also be advised that the opening day yesterday (Wednesday), this grand picture grossed as much as the first-run picture, which we are offering, this Saturday, with a Saturday opening."

"Sure we smashed precedent by playing it off a week, but the chair man said that precedent wasn't going to be smashed in this business! If the wise boys running the theatres haven't learned that exhibition is a day-to-day business and that a longer week's new business, it is about time they woke up."

Interesting, as you will admit. But there is more:

"I was very much amused with the fuss and discussion raised by people outside of our own immediate company, who seem to think that re-dating a picture is a wise move by the Academy award, even though it played a lot of other theatres, during the Academy, just a fatal step. From my experience, we have found that a picture loaded with box-office dynamite played repeat is a hell of a lot more marketable to the exhibitor than an ordinary programmer played first run. My hope is, therefore, that we forget precedent and handle our business as the daily situation demands, the better off all of us, who are running theatres, will be."

The italics represent editorial prerogative for dear old empha-
sis' sake. • • •

Those several major circuits who look anything but kindly on the first two short made by Pathé for the Federal Housing Administration are planning a quashing of the incantation. The plan is to aid the government, but there is the normal factor of running plans for them to run. Why the pres-

ence on celluloid of G. E. ice-boxes, plugs for R. H. Macy, etc., were quite necessary to tell and sell if the H. A. story doesn't seem to be quite apparent. Herman Gluckman of Capitol

Sindlinger Winner
In Life' Contest

Al Sindlinger, manager of the Appleton, Appleton, Wis., has been re-

turned the winner of the Aunt Jemima contest in connection with the show-

ing of "Imitation of Life." Sindlinger was also winner of the Quaker Oats contest on "Six Day Bike Race" held some time ago.

Other prize winners were Lou Richmond, National Theatre, Boston; William E. Fox, North Omaha; E. M. Hart, Strand, Plainfield, N. J.; E. A. Patchen, Stuart, W. Va.; Royal, Jr., Palace, Fort Worth; Eberly Dubinsky, Missouri, St. Joseph; M. M. Mesher, Winter Garden, Seattle; Manager, Fox Mayan, Denver; Herbert Bloom, Olympia, Worcester, Mass.; A. J. Kalberger, Paramount, Ft. Wayne; J. H. Black, Capitol, Calgary; F. E. Patch, Capitol, Regina, Canada, and Kay Tubman, Capitol, Ottawa.

Walsh Also States
Studies Will Move

San Francisco, March 24.—Morgan Walsh, former manager of the South- ern California I, T. O. A., has added his voice to the chorus of those pre-

senting the idea of a study of California if the proposed tax program is enacted. He was speaking before the Ast-Y Club, made up of business and professional men here.

Agnew to Hollywood

Nell F. Agnew, general sales manager for Paramount, left for the coast yesterday, via the bird's route, to confer with studio executives on next year's program. On April 5, he will sail from Los Angeles for New York to close an important 1935-36 product deal.

Agnew plans to return in five weeks, preparatory to holding the annual sales meet at the Walor Astoria, starting May 23.

McCormick to Coast

Indianapolis, March 24.—Barret McCormick, director of advertising and publicity for Radio, having staged the McCrory opening here last Friday as guest manager of the house he managed 15 years ago, has just returned. He will spend a week or 10 days at the studio for conferences on forthcoming product.

Darmour West Today

Larry Darmour, partner and pro-

duction head of Majestic, expects to wind up conferences today with Hor-

man Godstein, president, and F. H. Goldstein, vice-president, on the new season's lineup of 12. In the event pending details are complete, Darm-

mour will hop a plane for Hollywood this afternoon.

Brady a Forum Speaker

William A. Brady will give his views on pictures at the M. P. Club Forum tomorrow. Other speakers will be Al S. Godstein—novelist; Rita Weinman, writer, and Magistrate Anna Kross. James A. Farley will be another guest.

Exchange is in the throes of an interesting distribution deal.
an open letter to...

George Schaefer
Felix Feist
G. L. Sears
Jimmy Grainger
A. W. Smith
Al Lichtman
John Clark

THE HOTTEST PIECE OF SALES POWER IN THE BUSINESS IS AVAILABLE APRIL 8
WE'LL BE IN TO SHOW
JOAN BLONDELL in
"TRAVELING"

WILLIAM GARGAN • HUGH HERBERT • RUTH DONNELLY • GRANT

OUR SAL

Billings—
Montana?

Collections—
Gold Teeth Included

Delinquents—
Don't Ask!

WARNER BRO

A First Nat
OURS RECORD

Unplayed—
Only Blind Men

Unsold—
Stables & Morgues

Selling Cost—
You Name It

OUR LINES APRIL 8TH!

GLENDRA FARRELL

SALESLADY

MITCHELL • AL SHEAN • BERT ROACH • Directed by RAY ENRIGHT

Producers
Intimate Fox Met. May Get U. A. First Run

(Continued from page 1)

particularly in relation to supply, selec-
tion and program of representative theatres.”

At present, Fox Met follows Loew’s in all competitive situations with U. A. and will continue to do so. Fox Met will continue to have the Fox Film franchise held by Skouras and Randolfce, who recently operated under the reor-

The plan also specifically exempts U. A. and 20th Century contracts made by Skouras and Randolfce in being subjected to a veto power re-

pany in relation to all other Fox Met film contracts.

Schenk will become president and chairman of the board of reorganized Fox Met, and Harry Buckley, vice-

president of U. A. Theatre Circuit, and William C. Weisman, receiver of Fox Theatres, which participates with Schenk in the plan, and Samuel S. Allan, law partner of Weisman’s, also becomes board member, representing Fox The-

etres’ equity in the new company. Fox Theatres owns all of the stock of Fox Met. William Randolfce or 50 per cent of the stock of the new company. The remaining 50 per cent goes to Fox Theatres in exchange for its 10-year royalty on its members’ stock, $5,000,000 of claims against Fox Met.

The plan states that the 44 Skouras-

operated Fox Met houses showed a profit of $121,101 last year, and the 36 Randolfce-operated houses a profit of $48,516. Skouras Bros will receive $52,000 annually under their operat-

ing contract, and Randolfce $35,780.

A creditor’s hearing on the plan will be held April 12 before Federal Judge Julian W. Mack.

Paramount Gets Set For “Mae Day” Riot

(Continued from page 1)

ert M. Gillman is working out the details.

“Mae,” in case you haven’t guessed, is Mae West. It will be a “Going to Town” content. Rumor has it that this is the title of her next picture.

First prize will be $500; second, $350; third, $200; fourth, $100; fifth, $50; each, and sixth, seventh, eighth, ninth and tenth, $50 each.

Judges will be: Oscar Doob, Mort Blumenstock, John Dowd, Milton Feld and Alec Moss.

MOTION PICTURE DAILY

“If the blue is happening, we try to keep up with it.”

MOTION PICTURE DAILY’S HOLLYWOOD PREVIEW

“Cardinal Richelieu”

(20th Century-U. A.)

Hollywood, March 24.—Venturing into the domains of debatable subject matter as he did with “The House of Rothschild” and having won exhibitors’ favor, intrepid Darryl F. Zanuck again essays the biographical theme with another keen provocative world per siprization with a film that is bound to cause comment and sure
to draw crowds.

Painting Cardinal Richelieu with sympathetic strokes, setting him amidst the intrigues of the decadent court of Louis XIII and colorfully revealing the dramatic conflicts of an age, its ruler and prelate alike, a fine balance of appeal is achieved to please the large body of faithful adherents to the church as well as others.

Aside from its historical importance, the production pictures Richelieu as a human being. Centering its drama around the fateful era when, threatened with death at every turn, the skittish, suave, and cynical Madeleine becomes helplessly involved in a love affair, Zanuck’s new picture is a winner. It is a $50,000 effort that should outsell the recent $121,100 boxoffice attraction.

George Arliss’ Richelieu is polished, suave and subtle and gives that grand Thespian full sway for his exceptional talent. Edward Arnold, as King Louis, contributes a finely shaded, robust performance. Maureen O’Sullivan and Cesar Romero supply the romance. Douglas Dumbrille, as Barabos; Francis Lister, as Gaston; Violet Kemble Cooper, as the Queen Mother, and Lumsden Hare, as the Swedish King, head the imposing cast of superior mold.

The production evidences a keen eye for showmanship value. Rowland V. Lee’s direction is super quality, as was his “The Count of Monte Cristo.” The film, adapted from the play by Bulwer-Lytton, is richly photographed by Peverell Marley.

On the strength of all its names and word-of-mouth advertising, “Cardinal Richelieu” should gratify showmen with “The House of Rothschild” popularity and grosses.

Production Code Seal, No. 676. Running time, 80 minutes. “A.”

“Mark of the Vampire”

(M-G-M)

Hollywood, March 24.—Beginning where most thrill pictures leave off, killing entertainment is laid out in good measure in this one. A creepy atmosphere starts with weird music over the main title and continues into a graveyard scene opening with a murder committed in the first 200 feet.

Lionel Atwill, police inspector called in to solve the murder, scoffs at the theory advanced by witnesses that the crime was committed by vampires who rise from graves at night and suck blood from living humans.

A year later, with the mystery still unsolved, Lionel Barrymore as a professor is called in to investigate further vampire activities. A series of spooky events follows, climaxed when Barrymore stages the reenact-

ment of the first crime by hypnotizing Jean Hersholt into repeating his movements on the fatal night. Hersholt, the murderer, has been given advantage of the local superstition to conceal the crime, is toppled by Barrymore, who stages ghastlier events to trap him. The audience, held in suspense still the end, gets plenty of thrills.

Director Tod Browning takes full advantage of the situations and times his actions expertly. Bela Lugosi, playing the vampire, is his usual weird self. Elizabeth Allen and Henry Watsworth provide the romantic interest capably. Guy Endore and Bernard Schubert wrote the screenplay.

Audiences that like scary stuff should enjoy this chiller. No production code seal. Running time, 64 minutes. “A.”

“A Night at the Ritz”

(WARNERS)

Hollywood, March 24.—This is a light farce comedy that should please in neighborhood spots.

William Gargan, specialist in hotel exploitation, while courting Patricia Ellis dines at her house. Thinking the meal to be prepared by her brother, Gargan plans to exploit the brother (Eric Blore) as the

now in Miami on a vacation; Charles L. O’Dier and Al Lichtun, With Flinn, the Campi delegates will go into a complete study of the changes in the court schedule with the hope of approving them for definite action by Campi on Thursday.

The Lt. Au. schedule is supposed to go into effect Sunday, according to a previous ruling, but unless the re-

visions are certified by Code Author-

izers, the plan will be held up until all parties are agreed upon the points at issue.

Patrons Chase Bank Night, Frisco Finds

(Continued from page 1)

develops the fact that patrons go from one theatre to another on the same night to get their names on the banks of the fulfillment of the practice contend this makes every the-

aters in the city a competitor of every other.

Batteries of lawyers will fight for the bank nights when the case comes to trial. Instead, they predict their appeals will go beyond Campi to the Federal courts.

Texas Circuits and Independents Expand

(Continued from page 1)

and Harryill added theatres for the first time. Lee Palmer has opened the Robertson at Franklin, and Sydney C. Lockhart has opened the Hargill at Hargill.

Deal for “Lost City”

S. S. Krellberg has closed with United Artists to handle sales of “The Lost City,” feature and serial versions, in Argentina, Bolivia, Canal Zone, Central America, Chile, Cuba, Pan-

ama, Paraguay, Peru, Porto Rico and Uruguay. The picture is now in its sixth week at the Globe, New York, and has been booked over the metropoli-

tan RKO circuit. It will also play at the Warner, Tower and the Shuberts in New York and New Jersey.

Protest Amateur Actors

A formal protest has been made by the American Federation of Actors to the NRA Administration in Wash-

ington and to Campi here protesting against the use of amateurs in picture theatres on the grounds that it is “an unfair trade practice and de-

cidedly in contrast to the program sponsored by our President, and the purpose of the National Recovery Act.”

Hoot Gibson to Produce

Hollywood, March 24.—First Di-

vision has turned over the two re-

leasing and again for the star to produce on his own, although the company will continue to finance and distribute.

Lee Trainer to Norfolk

Norfolk, March 24.—Lee Trainer has succeeded J. F. Rogers as managing director under Vincent house.

Barr at Winchester

Winchester, Va., March 24.—Stanley Barr has been made manager of the Capitol, a Warner house.
Take advantage of these full-color lobby displays to exploit the tremendous popularity back of every story in the series.

19 FAMOUS TITLES TO ATTRACT PATRONAGE

Old Mother Hubbard
Mary’s Little Lamb
The Valiant Tailor
Don Quixote
Jack Frost
Little Black Sambo
Bremen Town Musicians

Don Quixote

Powers Comic Color Cartoons
in Cinecolor

CELEBRITY PRODUCTIONS, INC.
723 SEVENTH AVENUE
NEW YORK CITY
GIVES YOU ANOTHER GREAT AMERICAN CLASSIC

Monogram Pictures presents

The HOOSIER SCHOOLMASTER

with NORMAN FOSTER and CHARLOTTE HENRY

Suggested by the World Famous novel by Edward Eggleston

Directed by LEWIS D. COLLINS
Adaptation and Screen Play by Charles Logue
**MOTION PICTURE DAILY**

**HOLLYWOOD PREVIEW**

"A Night at the Ritz"

(Continued from page 6)

world's greatest chef. He finds, after selling Rhodes to Berton Churchill, managing director of the Ritz, that Rhodes can't cook. After several is saved when Rhodes' mother, who prepared the original meal, gets into the kitchen and prepares the food for the big banquet.

Director William McGann has squeezed much out of the comedy scenes, and the sum, which includes Gordon Westcott and Mary Russell, gives able support. Robert Shannon and Albert Cohen wrote the screenplay and Emanuel Seff the dialogue.

Production Code Seal, No. 609. Running time, 63 minutes. "G."

land where he is due to make some more pictures for a British concern.

Jack Benny says he will take the birds’ route to the M-G-M studios on April 9. He is slated to start work in "Broadway Melody" on April 10, according to his one-picture contract, which also calls for an option on another picture. During his coast stay, Benny will broadcast from Hollywood.

Alexander Moresi’s death in Vienna late Friday caused regrets around town over the week-end. Wire- phone attaches recalled "The Royal Box" in which he starred a few years ago.

Joseph M. Schneck and Al Lichtman plan to go to the coast this week. Lichtman will probably stop off at a number of exchange centers en route.

Robert Katscher, composer of "When Day Is Done" and the music for "Wunderlist," left for the M-G-M studio yesterday.

Irving Shih is now managing the Tower, formerly the Crescent, for Levy & Movers.

Jack Kaplan, operator of the Rivoli, S. Fallsburgh, is taking it easy at Miami.

J. J. Unger arrives today from Miami, where he has been hiking in the sun.

Claudette Colbert left for the coast on the Virginia Saturday.

Major Leslie E. Thompson returns from Denver today.

Lou Berman flew out to the coast over the week-end.

... and in Atlanta

ARTHUR C. BODENBERG is vacationing in Florida for 10 days... W. B. FULTON has resigned from the sales force of United Artists...

... Baltimore

MAURICE COSTELLO, Palace burlesque house manager here for Minsky, had his hands full keeping the show going the other night when up-and-coming musicians, stage hands and electrician were ordered out, said to be caused by trouble with tunemasters in Minsky's New York house... MAX CORN, Oasis...
Start of Lent Cuts Takes
In Key Cities of Country

(Continued from page 1)

cities—Kansas City, Minneapolis, Montreal, Omaha, Providence and Seattle—failed to show gains over the previous week.

Comparative weekly totals:

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<th>Week Ending</th>
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Comparative grosses for the latest available periods:

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Schenck Conferring
On New M-G-M List

(Continued from page 1)

annual sales meet scheduled here some time in May, but nothing definite will be decided for another month.

Set RKO-M.&S. Hearings

Resumption of arbitration hearings on the RKO-Meyer & Schneider breach of lease charges involving the Hollywood and Apollo is scheduled for Thursday, following several recent postponements.

Report Lamp Price Cut

Reports are current that starting April 1 all Mazda lamps will be reduced 20 per cent, netting exhibitors considerable savings.

Milwaukee House in Row with Newspaper

MILWAUKEE, March 24.—A merry battle is waging here between The Milwaukee Sentinel and the Fox Alhambra over the showing of Texas Guinan’s “Hotcha Girls.”

Fox has dropped its advertising from the Sentinel, which in turn has pointed the spotlight upon sex shows at the house. Pictures played by the theatre have included “Narcotic” and “Guilty Parents,” with the “Hotcha Girls” as the current attraction.

When District Attorney William A. Zabel confronted lifelike cardboard models from the lobby the paper gave the raid front page publicity. The Alhambra nonchalantly declared, “Advertising in this Space Confiscated. Show Going On As Usual.”

Tax, Racing
Bills Appear In New Spots

(Continued from page 1)

rules set down for employment, competition, financing, distribution and operation.

The plan for a study of billboard and other outdoor advertising is contained in a Senate bill. One Senator and three House members will make a survey and report by the first Wednesday in December.

Push Conn. Race Bill

HARTFORD, March 24.—Prospect of horse racing has become a real worry to Connecticut exhibitors. The measure passed by the House has been reported favorably by the Senate Judiciary Committee. It is looked upon so favorably that an amendment has been proposed so that no town granting a permit can withdraw it for two years.

Exhibitors headed by Edward G. Levy, secretary of the M. P. T. O. unit, and A. H. Lockwood of Middletown are working for a bill aimed to prohibit marathons.

A stench bomb bill has been killed in the House.

Kill 10% Tax in Texas

AUSTIN, Tex., March 24.—A bill calling for a 10 per cent admission tax has been killed in the House. Judge R. L. Walker, president of the

MAJOR DISTRIBUTION FRANCHISE PLAN

An Invitation to Men

Experienced in Motion Picture Exhibition and Distribution

1. A NEW producing company has been organized, amply financed to produce from twelve to twenty pictures the first year, leading 1935-36.

2. THESE pictures produced under the supervision of able executives in the motion picture industry.

3. THOUGH the making and marketing of motion pictures represent two separate and distinct phases of operation the two are inseparable and essential.

4. THEREFORE this invitation is extended to men of experience in the motion picture trade in all territories to participate in the organization of exclusive distribution exchanges in their respective territories.

5. THOSE who are able to participate financially in this cooperative method of distribution reply.

6. THIS plan of operation is similar to the former First National Distribution Franchise plan. Liberal financial cooperation extended by this company to men who are able to meet every requirement for intelligently associating themselves with this project.

7. PLANS completed and ready for immediate operation.

If interested give full details as to your past connections and financial ability for participation.

Box 1000, MOTION PICTURE DAILY, 1790 B'way, New York
WAR!

The topic on everybody's tongue...
The fear in everybody's heart...

TODAY'S FRONT PAGE NEWS

Smart exhibitors will show their public what war means... to people and to nations ... in the two greatest war dramas ever to reach the screen:

"THE FIRST WORLD WAR"

"THE WORLD MOVES ON"

Phone your FOX Exchange immediately!

BOOK THEM NOW!
Lynch to Set Loew Chicago Theatre Deals

(Continued from page 1)

because of the distributors' demands for 12 pictures on percentage arrangements.

The Essaness circuit, with 23 houses, is among the group. Edwin Silverman, president, returned from New York a few days ago after attending a code appeal hearing. He talked to Felix F. Feist, general sales manager of M-G-M, on the phone, prior to his departure, but there is no change in the situation.

Thomas W. Lamb, architect, is due Monday or Tuesday from Kansas City. He will confer with Lynch and both will return to New York after the deals have been

Lynch, up until a few months ago, held a 15-year franchise for M-G-M product in Philadelphia.

B'vull Dull, Except Music Hall, Para.

(Continued from page 2)

Gap" was very good at $38,000. It bows out tomorrow night to make way for "Private Worlds on Wednesday, "The High Flying Night" at the Rivoli for the first week rallied a nice $32,000, and "Gold Diggers of 1933" hit $24,500 during its first seven days at the Strand.

"Let's Live Tonight" at the Roxy wound up with $26,200, while the Capital's box office war on "After Office Hours" was way off at $30,000. "Sweet Music" at the Palace was fair with $43,000, and "The Girl with the Astor, hit the skids with a poor $4,200, while "Times Square Lady" at the Mayfair got $6,100.

To Do Play on Pepys

Hollywood, March 24.—W. P. Lipscomb, British playwright, who present under contract to 20th Century, and also working on the script of "A Tale of Two Cities" at M-G-M, is writing a new play based on the life of Samuel Pepys, in collaboration with Arthur Bryant. The play will contain a number of hoardes on the life of Pepys at the Astor, in unprinted unpublished diaries of Pepys.

More Springfield Men

SPRINGFIELD, O., March 24.—Lee Euring, recently appointed manager of the Hippodrome, has resumed his former position as assistant manager under Regent. Louis Harris, who succeeded Euring at the Regent, has returned to the Fairbanks as assistant manager. All are Chalender-Warner house.

BROOKSVILLE, FLA.
Bob Quellett, a Marcus protege from the Rocky Mountain section and owner of a chain of theatres formerly of Flagstaff, the issue is now running a real show-shop down here. One of those Gulf gentle boys, swimming miles to the gallon, laid low the power lines the other night. Hence, the good people of this town could not see "Handy Andy," it was forced to close for a few weeks, projectionist for this theatre, knows his tubes and reverberations.

Mina Manassas, charming owner of the Rita, is bemoaning the fact that Florida has a severe freeze this winter and that the orange and straw-berry crop will be very short. Not many tourists for this section, so business is away off.

FT. MYERS, FLA.
"Hunt at Home," is as good a title for this short as any. Boss Ed Sparks, of the United Theatres, Inc., will spend some $500 on a deer hunting trip into the wilds of Mexico recently, accompanied by some glad souls as Claude Exell, Jules Farnam, Fred Jacob, photographed but got no deer. The other day Sparks' manager killed a deer in the lobby of the Forum in this city with a baseball bat.

KISSIMMEE, FLA.
Fred O. Mullen states they can give this town back to old Chief Kissimmeee, the way business is at his Arcade. Evidently the last freeze down here is no laughing matter for the boys in sections where they did not have the tourist crop to tide them over for the summer. But they had taken over the Granada at St. Cloud from Harry Bortt before the thermometer dipped so low. He is also operating the Crescent, Dodge City, and the Vivian, Lacochee, which he has closed. Mullen halls at Plantation, N. Y.

LAKELAND, FLA.
"The House by the Side of the Road," the office of the United Theatres, Inc. Here we meet such courteous hosts as B. B. Garner, general manager of theatre operations; M. C. Talley, secretary and treasurer, and last but not least, F. L. Alig, auditor. Fisherman all, at least, they talk a good fishing trip. United is now operating some 70 theatres but will close 20 houses which are classed as seasonal, April 20th. E. L. Gainsville, was recently remodeled at a cost of $10,000. The Garden, Tampa, remodeled, cost $6,000; the Nebraska, Saint Petersburg, remodeled for $2,000 and the name changed to the Roxy. Unit vaudevilles, which have been blowing over the United time on a 21-day booking, have been reduced to 11 days and will possibly be discontinued altogether by April 1st. Louisiana, who has been enjoying a very successful season due to the influx of visitors, they will undoubtedly have a poor summer owing to poor crop conditions.

DEMOPOLIS, ALA.
L. J. Duncan of West Point, Ga., is buying a fine house in Demopolis in opposition to M. C. Webb who operates the Lido here.

ACEWORTH, GA.
V. S. Golden, owner of the Aceworth, has taken over the Ritz, Clarkdale, Ga. This is the home of the Clark Thread Milling Co.

TUSKEGEE, ALA.
The only twin theatre in the United States, is open on or about April 15 here. It will be known as the Macon and is being built by the Macon Theatre Co., as it is said, $40,000. Both auditoriums will seat 400 and have a separating fire wall, one booth containing four machines will project simultaneously one or two pictures. This house will have two separate stages and ventilating systems, one marquee and one box office. This town owning the home of the colored Tuskegee Institute, is the reason for this arrangement. It is said that they will demand something better than a balcony. The other side will be used for the white patronage.

NATIONAL, FLA.
Jules Sparks, manager of the Sunny State, recently acquired a new franchise, which will complete the usual $15,000 with Joe Hurnstein in charge of the renovation.

S. & C. plan to open the new Tribune on Nassau St. about April 1. The same circuit also is building in the Pelham Bay section of Westchester Ave, where it already has three houses, the Castle Hill, Ward and Rosedale.

F. D. Buys 2 Exchanges

Los Angeles, March 24.—First Division is completing negotiations with Sam Berlowitz for his interest in an independent exchange here and San Francisco. Al Friedman will assume temporary charge until the new forces are lined up.

Brandt-S. & C. Acquisitions 'War' Growing

(Continued from page 1)

months ago when Brandt took over the Victory, Bob in the Capitol ter-

The latter circuit has the Capitol. Protection moves were made by Brandt immediately on his entrance into this territory that S. & C. demanded and got increased clearance over the Victory.

Later, the house moved to Brooklyn where Brandt acquired the Tivoli which is in the same area as the St. George and Heights, S. & C. theatres. These demands were made by Brandt and again his efforts proved vain.

Brandt has been looking for a number of theatres in S. & C. situations. He is already represented in several spots in the T.C. circuit. Amusements, which has a long term operating arrangements with S. & C. Likewise, Springer, Dalla Co., has special purchasing, particularly in Brandt territory.

Harry Brandt is reported after the Beanpot. The T.C. is alleged to have recently opened the Tudor on Third Ave. and 42nd St., for which he expects to draw class trade from Tudor City. He has a fully equipped theatre.

We are now officially in the land of the three G's (grits, gravy and grease). True Southern hospitality good drivers when they let Rich-

ardson, Brandenburg and Jordon go. Tom Brannon, President of Affiliated Producers, Inc. will move April I from the Samuel's Blvd, which has been leased by Paramount. Affiliated will have new quarters on the second floor of the Warner Blvd. This popular exchange has scheduled for early re-
hed. In California, the new Warner Bros. adventures of Tarzan, which will be released as a seven-reel feature and a 12-episode serial. It is being filmed in Griffith, Calif.

Sam Moscov, district sales manager, Columbia, held a general sales meeting of all his branch managers here in Los Angeles. The salesmen were Jack Underwood, Dallas; Huston Duval, New Orleans; W. L. Bickman, St. Louis; Homer Rogers, Memphis; Len Stocker, Oklahoma City; Bob Ingram, Charleston. This meeting was held to take up the matters of liquidation of contracts and the adoption of a uniform sales policy. C. P. Lester, di-

vision manager of the Southeast for National Screen Service, is hard at work trying to lift another championship sales banner. He is lead-
ing the 15th anniversary contest at the half way mark, but is getting some real competition from Wallace Watthall, Dallas, and Jack Planner, see special reports. Ralph E. Peck-
ham of the Mayfair Exchange, an-
nounces purchase of "The Wander-

ing Jew," for early release in eight Southern states. This is the picture that had a run at the Criterion, New York. It is now on its fourth week of a strong trade showing will be given to southern exhibitors here at Atlanta in a few weeks.

SERVICE STATION STOP!

If you wish to reach the writer while in Georgia, P. O. Box 1377, Atlanta, will do the trick.
GET READY...
for your biggest money-maker!! Universal's
"THE BRIDE OF FRANKENSTEIN"
THE MONEY SERIAL OF THE YEAR!

FANTASTIC!

THRILLS!

SPECTACULAR!

NAT LEVINE PRESENTS

THE PHANTOM EMPIRE

IN 12 SENSATIONAL EPISODES!

A Production of
MASCOT PICTURES CORPORATION
NAT LEVINE, President
1776 Broadway Cable 'Levic' New York City

Ask your exchange for the attractive "Phantom Empire" broadside and the sensational Mascot Serial Year Book!
Hays Predicts More Classics On the Screen

Originals to Gain, Too, He Says in Report

More pictures based on literary classics, in spite of the large number of these turned out in recent months, and also an increase in the number of screen originals are predicted for next season by Will H. Hays in his annual report to the M.P.P.D.A.

The report was submitted yesterday at the annual meeting of directors. All officers and directors of the organization were reelected at the meeting. Officers are: Will H. Hays, president; Carl E. Millican, secretary; Frederick L. Herron, treasurer; George Borthwick, assistant treasurer. Directors are: M. H. Aylesworth, (Continued on page 4)

S. & C.-Consolidated End Operating Deal

Laurence Bolognino, head of Consolidated Amusements, and Jack Springer and Sam Cocalis of the Springer & Cocalis circuit have called it quits and are dissolving Trio-Consolidated, the joint operating company for the two circuits which was formed last August.

All Consolidated houses will revert to Bolognino, while Springer and Cocalis will resume operations of their former circuit. All interests continue on friendly terms, but couldn't agree on policy, which caused the rupture.

Films Are in Boom, Says Miss Perkins

SAN FRANCISCO, March 25—The film industry is booming, declared Secretary of Labor Frances Perkins in an address before a labor legislation conference here today.

Miss Perkins declared that in 1934 the nine principal companies converted a net loss of $1,075,000 in 1933 into a net profit of $10,455,000. More workers were employed in Hollywood during January, she said, than during any January for the past six years.

Mayor Is Asked to Give Quigley Plate

Mayor LaGuardia has been asked to present the Quigley silver plaque for February to R. E. Knight, manager of the Fairmount, Fairmount, (Continued on page 2)

K-A-O's 1934 Loss Down to $176,316

Keith-Albee-Orpheum Corp. reports a decided improvement in 1934 operations over the previous year. The net loss for 1934 was $176,316.15. For 1933 it was $64,203.

The balance in the deficit account is now $2,936,212.96. It was reduced during 1934 by $134,070 received as a discount on retired bonds and an adjustment of $36,777.57 on prior years' taxes and other items.

Total income in 1934 from theatre admissions, rents and other items was (Continued on page 4)

Production Rises; 38 Features Going

HOLLYWOOD, March 25—Production registered a decided increase last week over the preceding week with a total of 38 features and eight shorts in work as compared to 33 and seven for the previous period.

M-G-M led with seven features in work, two preparing and seven editing. Warners had seven, one and (Continued on page 2)

Songwriters Take Up Contract with Ascap

LOS ANGELES, March 25—With the contract between the Songwriters Protective Ass'n. and Ascap due to expire shortly, and with the failure of several music publishers to sign a (Continued on page 4)

Campi Men Studying Report from Flinn

Following individual meetings with John C. Flinn yesterday, members of the Campi clearance and zoning committee are studying a 20-page report (Continued on page 4)

Time on Hands

With the long draw-out case coming to a close members of the local clearance and zoning board hearing the Century-RKO issue are now giving serious thought on what to do with their spare time.

Para.-Erpi Service Deal Agreed Upon

Same as All Others with Back Payment Assured

New Erpi sound equipment servicing contracts will be offered to Paramount theatre operating units on the same basis and at the same rates as those being offered all other exhibitors; it was learned yesterday shortly after the close of protracted negotiations between Paramount operating partners and Erpi.

The negotiations were begun with the first offering of new Erpi servicing contracts several months ago, and lower rates for Paramount houses on the basis of volume of contracts were a principal consideration in the discussions. The negotiations brought about a general meeting of the principal (Continued on page 2)

Delay Expected in Trial at St. Louis

Doubt is expressed in local film circles that the St. Louis anti-trust hearings will be held April 2, as tentatively scheduled. General opinion is that the trial will not come up for several months.

About two weeks ago, Ned Depinet, president of RKO Radio Distributing Corp. pleaded "not guilty." Paramount and Warner were not in the picture. The trial will probably be held at the time of the trial by arrangement with the St. Louis Attorney General's office.

Ohio Income Taxes Rise 41% in a Year

COLUMBUS, March 25—Washington dispatches show that Federal income collections in Ohio, both personal and corporation, totaled $8,466,030.35 between March 1 and 15, inclusive, an increase of 41 per cent over the corresponding period of last year. Statisticians say that, taking this as a reliable business barometer, conditions in Ohio have not only improved substantially a year ago, but the gain has been relatively much larger than that for the country as a whole.

Al Jolson Gets New Pact from Warners

HOLLYWOOD, March 25—Al Jolson, with Warners six years, was signed to a new contract before he left for New York, it was revealed today.

Jolson arrived here yesterday.
Quip of the Day

Ali Gago thinks that with the Supreme Court's $5.50 per cent for the 59 cent dollar, Warners may have to change the title to "Gold Diggers of (About) 116.00.

Clyde Elliott, who will produce "Our Round the Clock," Columbia release, and his cameraman, Carl Berger, hope to leave for the coast the end of the week. In Hollywood they will pick up the rest of the crew which is going to China to make the picture.

Roger Pryor's hurried plane trip is made in order to place him on Rudy Vallee's hour Thursday. He'll return to the coast immediately after the broadcast.

William Kuper arrives in Des Moines from Omaha today. Later in the week he'll be in Kansas City and then he will go south.

George Weeks returned yesterday from a five-day trip to Gaumont British exchanges.

Roger Ferri leaves today for Atlanta to put on another "Baboon" airplane stunt.

Benjamin Glazer is due from Hollywood the end of the week. He'll look over the play and talent mart.

Joseph Bernhard has gone south to recuperate from a breakdown. He'll be back in about two weeks.

Ben Piazza and Walter Futter are slated to arrive from Hollywood today.

Harold Rounds expects to fly to the coast the end of the week.

Austin C. Keough is taking in the shore breezes at Atlantic City.

Harry B. Buckley is out of town on a short trip.

Hal Horne gets in from the coast today. Herb Jannex is with him.

Maude Howell, who was recently signed by G.B. for the next George Arliss pictures and who sailed on Friday aboard the Majestic, is not an actress but a writer and an associate director in which capacities she has been associated with Arliss films for many years.

Joseph M. Schenck weaving his way down Broadway through a noon-time crowded sidewalk a symphony in green—even to his socks.

Tom Connors leaves for Canada this week on a trip to M-G-M exchanges.

... Cincinnati... 

Joe Penner being entertained is entertaining at various local civic organizations.... Thurston, magician, through his appearances this was his last road tour. Too strenuous for his years....

Harold Harris, Columbia exploiter, spending brief holiday in New York when and as he can determine whether train or bus fare is cheaper,....

Terry Barmby, head man, Soutioh Theatres, Inc., in New York on business....

Cleveland...

Paul Guddarvici has returned to his job as head of his local circuit after six weeks in Florida. Dr. Dave Cohen is here after a visit to Florida, wired his office that he's staying a little longer. Sidney Danenberg, Warnor publicity man, met Bob Dave, brother of M-G-M's Frank Dave, has signed up with First Division as sales representative in the Toledo territory. Jack Flanagan, proxy of Tri-State M. P. Co., is back from a business trip to New York....

Mayor Is Asked to Give Quigley Plaque

(Continued from page 1)

Para. Erpi Service Deal Agreed Upon

(Continued from page 1)


With the conclusion of the negotiations, all Paramount operating partners will effect individual servicing contracts for their theatre units. No further action will be taken to effect blanket contracts for the Paramount houses on any basis other than that they had been invited to be theatre industry, it was stated. The first of the individual contracts will probably be closed this week for the Wilby-Kinney and B. & K. units.

Lower Rates Possible

The new Erpi servicing contracts make appreciably lower rates possible to the independents. As a result of three service classifications instead of the former standard contract providing for service calls per year, the new pacts will include, in addition to the 26-call contract, one for 17 calls annually and a third for 12 calls and will be at proportionately reduced rates.

The Paramount pacts, in addition, will call for two four-four and four Erpi of accumulated service charges whenever these were suspended during the negotiation or bankruptcy of Paramount theatre units and where they remain unpaid.

Special Master John E. Joyce will be asked today to approve the settlement of Erpi's $1,000,000 claim filed against Paramount Publicit in the latter's reorganization proceedings. Terms of the settlement make Erpi's general creditor of Paramount for $1,000,000 and also provide for new domestic service calls per year; M-G-M, zero, and J. H. Balaban again working out and representing, in some instances, reductions of 80 per cent as compared with former rates. Similar new agreements have also been made by Erpi with Warnors and those with other companies are in process of negotiation. Details of the agreements were published in Motion Picture Daily of Feb. 4.

Production Rises;

38 Features Going

(Continued from page 1)

Para. Holds King Vidor

Hollywood, March 25—King Vidor's one-picture deal with Paramount has been extended to two years. He's already under an exclusive 10 year contract with United. Ernst Lubitsch is director and producer. The first film will be "So Red the Rose."

Minnesota Tax Loons

Minneapolis, March 25—A bill calling for a 10 per cent ticket tax has been introduced in the Legislature here.

Henry Weinberg Ailing

Baltimore, March 25—Henry Weinberg, proprietor of Henry's Theatre, Hagerstown, Md., is at present under treatment in Johns Hopkins Hospital here for an internal ailment. He was visited by Sidney B. Lust of Washington, the other day.

Cohen Out of Danger

Maury Cohen of Invincible Pictures, who underwent an emergency operation for a ruptured appendix last Monday, was released from danger yesterday. He is at the Mt. Vernon Hospital.

Brandt To Be Recalled

Harry Brandt will be recalled president of the I.T.O.A. tomorrow at a meeting of the unit at the Astor. He is unopposed on the slate.

MOTION PICTURE DAILY
(Registered U.S. Patent Office)
Vol. 37 March 26, 1935 No. 71
MARTIN QUIGLEY
Editor-in-Chief and Publisher
MAURICE KANN
Editor
JAMES A. CRON
Advertising Manager
Published daily except Sunday and holidays by Motion Picture Daily, Inc., subsidiary of Quigley Publications, Inc., Martin Quigley, President; Colman Brown, Vice-President and Treasurer.

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MiltCHElL MAY, Jr.
COMPANY
INC.
SPECIALISTS IN
FILM AND THEATRE INSURANCE
75 Maiden Lane 510 W. 6th St. New York Los Angeles Cal.
Celebrate Mae Day May First
Hays Predicts More Classics On the Screen

(Continued from page 1)

R. H. Cochrane, Jack Cohn, Cecil B. DeMille, Ned Denington, Sidney Kent, by the association’s officers, Hal E. Roach, David Sarnoff, Joseph M. Schenck, E. W. Hammons, Will H. Hays, Louis B. Mayer, M. S. Schenck, Albert L. Warner, Harry M. Warner and Adolph Zukor. The prospective increase in original production is due to the belief that there is a good sign, because the industry cannot afford to rest its achievements upon material adapted from the book shelves or from current stage productions. "The motion play," he says, "is necessarily a combination of many existing arts—literature, drama, music, painting, dancing, photography—but it is brought to a point of emotional expression demanding its own creativeness and initiative. It is an encouragement that film is achieving it. Nicholas Hays, chairman of the board of Hays Pictures, says that an increasing number of original screen plays, many of them of a serious, social, conscious nature, are being planned and produced.

A compilation of source material based on features reviewed and approved by the association during the past calendar year, shows the following classifications, as indicated by percentage:

"Original screen plays, 40 per cent; adapted from classics, novels and short stories, 40.5 per cent; adapted from stage plays and musicals, 19.5 per cent."

Deploys Cycles in Production

Hays takes a definite stand against cycles in production. "Banality, itself, is a form of bad taste," Hays continues, "and the initiative in the results in a 'cycle' is a reproach to a recreational medium which serves an universal public— a public which is using its leisure for changing entertainment fare. So it is gratifying to note an increased interest in the motion picture. A screen play now being planned for production by the leading studios seems to guarantee that variety as well as quality to the growing public audience.

"Pictures produced upon a higher standard of appeal," he continues, "have brought patience on the part of the audience, which will show that the industry has arrived at a stage where it is willing to make its movies appeal to the entire public. The artistic and cultural content of motion pictures is that of a character to attract thousands who have heretofore considered the screen an inferior form of entertainment, without a serious content worth their time. This is the demand of an intelligent audience. Today many great pictures, projected from the screen are not only enriching the lives but enriching the minds of their audiences."

"The echoes of the debate as to whether sound was a curse or a blessing to an art that had adjusted itself to a medium that had not yet matured. But it is abundantly clear now that the great pictures of the 1934-35 season based on literary and dramatic values heretofore unattainable on the screen could not have been achieved without the new dimension of sound."
DELIGHT EVANS, EDITOR OF SCREENLAND, GIVES YOU THE WOMAN'S ANGLE ON PAUL MUNI IN BLACK FURY

Paul Muni, above, in a stirring scene from "Black Fury" and, left, a close-up in character. Right, Mr. Muni as he is behind the mask of his roles.

PAUL MUNI is indisputably the most honest of all actors on the screen. If he cannot "feel" a part, he cannot do it justice. He submerges himself in his character. He ceases to be Paul Muni and becomes Every Man. His intensity reaches right out from the screen to us. His blazing honesty compels our interest in "Black Fury," the stirring drama which is the star's current vehicle. Not since "I Am a Fugitive from a Chain Gang" has he so impressed us with his art. As a simple, earthy, brawny coal-miner Paul Muni is an heroic figure, a vitally real character of valiant and unforgettable sincerity.

THE NEXT BIG SHOT FROM WARNER BROS
With KAREN MORLEY and CAST OF 1000's...Directed by MICHAEL CURTIZ
A First National Picture
THE GAME IS UP IN CRIME!

The sensational story of the girl who couldn't help the law—until the law couldn't help the girl who:

Produced by Butk Kelly.

Directed by Crane Wilbur from the

Melvin Douglas
Shirley Grey, Roscoe Ates,
William Collier, Jnr., Sybil
Elaine, Herbert Rawlinson.

THE
PRESTON FOSTER
with
LILA LEE
MELVIN DOUGLAS
VIELAND!... UNCLE SAM

A first-hand story of a super crook who was “too big” for the federal men stepped in! ... All the hush money in the world im then! ... Nine long years in jail to think it over ... and nce loved him in the arms of his own smooth-talking lawyer!

THE FIRST OF A NEW CYCLE OF MELODRAMAS!

A SELECT PRODUCTION
RKO-RADIO PICTURE
Buffalo, March 25.—Only “Life Begins” at 40, due to rise above average in a week marked by good motoring weather. The Will Rogers picture got $16,000 at the Buffalo, where the charge is $4,200.

Total take was $49,900. Normal is $42,800.

Estimated takings for the week ending March 23:

“LIFE BEGINS AT 40” (Fox)...

BUFFALO—$16,000-

RAIDED (Col.)...

GREAT LAKES—$3,000-

THE WINNING TICKET (M-G-M)...

HOLLYWOOD—$3,000-

GOLD MYSTIC (Col.)...

LONDON—$2,500-

VANDALS (Col.)...

GIRL IN DANGER (Col.)...

LAKE ERIE—$2,000-

WATERMILL (Col.)...

HARTFORD—$2,000-

WASHINGTON (Col.)...

MIDWEST—$2,000-

PACIFIC (Col.)...

SAN FRANCISCO—$2,000-

“THE BEST OF THE PECOS” (Radio)...

“The White Cockatoo” (F-N)...

CENTURY—$3,000-

THE LITTLE COLONEL (Fox)...

GREAT LAKES—$3,000-

VAMPIRE Queen (M-G-M)...

HOLLYWOOD—$3,000-

WAMBAR (Col.)...

GIRL IN DANGER (Col.)...

LAKE ERIE—$2,000-

WATERMILL (Col.)...

HARTFORD—$2,000-

WASHINGTON (Col.)...

PACIFIC (Col.)...

SAN FRANCISCO—$2,000-

THE WINTER'S SLEEP (M-G-M)...

HOLLYWOOD—$2,000-

TRAVELER (Col.)...

SAN FRANCISCO—$2,000-

“W警” (Radio)...

“STAR OF MIDNIGHT” (Radio)...

HOLLYWOOD—$1,000-

THE TUNNEL (Col.)...

HARTFORD—$1,000-

“Life Begins” Gets $16,600 in Buffalo

MOTION PICTURE DAILY

HOLLYWOOD PREVIEW

“Black Fury” (Warner)

Hollywood, March 23.—Flung with resounding impact against a drab, colorless coal town is a drama of Miner Paul Muni, his girl and his miner pals, and through their muddied yearnings a saga of men, mines and methods is movingly presented, factual as a newswarm, and warm and vividly stirring as a Brothers of Pioneers song.

Using as a basis the revelations in January Fortune magazine of private detective agencies that foment strikes to supply plug-uglies and cab labor at tremendous fees, Warners have produced an important topical picture splashed with the solid poverty of the mining town, depicting the brutality of strike engineers in all their violence and heartbreak.

Muni, drunk after his girl (Karen Morley) skips with Cop William Gargan, is sucked into the maelstrom of industrial warfare by Provocateur Carol Naish, who calls a strike, electing dumb Miner Muni as head. Ignoring the charge of sabotage, two strong arms are swung in and scabs take over the mining, Muni feels the wrath of his pals as the crisis mounts and women and spin at him as hunger stalks.

Ready to capitulate to terms, Muni sees his pal, James Qualen, battle, and their final appeal for protecting a girl and coming to his rescue is pulped himself. Burning to rehabilitate himself, he escapes from the hospital, steals food and dance and, meeting Miss Morley, back from Gargan, blows up sections of the mine and holds a one-man strike, preventing others from working, thereby bringing conciliation, open mines, and claiming Karen on his return.

Muni’s performance, undoubtedly the one for Academy consideration, is poignant, penetrating, outstanding. Michael Curtiz, in broad-stroke style, has directed with virile sweep, imaginative and heart-touching.

The production, without sidening with men or management, reflects all the heroism of Polish home and mine life in graphic expanse and artistic correctness.

An outstanding cast supports, including those mentioned above and Barton McLane, Vincent Barnett, Tully Marshall, Mae Marsh and Sarah Haden.

Adapted from an original by Judge Musmanno and a play by Harry R. Irving, the screen play by Abe Finkel and Carl Erickson is brisk, vivid and stirring.

As a successor to Muni’s “Scarface” and “I Am a Fugitive” this offers showmen a front-page subject without political bias, melodrama packed to the gunwales, a comic turn can cause talk and come-back patronage equal or surpassing the latter films.

Production Code Seal No. 579. Running time, 90 minutes. “G.”

“This Star of Midnight” (Radio)

Hollywood, March 23.—Creaking in the “Thin Man” manner, jaunty and light-hearted and full of laughs as its murder is solved, “Star of Midnight” is swell entertainment and should prove profitable.

William Powell, a lawyer, and Ginger Rogers, his sweetheart, teaming themselves as Holmes and Watson, solve the killing of Columnist Russell Hopton in hilarious manner.

Romance and comedy are closely linked with clues bringing the police gangland and socialites in for contrasting dramatic interest. Stephen Roberts’s direction is fast, sharp and distinctive, with comedy and suspense embossing the entertainment.

Howard Green, Anthony Veller and Edward Kaufman wrote the script play from Arthur Somers Roche’s novel, with a bang-up job resulting.

Powell again demonstrates his light comedy expertise, permitting the drama to seethe under flip cracks and general raiches. Paul Kelly, as a gang leader wearing a wooden gun, and Gene Lockhart, as a cop, and Ralph Morgan, Leslie Fenton, J. Farrell MacDonald, Vivian Oakland and Robert Emmett O’Connor, give excellent support.

Production values are all that they could be. The names of Powell and Miss Rogers, linked with the good title and excellent entertainment, should create oral comment to attract swell business for a swell picture.

No production code seal. Running time, 90 minutes. “G.”

Moule Buys Detroit Plaza From Fischer

Detroit, March 25.—Thomas D. Moule, formerly general manager for Kunsky-Trendle, has closed a deal with Julius Fischer to take over the Plaza Hotel and Shoreham Hotel, with the Shoreham to be remodeled to a modern 600-seat house. Work will begin within a month.

New Hampshire Race Betting Is Extended

Concord, N. H., March 25.—Parimutuel betting was legalized for another six years in a bill signed today by Gov. H. Styles Bridges. The Rockingham track is within six miles of the Massachusetts boundary.

Flash Reviews

It’s a Small World — good average entertainment. . . . Despite the cast, it has many laughs. The locale and characters are different and a warm, folksy quality pervades . . . should satise, especially in neighborhoods.

Moscow Laughs. This time the Muscovites have gone about producing entertainment purely and they have not done badly at it. These films will be reviewed in full in a later issue of Motion Picture Daily.

Ampa Committee Meets

Ampa’s nominating committee met yesterday at the M.P. Club and set a list of candidates for elections next month. Ed Finney of Monogram is chairman of the committee and he will present the slate to the membership.

The committee is contacting the nominees on acceptance. Meanwhile, an opposition nominating group met today at the M. P. club to put up a ticket of its own.

William T. Clark Dead

Baltimore, March 25—William T. Clark, 78, father of Norman Clark, drama and film editor of the Baltimore News-Post, died Saturday of acute indigestion while at work on the Baltimore Evening Sun.

Norman Clark was somewhere on the road to Hollywood with his wife and Morris A. Mechanic, former president of the New Theater, and Louis Azrael, when news came of his father’s death.

Moore Burial Tomorrow

Philadelphia, March 25—Florence Moore, comedienne, who died Saturday at 49 following an operation for cancer, will be buried Wednesday at 2 this day in Mount Peace Cemetery here after funeral services in Landsdowne, Pa., Philadelphia suburb.

Harry E. Clifton Dead

Circleville, O., March 25—Harry E. Clifton, 41, owner of the Clifton here and the Liberty at Lancaster, O., died in a local hospital today as a result of a skull fracture sustained in an automobile accident last Friday.
Early Ascap Trial May Be Sought Here

Report Attorney General Will Make Request

Immediate trial of the government’s monopoly suit against the American Society of Composers, Authors & Publishers was favored by Los Angeles District Attorney General’s office, Washington, yesterday following the handing down of an order by Federal Judge John C. Knox directing that a substantial part of Ascap’s answer to the government’s bill of complaint be stricken out.

The move for the immediate trial of the action was broached by Andrew Bennett, assistant of the Attorney General’s office, Washington, who stated that a “certificate of necessity” requiring an early trial before three Federal judges might be sought by the government. His declaration followed a conference on Monday with Judge Knox, attended by John H. (Continued on page 14)

Gallup Returns to Columbia on Apr. 8

Bruce Gallup on April 8 rejoins Columbia as director of advertising and publicity, succeeding Herschel Stuart. Currently, Gallup is a vice-president of Donahue & Co., advertising agency to which hands national copy for several major companies, including M-G-M and United Artists. Stuart’s plans are indefinite.

At the agency, Lynn Farnol will handle U. A. and 20th Century and Charles Curran, the Rivolo.

Death Delays End Of FWC Bankruptcy

Los Angeles, March 26.—Discharge of the Fox West Coast trustees from bankruptcy, slated for early April, will be delayed several weeks because of an arrest warrant issued by a California county judge. Mr. A. A. C. C. has been called to “Twins Falls, Minn., by the death of his father. The final trustees’ report upon which the court’s discharge from bankruptcy hinges will be held up.

“U,” Pantages Win Coast Damage Suit

Hollywood, March 26.—A $15,000 damage suit against Universal-News- red and Pantages Theatre has been dismissed by Judge P. Sproul in the Superior Court. Doris Priesler, the

Collapse of Cleveland’s Dual Ban Looms with Circuit Break

Cleveland, March 26.—Double featuresloomed ominously on the local horizon today with the opening of Max Lefkovich’s University Theatre showing “The Little Minister” and “Father Brown, Detective.” In some circles, this is seen as a move toward the resumption of duals since Lefkovich is the first local independent circuit owner to break the single feature agreement which has until July 8 to go.

Lefkovich signed the agreement and then was faced with the opposition of six subsequent run houses which were not affected by the agreement, one of these, the Alhambra, being in direct opposition to his University. As a result of this, Lefkovich has returned to double bills.

The five other houses now showing duals because they opened after the agreement went into effect are the Metropolitan, Family, Temple, Eric and Rax.

Speed on NRA Bills Sought By President

WASHINGTON, March 26.—Speeding up of the new recovery legislation was asked yesterday by President Roosevelt to prevent a flight from the codes which has become apparent in many sections of the country.

Correspondence between the President and Donald R. Richberg, made public today by the N.R.A., disclosed that violations of the labor provisions of codes have been increasing “because,” according to Richberg, “of the mistaken feeling that the N.R.A. (Continued on page 14)

Reveal Early Para. Bankruptcy Plans

Crutch, de Gersdorff, Swaine & Wood, special counsel for Paramount Publix, have advised counsel for the Paramount trustees that bankruptcy

(Continued on page 4)

Decision Held On Erpi-Para. Proposed Deal

Petitions for orders authorizing the Paramount Publix trustees to proceed with the settlement of Erpi’s $1,900,000 claim against Paramount and the settlement of litigation against Marks Bros., former Chicago theatre operators, and the Continental Illinois Bank were taken under consideration by Special Master John E. Joyce following hearings yesterday.

The Erpi settlement provides for allowance of the claim of $1,200,000 and the negotiations of new recording license and equipment service

(Continued on page 4)

Report Terms Set For Para.’s Board

H. A. Fortington, John D. Hertz, Stephen Callaghan and Floyd B. Odinum, representatives on the new Paramount board of directors of the

(Continued on page 4)

John H. Harris Returns to Harness; to Rebuild Chain

PITTSBURGH, March 26.—John H. (“Johnny”) Harris will assume active charge of the Harris Amusement Co. on April 19 and immediately thereafter will launch plans to rebuild the circuit, once the kingpin in this area, into its former position of power and prestige.

Inactive since 1930 under the deal by which Warners purchased the circuit founded by the late John P. Harris, the contract forbidding the younger Harris’ direct participation in the theatre field is about to run out. In the meantime, however, the Harris

(Continued on page 5)

Changes Made In Copyright Pact Measure

Penalty Boosted; Court Appeals Widened

By BERTRAM F. LINZ

WASHINGTON, March 26.—Disclosing a number of changes, including the elimination of a minimum penalty for infringement by exhibitors, a new draft of the State Department’s copyright bill, which would make the United States a member of the International Copyright Union, has been laid before the Foreign Relations Committee of the Senate.

The modifications in the measure were the result of conferences with interested industries, held by the Department officials last month after the committee had refused to consider the bill until these industries had criticized it.

With the elimination of the minimum penalty, the bill increases the

(Continued on page 14)

Brandt, RKO, Loew Talk Scales, Duals

Harry Brandt, sponsor of the plan to eliminate duals and boost admissions in the local area, will meet with Leslie E. Thompson, vice-president of RKO and Charles C. Moskowitz of Loew’s at 10 o’clock this afternoon on preliminary details.

Although it is planned to hold a mass meeting of all exhibitors in the territory, the independents’ attitude will be predicated on moves by the circuits. It is understood many unaffiliated exhibitors will go along on the plan, provided the circuits take the first step to abolish twin bills and advance prices.

Predict Early Tax Vote in California

SACRAMENTO, March 26.—A vote is predicted this week by Chairman Eley of the Assembly Revenue Taxation Committee on three administration measures—the $17,350,000 income tax bill, an increase in the harte corporation taxes from two to four per cent

(Continued on page 14)

Four Holdovers in Big Broadway Week

Four holdovers and switching of “Ruggles of Red Gap” from the Paramount to the Rialto this morning are the bright spots on Broadway. The
P PRODUCTION at large has just passed through what potentially, at least, was an extremely narrow squeak. The scene was Los Angeles and the champion of the industry in this case Universal, and its newsreel. It appears a woman named Doris Frieslar had sued the company, as well as the Pantages, charging that clips of the death of her baby "for Nelson has resulted in the loss of her child." She was an expectant mother when she saw the film. The suit was for $150,000 in damages. The court ordered the claim thrown out, baring its attitude largely on the fact that the nature of the newsreel was fully advertised outside the theatre.

Interests bearing on whether the plaintiff herself was shown to be guilty of contributory negligence, the point goes considerably beyond in what a judgment for the party, in the opinion of production executive Mr. Walt Disney, would be constitutional. He is the future filming of thrill and horror pictures or thrill and horror sequences. Production minus either or both obviously would have thrown a million dollars away to the considerable weight around creative enterprise in Hollywood, not to figure what a terrible letdown it would have been with large segments of audiences through the nation.

Mailbag stuff from Arnold J. Bernstein:

The Connecticut protest against the militaristic propaganda containing itself in the films examination on the front page of your issue of March 21 raises an important issue which should be brought to the attention of every exhibitor.

I refer to the exhibitor's right to control the uses to which his own screen may be put. For practical purposes, the exhibitor must delegate to the producer and distribute his control of the type and form of entertainment to be shown on his screen. But the exercise of this delegated power should be limited to forms of entertainment.

No one denies that the exhibitor has a legitimate cause for complaint when the producer attempts to turn his screen into an advertising medium, but I think he has a far better reason to complain when his screen is being converted into a five-cent magazine. An awful responsibility is being cast upon him. And when the forces generated by the flood of propaganda he is unwittingly lending in disseminating, drive America into the next war, it will be up to him to realize his responsibility.

The exhibitor has a right to insist that his screen be used solely for purposes of entertainment and education. He has a duty either to accept the responsibility involved in its use for propaganda or protest such use.

This has to do with the protest lodged by the Wesleyan League for Industrial Democracy and the Peace Action League of that college against alleged militaristic propaganda in Hearst Metrotone clips. Now that Bernstein has had his say, what other ideas are lurking about in typewriters and ink bottles awaiting an airing?...

Late, but so far as this column's checking up system has been able to discover, new. Nevertheless: When Nick Schenck was on the coast at this time but on his previous visit, he previewed "David Copperfield." What he saw caused him to issue a statement condemning the picture. As things go, there was no thrill in that. As Schenck and his reticence go, his remarks meant plenty. The understanding beyond this has it that the head of Loew's and M-G-M, so impressed was he, thereupon gave the studio carte blanche and permission to go the limit on future big pictures. The way Metro makes them, that limit is a minor thing. Make no mistake about it... .

Back in London, Hugh Wallace submitted to an interview with a reporter for News of the World, a Sunday newspaper with a tidy circulation of about 3,000,000. It had to do, naturally enough, with an expedition in search of the Gold Coast, including this:

But what with hanging round the studio and being asked to say his piece at various conferences, he inevitably found himself seated before a typewriter with the job of inventing twenty or so lines of extra dialogue.

Ideas came easily. He found the words seemed to flow well. At the end of an hour, on his own admission, he sat back and took quite a lot of pride in his first contribution to motion picture art. In fact, on due consideration he was reluctantly driven to the conclusion that the dialogue which he had just fashioned was perhaps a little better than he had a heard in a cinema. Whereupon he patted the manuscript fondly and sent it to D. W. Selznick, the production chief in charge of "David Copperfield."

Next morning Wallace was excitedly told, not to receive the bouquets which he felt convinced Selznick would shower on him for his brilliance. He went to Selznick's office. It was empty, but on the desk he noticed his manuscript. It was besmirched by blue pencil, and across the top in bold writing was inscribed the one word, "lousy."

Pathé News maintains its new broadcasting idea is apart and separate from the news dramatization which has made "The Mortal Storm," an antifascist, an air feature. That, the supposition goes, is designed to avoid what might smack of other competition. April 8, marking Pathé's debut, will show what it shows. . . .

California's proposed income tax rate, if granted to current state and federal budgets, would make the total seventy-six per cent on incomes of $1,000,000. If it ever comes to pass, Hollywood will blossom forth with a new crop of tragedies... .

Time reports RKO offered General Douglas MacArthur $30,000 a year to leave army service for its own. Nothing beyond by way of explanation why and for what? . . .

McKinnon in The Boston Record reports this marqueen adornment on a New Hampshire theatre:

"One Night of Love."

"Quintuplets."
THE FIRST HOME RUN OF THE SEASON!

NAUGHTY MARIETTA

William A. Brady
Thumbs
Pages of Theatre History

By J. M. JERAULD

William A. Brady thumbed the pages of film and theatre history yesterday at the Motion Picture Club. The film, “David Copperfield,” was given a swift flourish illuminated with biting sarcasm. He paraded personalities and events with that easy grace which has always distinguished him as a public speaker, touching upon incidents that had become almost legendary.

It was a blend of anecdote, of lament over the decline of the theatre, of flashings on the events of recent days, of prophecy. His hearers were fascinated. They gave him a rising ovation when he finished. He nominated himself as dean of pictures as well as the theatre.

Louis Nizer introduced him as a man “who had played bit parts with Booth.” Brady died in 1911.

“I see so few gray hairs before me,” Brady began, “that I will address myself to the youngsters.

Get Call from Wilson

He told how Woodrow Wilson had summoned him to the White House during the World War and asked him to help bolster Allied morale by sending pictures of America’s war efforts. He gave them to him for helping save off revolution in Vienna after the armistice.

In striking phrases he lamented the decline of theatre, which had once been prominent. A spoken drama has disappeared in 14 of the 48 states. He hoped the theatre would not bow out completely.

“Films have been lucky,” he said. “When silent pictures were dying, sound fell into producers’ laps; whereas in this type the old order has been decrepit. Decency fell into their laps. Who would have thought a few years ago that David Copperfield would not be a sensation? I played Uriah Heep to empty seats a generation ago.

Brady even had a good word to say for the theatre of the 1930’s. He admitted that at the start of the clean film drive he took 150 plays to the court and sold one—“Way Down East.”

There has never been such competence, such complete mastery of detail...tailored in one industry before...” he went on; “I wish we had it in the theatre.

He hurled a few barbed darts at censorship and related how the industries had sent him to 46 states to oppose censorship in 1920 and his record was 100 per cent. “They refused to pay me $15,000 to spend 24 hours in Albany,” he said, “and a law was enacted.”

His historical comments were impressive. In 1892, he said, he took over Century Magazines and started a six-reel fight picture in six days under Thomas A. Edison’s direction. He says he had the first “fight film ever publicly exhibited.”

“In 1896,” he continued, “I arranged for the first pictures ever shown under electric lights—the Jeffries-Sharkey fight at Coney Island. Fights have played an important part in the history of the theatre. In Carson City fight between Corbett and Fitzsimmons we photographed the whole bout. It was shown in every country in the world and grossed $2,000,000.

Leaning forward on the table (he was seated throughout the talk), he said earnestly: “This is the first time in 15 years I have had the honor of addressing a large group of film men. I wish you would make the stage longer; I wish you would do it again before I pass out.

Women played an important part in America. The film industry is nothing but the public, and a public represents its women. They are a reservoir of competence and strength. We have had a chance to do it again before I pass out.”

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William A. Brady
Thumbs
Pages of Theatre History

Western Gain

Because of the demand for westerns, Universal is considering increasing the Buck Jones outdoor pictures next season to 12 to 16 a year. Paramount, which would bring the schedule up to 44 for 1935-36.

Reveal Early Para.
Bankruptcy Plans

(Continued from page 1)

as was contemplated by Paramount as early as July 1, 1932, it was disclosed yesterday in a petition for settlement of a claim for services rendered by the Cravath firm, which was filed with the bankruptcy court in New York. A few hours later, Paramount’s petition for an equity receivership was not filed until May 1.

The extension was granted to permit the conclusion of efforts to settle the claim. Tentative settlement terms already have been decided upon if they are not counsulted counseled for the Paramount trustees will proceed to the coast in May to take deposits. H. L. Lasky, Sidney S. Kohn and others.

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Report Terms Set
For Para.’s Board

(Continued from page 1)

called Eastern, a group will have two- and three-year terms on the board apportioned among them, it was reported yesterday.

By-laws of Paramount provide for the division of the 16 directors into three groups, one group to expire each year. It would be a two-year group a two-year tenure, and the third, a three-year tenure. Annual elections of directors will be held after the annual meeting.

Leading creditor groups are said to be in agreement on allotting the two- and three-year terms to the four Fortington nominations. The remaining 12 directors are expected to have their tenures designated by the creditor groups some time next week.

Meanwhile, creditor confirmation of the Paramount reorganization plan is being speeded toward a final stage which may be reached within the next few days. Assents to the plan by holders of Paramount Broadway bonds, which have been lagging behind other creditor classifications, reached 59 per cent of the $8,875,000 total of claims, or approximately $5,240,000 of Broadway bonds have assented to the plan, as compared with the $5,976,000 required. Parallel in the case of Famous Lasky bondholders and general creditors of Paramount, of whom the extent of the 22,000 of claims, are required to assent to the plan, have already received assurances from large holders that the necessary amounts will be filed in the presence of the final court hearing on the plan, April 4.

Ask Leave to Hold
Old Pacts of Para.

A petition asking leave for the Famous Players-Lasky trustees to adopt 181 executory contracts prior to the company’s bankruptcy, in order that they may be assumed by the new company, if its reorganization, was filed yesterday with Special Master John E. Joyce.

The contracts that are to be adopted are many covering Paramount’s theatre operations which were made at the time various circuits were acquired throughout the country. They include fulfillment of contracts made with Sanger, Rickards & Nace, Publix Northwest and Minnesota Amusement Co., Dent Theatres, A. H. Blank, Southern Enterprises, Fitzpatrick-McElroy, Famous Players Chicago, Publix Corp., Jefferson Amusement Co., Walter S. Butterfield and B. & K.

Also, to be adopted are numerous contracts involving long term film franchises with affiliated circuits; many contracts for foreign distribution; and one covering theatre lease guaranties by the parent company. Epi licensing pacts and contracts are to be adopted.

A provision of the Paramount reorganization plan calls for assumption by the new company of only those executory contracts of the old company which are adopted by the trustees.

An hearing on the petition has been set for Saturday before Joyce.
MOTION PICTURE DAILY  

John H. Harris Is Back in Harness

(Continued from page 1)

family has continued activity in exhibition and today operates 16 houses headed by the downtown Harris Alvin. Senator Harry Alvin is president of the company and will continue after John Harris' return. Associated with him in the planned reorganization and expansion will be old-time Harris men, including John T. McGeever, James G. Balmer and George Tyson, the latter Harris' assistant from a show when he was zone manager for Warners.

The Harrises are Pittsburgh's leading theatrical family. The present company was founded by John P. and Harry Davis who were not alone partners but brothers-in-law through the marriage of the elder Harris to Eleanor Davis. When John P. died in 1925, D. A., John H. and F. J. Harris continued expanding the circuit finally to sell out to the Warners in 30.

Harris Hiking Prices

PITTSBURGH, March 26.—With the price cutting war at its height, John Harris has started moves to boost admissions at downtown first runs to their former level. Harris started the move at the Alvin, with Loew's following, on the Penn, which last week cleared the former theater and is the one in person and "Sequino" on the screen. If revision is successful, Loew's will drop to downtown Penn, now charging 35 and 25 cents for matinees and 40 cents evenings.

Skouras Pact Delayed

With several matters yet to be discussed the contract with the 10 year operating contract with National Theatres for Fox West Coast, Charles Skouras does not plan to get away until the middle of next week. S. R. Kent, president of National Theatres and Fox Film, leaves for the coast today for the two-week visit at the studio to talk over new production. W. C. Micheil, vice-president of Fox, will attend the contract conference for Kent.

Benedict in Eckels Job

HOLLYWOOD, March 26,—S. Barrett McCormick, advertising and publicity director for Radio, said last night that Howard S. Benedict, who recently joined the company, is on his way west to succeed Eddy Eckels as publicity and advertising head at the studios. The latter will be placed on exploitation temporarily.

GUILD SIGNS MAMOULIAN

The Theatre Guild here has signed Rouben Mamoulian to direct the musical stage presentation of "Porgy," which is a project of the Guild which was presented in a Broadway theatre as a legitimate piece two years ago. Mamoulian, now in Hollywood, is expected here shortly.

LACKEY TO PARA. APR. 20

Hollywood, March 26,—William Lackey joins Paramount on April 20 as a supervisor, under Harold Hurley. He has been with Monogram the past two years. A better job at higher pay is offered by Lackey as the reason for leaving Monogram.

MOTION PICTURE DAILY  

Wall Street

Eastman Pd. Up on Big Board

Net

High

Low

Close

Change

Columbia vce 44 1 41 41

Schatz vce 53 3 50 50

Eastman (5) 1188 1174 1184 1184

Paramount new pd 61.55 61.25 61.25 +1

Fox "A" 96 96 96 96

Leow's 343 343 343 343

Paramount 274 274 274 274

Pathe 58 56 56 56

King Features 1192 1192 1192 1192

RKO 136 136 136

Warner 296 296 296

Technicolor Drops 1/2 on Curly

Net

High

Low

Change

Curly 708 708 708 -1/2

Walter Bonsi Up 1/2

Net

High

Low

Close

Change

General Theatre Equip. 66 66 66 .50 -1/2

Keith B. F. 6s 46 6s 46 +12

Loew's 68 68 68 68 -1/2

Paramount 98 98 98 98 disasters were included. A Progressive manager, plans a new West Side house etc. Harry Gosselin, Port Huron, Lester Mull, Ann Arbor, Charles Gingo, Grand Rapids, Detroit. Visitors... Ann O'Donnell of Mor... arch a laryngitis victim. Fredrick Schofield's New... unicorn... Kansas City

Ed DUBINSKY back from Florida with a healthy tan and tales of the golf courses. EMMUS STAPPEL, K. M. T. A. pres... threw an impromptu party on the day, then he made the organiz... ICHELL, secretary of the K. M. T. A., around town again after the leg... of tomorrow ("Doc.") Cook, Maryville, Mo., exhib... a candidate for city councilman with George Levine. Wife, Charles La... man, wedded to the cashier of the St. Louis branch the other day.....

Lincoln

Milton Overman is hit with the third of the Variety runs without him .... ARMDA, due for a stage show personal, had to cancel bec... Lloyd Soward, who, with Williams, Ia.-Neb. MPTOA; Regina Molee, code secretary, and D. V. McLaus, United Artists exchange mgr., all of Omaha, were here to talk before legislative committees on legislature. Shorty Warren, five footer, is the Kiva's new manager.

Milwaukee

Sam Pick, proprietor of the Club Madrid, donated his entire floor show ensemble, including Lee Roth's orchestra, the Adorables, and the acts for the entertainment in Variety Club's second "Kings for a Day" luncheon for Warner's on the throne for the complete show from Weisfeld's Riverside furnishing the entertainment.....

Pittsburgh

Ray Bolger, guest-of-honor at John Maloney's Variety Club luncheon..... Eddie Cantor spoke at pep meeting slightly in February, was stated here today by the chief of the State Division of Industrial Welfare. The total was up by 149. J. J. Dinneen reached $76,800, a gain of $8,564.

Weisfeld and John Schuy...er on the throne with the complete show from Weisfeld's Riverside furnishing the entertainment.....
SHOW IS AN EVENT!

Year after year, Broadway theatre-goers eagerly awaited the surprises George White prepared for his annual production. Now he's got the movie public doing the same. And they're in for new thrills. Because this year's "Scandals" is 365 times the show that crowded them to the doors last year!

GEORGE WHITE'S 1935 SCANDALS

ALICE FAYE • JAMES DUNN
NED SPARKS

Lyda Roberti • Cliff Edwards • Arline Judge
Eleanor Powell • Benny Rubin • Emma Dunn

The nation's box offices are still blessin' yiz for "Lady for a Day" and "Little Miss Marker"! Now look what they're sayin' about your newest cleaner-upper:

Motion Picture Daily: Exciting, well-made entertainment that is CERTAIN to please!

Daily Variety: Just the right combination of sentimental hokum, freshly furbished, and comedy, both homely and slapstick, to give it entertainment range and substantial box office!

Carl Laemmle presents

Jean PARKER and Chester MORRIS

in DAMON RUNYON'S Collier's Magazine story

A Universal Picture with LEON ERROL · HENRY ARMETTA · VINCE BARNETT
Directed by David Burton
Leonard Spigelgass, Associate Producer
**“Sequoia” and Cantor Smash In Pittsburgh**

PITTSBURGH, March 26.—Lent notwithstanding, last week was one of the best for Pittsburgh sessions. Sessions at the Capitol has had in several months, and only a single house failed to touch par. The others were above, Officially figuring out with a great $28,000 for Ed-die Cantor in person and “Sequoia” on the stage.

At the Fulton, “The Little Colonel” was held three days beyond the second week and in nine days gathered a nice $1,800, while the Alvin was hitting $10,500 with “Life Begins at 40” and keeping it for a second week. “Rag- gles of Red Gap” proved a winner at the Stanley, getting around $11,000, which is excellent, and only the Warner, with “Captain Hurricane” and “Love In Bloom,” was unable to get in the profit column, although not very far behind at $4,800.

Total grosses in five first run houses were $6,800. Average is $425.

Estimated takings for the week ending March 21.

—“LIFE BEGINS AT 40” (Fox) ALVIN—$2,050-4,875, 6 days. Gross: $10,800.
—“THE LITTLE COLONEL” (Fox) FULTON—$1,750, 5c-6c, 5 days, 2nd week. Gross: $5,000 (Average, $1,000).
—“SEQUOIA” (M-G-M) PENN—$1,300, 25c-40c, 6 days. Stage: $4,500. Warner: $4,000. Total: $6,300. Gross: $1,100. (Average, $185).
—“RAGGLES OF RED GAP” (Para.) STANLEY—$1,000, 25c-40c, 6 days. Gross: $4,800. (Average, $800).
—“CAPTAIN HURRICANE” (Radio) WARNER—$2,250, 2c-6c, 6 days. Gross: $4,400. (Average, $733).

**“Pimpernel” Pulls $13,000, Montreal**

MONTREAL, March 26.—Local theatres got in a nice slice of business last week with St. Patrick’s Day providing the opportunity for special diversions during Lent and also with the pro-hockey season in full before the opening of the playoffs.

“The Scarlet Pimpernel” headed the march with $13,000 for the Capitol, help for which was provided by “The Man of Aran.” At Lewis, “Man of Aran” was responsible for $9,500. The Princess secured $7,500 with “The Whole Town’s Talking.” This was the last week of darkness at the Palace, which has been undergoing an overhaul.

Total first run business was $33,500. Average is $2950.

Estimated takings for the week ending March 21:
—“THE SCARLET PEMPERNEL” (U. A.) CAPITOL—$2,547, 30c-35c-40c-50c, 7 days. Average: “The March of the Chaps” $1,500. (Average, $214).
—“THE PRINCESS” (Para.) IMPERIAL—$1,945, 25c-30c-40c, 7 days. Stage: $4,000. Warner: $1,000. Total: $5,945. Gross: $1,200. (Average, $171).
—“MAN OF ARAN” (British) GENTLEMEN ARE BORN (Warners) LOCHMERE—$2,875, 30c-35c-40c-50c, 7 days. Gross: $1,950. (Average, $271).
—“THE WHOLES TOWN’S TALKING” (Para.) MILLS OF THE GODS (Col.) PRINCESS—$2,272, 30c-35c-40c-50c, 7 days. Gross: $7,100. (Average, $1,014).

**Hollywood Personalities**

Hollywood, March 26.—Robert McIntyre, of the Goldwyn producing and casting staff, off on long vacation. Likewise Freddie Bartholomew. . . . Dixie Lee dyed her hair red to play in ‘Redheads on Parade’—Big and the twins like it, so she won’t switch back.

Jock Lawrence back from New York. . . . P. J. Wolfson on the spot again. . . . Peter Smith had a sound truck sent to his home at Palm Springs so he can do his work there.

Warners used 800 Chinese extras for three days on the “OIL for China” set. . . . At the same time Radio was using 163 dress extras on “Break of Hearts.” . . . Phil Regan has been given a new number in “Cradle of the Soil,” which was written especially for him by Lew Alter and Jack Steele.

George Marion, Jr., and Jane Storm assigned to do the screen play on “Two for a Night,” the next Bing Crosby picture. . . . Genevieve Tobin goes into “Men on Her Mind,” getting the spot just below Bette Davis.


Marion Marsh played hostess, 80 orphans, L. A. Orphan Asylum, taking the kids to the Gilmore Circus, which stars Tom Mix.

**“Robertba” Is Boston Wow: $18,000 Over**

Boston, March 26.—“Robertba” started a lineup at the beginning of the week and kept going until the end, with the result that Keith’s Me-morial topped $18,000, normal by far $10,000. Only one other spot toped that. Pathe’s “Meck’s” show at a “Wedding Night” and “Shadow of Doubt” took $11,000, up by $1,000. “Gold Diggers of 1933” reached a par $22,000 at the Metropolitans with a stage show. It showed Wednesday. Total first run business was $79,000. Average is $6500.

Estimated takings for the week ending March 21:
—“LOVE IN BLOOM” (Para.) CAR 9th (Para.) FENWAY—$1,250, 35c-50c, 7 days. Gross: $8,500 (Average, $1,214).
—“ROBERTBA” (Radio) KEITH’S MEMORIAL—$4,000, 25c-65c, 7 days. Gross: $30,000. (Average, $4,286).
—“SHADOW OF DOUBT” (M-G-M) PARAMOUNT—$4,753, 25c-50c, 7 days. Gross: $11,000. (Average, $1,571).
—“GOLDFIELDS” (Para.) WARNERS METROPOLITANS—$4,330, 35c-50c, 7 days. Stage: Dorsev Bros. and Orchestra, $3,500. (Average, $500).

**Dust Storms Dent Takes in Lincoln**

LINCOLN, March 26.—Nothing good last week and every spot below aver-age. Dust storms, which made breathing almost impossible on the streets, discouraged amusement patrons, and the Lenten season brought another setback.

The Stuart, barely able to clip off $2,600, was $300 down on the week with “Meet Miss Merry.” The Lincoln with the “St. Louis Kid,” took $1,900, likewise under the mark by $300. The Orpheum’s vade-mecum policy received a sharp setback, “Wicked Woman” and Janet Adler’s girl show for three days, followed by “Bachelors of Arts” (four days) was able to get only $1,900. That’s $400 down.

Total first run business was $7,300. Average is $783. Estimated takings:
—Week Ending March 21: ESTATE OF ARTS (Fox) ORPHAN—$2,000, 30c-45c, 7 days. Three with Janet Adler’s “Revue DeVille” on stage, $1,000 with $1,000, $200.
—“ST. LOUIS KID” (Warner’s) LINCOLN—$1,000, 25c-35c, 7 days. Gross: $1,000. (Average, $143).
—“MAN OF ARAN” (Gaumont British) WARNER—$1,250, 30c-35c, 7 days. Gross: $1,250. (Average, $178).
—“VARIETY” (Para.) WARNER—$1,000, 25c-50c, 7 days. Gross: $900. (Average, $130).
—“SWEET MUSIC” (Warner’s) STUART—$2,000, 30c-45c, 7 days. Gross: $1,000. (Average, $143).

**Warners’ Hold Talbot**

Hollywood, March 26.—Warners have exercised their option on Lyle Talbot for an additional year. The actor has just completed a role in “Oil for the Lamps of China.”
“Shadow” and Mills Troupe
Seattle High

Seattle, March 26.—“Shadow” of Doubt” and the Four Mills Brothers piled up $8,700, over normal by $2,700, at the Paramount last week. This is a record for the house.

In the face of competition “The Little Colonel” reached $8,600 in nine days at the Fifth Avenue and “Roberta” had its second in its second week at the Music Box.

Total first run business was $35,950, Average 15¢, $80.

Estimated takings for the week ending March 23:

THE WEDDING NIGHT (U. A.)
BLUE MOVIE ($400), 35¢-40¢-50¢, 7 days. Gross: $3,400. (Average, $486).

THE LITTLE COLONEL (Fox)

AMONG THE MISSING (Col.)
WHEN THE SUN SETS ($500), $250, 5 days. Gross: $1,500. (Average, $300).

NIGHT LIFE OF THE GODS (Univ.)

SHADOW OF DOUBT (M-G-M)
PARAMOUNT—(3,800), $350, 7 days. Vaudville headed by The 4 Mills Bros. Gross: $3,800. (Average, $543).

“Wedding” on Dual Top in Providence

Providence, March 26.—Loew’s State came back into its own last week to catch $12,200 with “The Wedding Night” and “Times Square Lady,” highest score for the week.

“Gold Diggers of 1933,” did a par $7,000 at the Majestic and Fay’s caught $7,200 with “Transcontinental” and “Take a Chance” ($1,000) with a $7,000 average over average.

The other vaudville house, RKO Albee, had a take of $6,500 with “Captain Hurricane” and a rep, “Cocktail Hour.”

“Carnival” and “All the King’s Horses” were under par at the Strand, bringing in $6,100. Strong opposition from pro and amateur hockey teams and opening of a sportsman’s show did some damage to the shows.

Total first run business was $40,250. Average is 45¢. 90¢.

Estimated takings for the week ending March 21:

CARNIVAL (Col.)
ALL THE MEN HAVE PANTS (Para)
STRAND—$2,000, 15¢-40¢, 7 days. Gross: $6,000. (Average, $857).

GOLD DIGGERS 1932 (Warner’s)
MAJESTIC—(2,400), 15¢-40¢, 7 days. Gross: $6,750. (Average, $964).

TRANSIENT LADY (Univ.)

GOLD DIGGERS 1933 (Col.)
TIMES SQUARE LADY (M-G-M)
LOEW’S STATE—($3,800, 15¢-40¢, 7 days. Gross: $2,400. (Average, $343).

CAPTAIN HURRICANE (Radio)

LITTLE DAMOSEL (Camco)
LONE BANDIT (Century)
RKO VICTORY—(2,000), 15¢-40¢, 4 days. Gross: $1,250. (Average, $313).

Mrs. Baier Plans Fight to End Gifts in Mo. by Law

KANSAS CITY, March 26.—Mrs. A. Baier of the suburban Lindbergh here says she is planning to ask a state representative to introduce a bill in the legislature to prohibit presentations of premiums at theatres or making it illegal to give added inducements when playing the same show on any day equally priced houses not adopting the practice.

Mrs. Baier said the spread of premiums creates a condition unfair to other theatres and she believes special legislation necessary because of the failure of efforts to stop the practice through code machinery.

A poll of local suburban exhibitors at the present time would find a majority favoring a bill, yet the bill is considered from the existing trend.

An attempt recently was made in the Missouri legislature to prevent the operation of cash nights, bank nights and similar gift enterprises, but it got no further than a committee, which killed the bill.

Historical Record Compiled from Film

KANSAS CITY, March 26.—History as the motion picture has recorded it is the topic of a pictorial feature titled “Unreeling History,” starting in the Kansas City Star’s pictograghy section today.

Prepared by John C. Moffet, film editor, the feature will be released through the Bell Syndicate. Compilation was a work of several months and with a collection of about 1,000 stills. The feature will run a year, it is estimated.

R. F. Keith Loss in 1934 Cut to $134,035

For 1934 R. F. Keith Corp. reports a $134,035 loss, a profit of $91,522, or $4.76 per share. For 1933 the net was $11,119,004, or $4.27 per share.

A summary of changes during 1934 was given as follows: Profit on silver bullion, $1,550,464; profit on exchange, $624,294; investment appreciation, $758,007; unearned revenue fund, $393,626; released reserves, $142,864; other credits, $65,076.

Star Dust

Hollywood, March 26.—“Whitey,” the eat who played the role of Hannah in “Chasing Yesterday,” is being lined up for a long-term contract by the studio of the strength of that performance.

The feature was purchased for six bits by Henry East, her owner, but East has spent 175 bucks grooming her for stardom. It is the character role of her life.

Which reminders of what will become of that black cat used in all of Marlene Dietrict’s pictures now that the Von Sternberg-Dietrich combination has split?

Eastman’s 1934 Net Up to $14,503,247

Eastman Kodak reports a substantial increase in 1934, its 1933 total. Consolidated net for all the company and all its wholly owned subsidiaries totaled $4,390,860. For 1933 the net was $11,119,004, or $4.27 per share. Sales have gained both in this country and abroad, according to Frank W. Lovejoy, president. Earned surplus at the end of 1934 was $80,100,922, compared with $76,515,941 the year before. Current assets total $91,522, or 874.

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More Duals in Lincoln

LINCOLN, March 26.—A third house here went to double features last week, when the Varity, taking the one from the Kiva, also an L. L. Dent spot which went dual a couple of weeks ago, put up six bills, saying the bargain film showing would go in for a trial.

J. H. Cooper’s Sun also shows duals.

O’Brien Unit in Arizona

Hollywood, March 26.—Director Eddie Cline and a troupe of 60 have gone to Phoenix, Ariz., to film “Cowboy Millionaire,” featuring George O’Brien and Evelyn Bostock. The Sol Lesser unit will remain at the Arizona location for three weeks.

Col. Holds Mae Marsh

Hollywood, March 26.—Columbia has picked up another six-month option on the contract of Mae Marsh. The company is working up a story in “In Spite of Danger,” in which she has the top feminine spot opposite Wallace Ford.

Sellin Early in N. O.

New Orleans, March 26.—From all indications the selling season here will close earlier than usual, since exhibitors, both circuit and independent, are showing an eagerness to buy and already have the season well in swing.
1st Annual
SHOW OF S

4 Days
April 1-4

The Show of Showmanship will be on view at the Motion Picture Club 1560 Broadway, New York for four days starting Monday, April 1 and ending Thursday, April 4. Doors open from 10 AM to 10 PM.

• an exhibition of ideas and materials that bring the dollars into the theatre box offices

ADMISSION FREE
See the Quigley Award Entries from all parts of the world • advertising and exploitation campaigns from managers in the field • reproductions of ticket-selling fronts and lobby displays • original poster and lobby designs • novelties and accessories • national tie-ups, including window displays, national magazine advertising and accessories • stills • styles in newspaper advertising • engraving processes • lithographs • short subject exploitation • national advertising • press books • ideas

Sponsored by

MOTION PICTURE HERALD
ROUND TABLE CLUB
MOTION PICTURE CLUB
1560 Broadway, New York
Speed on NRA Bills Sought By President

K. C. Premium Ideas Get Strange Slants

KANSAS CITY, March 26.—The premium craze has given birth to some fantastic ideas among exhibitors, it was revealed when a few of the new writing for the trade sprung from the pen of John C. Flinn, Campi secretary, at a round table here last week.

One exhibitor up to inquire if, with each paid admission, it would be permissible to give a free ticket to another theatre under the same opera

Another query fired at Flinn was if it would be okay with him if, instead of a theatre handed out coupons good for merchandise at a neighborhood store.

By the time the exhibitors concluded the question, Flinn looked as if he could do with a couple of aspirins.

Picker Makes Plea For RKO Clearance

Eugene Picker of Loew's yesterday presented the case for a number of the present seven-day clearance held by RKO's Strand and Colon

Amen, special assistant to the Attorney General, Bennett and Arthur, general counsel for the office, counsel for Ascap. At the conference Bennett asked an immediate trial of the case but was told that no

Yesterday Judge Knox's order directing the striking out of all portions of Ascap's answer relating to the federal court organization, its back

Predict Early Tax Vote in California

(Continued from page 1)
to raise $11,000,000, and a tax of one

Democrats are uniting with the Pro

A 21 cent per state tax added to a Federal maximum of 23 per cent would make a total of 84 per cent on a net income of $1,000,000 a year.

Harms Injures a Leg

OMAHA, March 26.—Gus Harms, portly member of the Scott Ballantyne supply firm, injured a leg rece

Pick "Wwerewolfe" Title

Hollywood, March 26.—"Wwerewolfe" is being billed as the Universal's thriller based on Robert Harris' story of that name. It has been called "The Unholy Hour."" 

Columbia Shifts Title

Hollywood, March 26.—Columbia has dropped the working title of "Gimp" and picked "The Unholy Hour" for the new film of Jack Holt's next.

Changes Made In Copyright Fact Measure

(Continued from page 1)
maximum to $10,000, but gives the local authorities discretion.

As amended, the measure includes in the right to use copyrighted material in the production of pictures the right to use copyrighted sound recordings, thus protecting the exhibitor. The proposal given authors against mut

The proposed differentiation between photoplays and other types of pictures is dropped, and new releases are subject to regulations protecting newspapers and are protected against injunctions which would prevent their publication. It is recognized that the 56-year copyright period proposed in the bill would remove some works from the public domain, a provision for delaying the bringing of charges of infringement, after the withdrawal of a work from the public domain, for its use while in that category.

New regulations surrounding the securing of copyright require the deposit of five prints from scenes of pictures and provide that no action for infringement may be maintained until the plaintiff has complied with all requirements for deposit of copies and registration.

Search for Florida Studio Sites Grows

MIAII, March 26.—The search for possible studio sites in the state is growing. Industries are exported from the film industry which is driven out of California by the success of the high tax program pending in the legislature there, going on apace in Florida today.

Following a conference at the Alcazar Hotel here between Fred Pel

"Economic reasons are now, to a great extent, looming considerably to influence the industry's search to Florida in hopes of obtaining lower basic commodity costs," according to Pelton, who adds that "this may be even more important than pending legislation in California.

Seek New Board Setup

Hollywood, March 26.—A motion was made at a meeting of the Songwriters' Protective Assn. last night that by-laws be changed to provide for a self-perpetuating board of directors.

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Unless changes are made in the Los Angeles schedule a response of its petition, Fox West Coast will de

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EASTMAN Super-Sensitive "Pan" Negative has played a part in productions that marked veritable milestones in cinematic progress. Yet its success in these outstanding pictures is based upon the same dependability it offers cameramen and producers every day in the year. Unfailing, day-after-day excellence is the quality that makes this film the natural choice for the screen's greatest ventures. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)
K. C. Men Will Open Capitol in Detroit

Detroit, March 26.—The Capitol, 3,400-seat house here, is to be opened Easter Sunday by interests operating the Tower in Kansas City. This is understood to be the first step in a gradual expansion program in which theatres will be added in key towns and operated on a policy which has been successful in Kansas City, combination theatres. The Capitol is also run at pictures at a low price scale.

The tariff at the Capitol has been set at 20c-25c-35c, and the stage shows will be melodious and a line of girls. Formerly operated by Publix-Kunsky, and for a few weeks last fall by an independent, the house has been dark since last November.

A corporation is to be formed with William Reinkle and S. Bernhard Joffee of Kansas City and Nate Block of St. Joseph, Mo., as the factors. These men combined a year ago with Bing Crosby, who owns the Tower in Kansas City, and the house will be run in accordance with a vaudeville-picture policy at 25 cents. Reinkle and Block are here arranging for the opening.

Four Holdovers in Big Broadway Week (Continued from page 1)

Little Colonel," heading for an $85,-000 gross, is being held at the Music Hall, while "The Mystery of Edwin Drood" is only $13,000 for another week at the Capitol. It will probably gross $50,000 for the first stanza, which ends tomorrow night.

“The Mystery of Edwin Drood” was good for $13,000 at the Rialto, while “Little Colonel” was doing well enough at the Astor and Mayfair to keep “It Happened One Night” and “The Man Who Knew Too Much” another week. The Astor will wind up tomorrow night with about $10,000, while the Gaumont British is doing well at the Paramount about $13,000 for the week ending this afternoon. Third week of “Ruggles of Red Gap” at the Paramount tallied $30,000.

Okla. Court Won’t Act in Trust Case

Oklahoma City, March 26.—Ruling that pictures theatres are subject to the anti-trust laws of Oklahoma, the Supreme Court here today refused to break up an alleged film trust in Pottawatomie on the ground that district courts and county attorneys have no jurisdiction in such a case.

Clarence Tansky, county attorney, brought suit against L. C. Grif- fith, Paramount Pictures, Universal, Regal Theatres and the Griffith Amusement Co., alleging that they controlled the leasing of films and had not rendered the theatre owner service such as a trial has through an illegal combina-

Hodges, Hickson West
A. J. Hodges and D. C. Hickson, northeast and southeast operating su-

New Adventures of Tarzan” (Burroughs-Tarzan Enterprises)

Hollywood, March 26—This production, aimed at children’s matinee trade, shows an expedition bent on stealing jewels from natives, which may not be the thing for children; hence there is plenty of need for selling to get a break.

The story moves slowly, starting in Africa, with Herman Brix, as Tarzan, enlisted from the jungle to join an expedition to the Mayan ruins. While there, Brix and his wife, played by May McAvoy, are caught in a middle of business through an illegal combination in violation of the Oklahoma anti-

Short Subjects

“Borrah Minevitch & His Rascals” (Vitaphone)

Although Borrah Minevitch and his band of harmonica playing boys have appeared in several shorts of this type, this one is nevertheless novel entertain-

Laughing with Medbury in Hollywood (Columbia)

Jack Oakie is the only star shown in this subject, and only because he supposed he was coming out of a restaurant, but Hollywood itself is covered so thoroughly that this is a very interesting reel. All the freaks that are usual and other points of interest in the town itself are shown to the accompaniment of Walter Futter’s surgical comment.

To be recommended. Production Code Seal, No. 515. Running time, 10 mins.“G.”

“Windy” (M-G-M)

Charles (Chic) Sales here presents another of his perfect characteriza-

“Private Worlds,” last night’s preview at the Paramount, was reviewed by wire from Hollywood on March 6. “I’ll Love You Always,” Friday’s opener at the Roxy, was reviewed by wire from Hollywood on March 21.
Skouras Not Expected to Buy into Met

Western Film Demand Gains; More Planned

Re-Issues Being Put Out For Week-End Bills

Loew Picks Site
Chicago, March 27.—Loew's initial theatre-acquisition move here involves construction of a theatre and building costing $200,000. The theatre will seat 1,500. It was learned unoffically today.

The lease will be signed within the next few days. Thomas Lambe, the architect, has sketches prepared for submission to New York as soon as the deal is closed.

RKO-Loew's For Dual End, Scale Boosts

RKO and Loew's are in favor of hiking admissions and abolishing duals in the local area, it was stated yesterday following a meeting between C. C. Moskoswitz and Marvin Schenk of Loew's, Leslie E. Thompson of RKO and Harry Brandt, president of the I.T.O.A.

Brandt, sponsor of the plan, reported satisfactory progress after meeting the major circuit executives, and stated that a meeting of all important affiliated and independent circuit heads was held.

Quick Action To Be Sought On Ascap Suit

Government Pleased by Cuts in Complaint

Washington, March 27.—Department of Justice officials today definitely decided to press for an early trial of the government's monopoly action against the American Society of Composers, Authors & Publishers and declared tonight that "the government will use every effort" to bring the case to trial without delay.

Throughout the day officials of the department were studying the ruling handed down by Federal Judge John C. Knox in New York on Tuesday which accepted the government's motion to strike out irrelevant material from Ascap's answer to the government's bill of complaint. Highly satisfied with the success of their effort to keep the case confined to major issues.

Approval of Allied Plan Seen as Sure

Creditors' acceptance of the Allied Owners' Corp., plan of reorganization appears certain at today's hearing before Federal Judge Robert Iinch in Brooklyn, despite the fact that on yesterday the necessary two-thirds of $9,127,000 of Allied's first mortgage bonds outstanding had not yet assented to the plan. The deficiency, many creditors, appeared likely to be satisfied.

House in Mo. Votes 2% Sales Tax Bill

JEFFERSON CITY, Mo., March 27.—After a month's bitter fighting, the House today passed the two per cent sales tax, to be passed on to the consumer, but defeated an emergency clause to put the measure into effect immediately.

Admissions, advertising and other services come under the provisions of the tax measure. If the bill passes the Senate, where it faces several obstacles, an attempt probably will be made to submit it to the vote of the people.

Report California Film Bills Doomed

SACRAMENTO, March 27.—Indications have been given that the Governor will veto any so-called "purification" bills.
Purely Personal

SERGEI SOUDEIKINE, Albert Johnson and Boris Aronson, well-known scenic designers, have been engaged as art directors for the Music Hall by W. G. Van Sung.

LAURENCE RILEY is off for the coast via the motor caravon route. There, he will do some scrivening for Paramount and work on his next play, "Cardboard Love."".

EVELYN POR has been signed to a long-term contract with Radio and will appear on the coast May 1. The William Morris Agency handled the deal.

DAVID SARNOFF, RCA head, has been honored with the Cross of the Legion of Honor by France for his work in the radio field.

Quip of the Day

"Herb Yates is preparing for a general meeting of Consolidated Film Industries on Thursday."

"How do you mean preparing? What is he doing about it?" someone asked.

"He's spending the afternoon in the gym," replied Depinet.

JOHNNY DOWD made his debut at the M. P. Club yesterday. He was accompanied by CHARLES McDONALD.

EDE KUVENDALL arrived last night from Columbus, Miss., and Washington to attend Campa meeting.

SOPHIE TUCKER, just back from Miami, is busy rehearsing for her opening at the Hollywood April 4.

Joe MOSKOGLI plans to take a much needed vacation shorty, following which he will go to the coast.

AL SHERMAN is "ghosting" a life story of Noah Berry for syndication by the General Press Bureau.

ANDY SHARICK, MOE KOFFLER, BILL KAMER and JAMES JORDAN are going in for gymnastic work.

Earl CANTOR winds up his air broadcasts April 28 and plans to leave for the coast about May 3.

H. M. DOHERTY of Warners is now a member of Governor Lamplough's army of colonels.

SOPHIE KERR's novel "Thanks for Your Kind Efforts" has been bought by Fox.

C. W. BUNK of Ernie is due back from a mid-western business trip today.

Milt KUSELL sails Saturday for a two-week vacation on the Rotterdam.

ST SEABER started his spring ping pong training yesterday.

M. A. LIGHTMAN is due in from Memphis Monday.

SAM HARRIS is due in from Hollywood next week.

Greenenthal Not Named For AmaJob: Finney

Declaring that Motion Picture Daily plans to name Greenenthal for the presidency of the Ama, contrary to fact, Edward Finney, chairman of the commission, has been made aware of a rival faction which threatens to oppose whatever ticket is placed on the group, but not against any individual.

Finney further adds that the nomination of H. A. Greenenthal for the post of president because of his splendid work on the unemployment commission in addition to his work in the absence of William Ferguson, incumbent. It is also stated that the commission was considering Greenenthal for the post of president because of his splendid work on the unemployment commission in addition to his work in the absence of William Ferguson, incumbent.

However, whatever Greenenthal will not accept either nomination because of the nature of his work at A. E., which requires that he be out of town at frequent intervals.

Ask Maryland Fee Boost

ANNAPOLIS, March 27.—Fees charged by Maryland censor will be increased from the present $1,000 of master print and from $1 to $2 for each additional print, if a bill introduced by Senator J. David Baile, Republican, of Carroll County, becomes a law. The measure has been referred to the Finance Committee.

Refuse to Bar Picture

NEW ORLEANS, March 27.—The U. S. Department of Justice has refused to bar "Man From H.M.S. Pinafore," a new play for Saturday, April 19, to be starred by Senator J. David Baile, Republican, of Carroll County, becomes a law. The measure has been referred to the Finance Committee.

Re-Sign Ken Goldsmith

HOLLYWOOD, March 27.—Ken Goldsmith, who supervised "Little Men," has been re-engaged to supervise "Harmony Lane." The picture, which deals with the life of Stephen Foster, is scheduled to start early next month.

Schenck, Phillips Leave

Joseph M. Schenck, William Phillips and Harry Goetz left for the Panama to attend the previous day's meeting for "Les Miserables." The trio picked up Al Lichtman in Chicago.

Closed Ama Meet Today

Today's Ama meet at the Motion Picture Club will be closed, the session being devoted to committee reports on "Anti-Naked Truth Dinner set for April 27."

Getts Mascot Pictures

Arthur Sanchez of Transoceanic Film Co. of the Philippines has been asked to make pictures with Mascot for the distribution of the latter's pictures in Venezuela.

N. & R. Acquire Fortway

Nelson and Renner have added the Fortway, Brooklyn, to their string. Lou Preston is general manager.
"...and when I left Hollywood, my little Ruby said to me, 'Al', she said, 'you deliver this personally to the boys back East!' So here I am — — and here's our little present for you. Sonny boy, take this to the projection room and find out what the Jolsons can do when they get together!"
Skouras Not Expected to Buy into Met

(continued from page 1)
each is willing to dispose of a minimum of 1,000 shares to Skouras and the offer has been submitted by the last day for the application for action. Present indications are that no action will be taken by the investment house and it is understood that Skouras Theatres will not undertake purchase of the stock without outside financing.

Both Skouras and Randforce will have stock participation in the subsidiary operating companies of Fox Met, although their 10-year operating contracts with the new company have not been finally closed yet. Eventual liquidation by Fox Theatres of its entire property in this section appears likely, inasmuch as Fox Theatres is in receivership and its liquidation or reorganization may be asked by creditors.

Meanwhile, the Fox-Theatre-Schenck plan appears virtually certain to go through. Demand for this hearing on April 12 without serious opposition or the presentation of a competitive plan by Samuel Rosenblatt, representing undisclosed interests, stated last week that he would not offer an alternative plan unless he could file the terms provisionally proposed in the Fox-Theatre-Schenck plan. It is almost certain that this will not be done. Rosenblatt is known to be a principal interested in presenting a competitive plan at this time.

Extras Charge Cut

In List Was Unfair

(continued from page 1)
list now awaiting Rosenblatt’s approval. It is also charged the proceeding is being conducted by the Home Office.

The letter, drafted by Frank Woods, first secretary of the Academy, notifies that 2,000 persons of the who were excluded from the list and that this violates the code of fair practice in that the code does not authorize an active extra list. The letter also formally asks that registration sub-committee and Campi action be eliminated and registration rules be made public.

It is further requested that Article 3, Section 4, of the code be clarified to indicate that deals with employees on location.

Eugene H. Marcus is now in Washington representing the three groups in the negotiations. The general feeling is that the extras will appeal to producers and the Central Committee will not be seen as a sympathetic ear at the capital.

Opera for Radio City

The production of three operas and a ballet on the stage of the Music Hall is being planned for the near future, according to W. G. Van Schaik, director of the Radio City, and Richard Strauss’s “Salome,” Gounod’s “Faust,” and Smetana’s “The Bartered Bride,” in condensed versions, are the operas planned. The ballet will have Ravel’s “Pines of Rome” as the musical:

Quick Action

To Be Sought On Cap Act Suit

issues, Department officials decided to press forward with the case rather than to permit it to go over to the full term of court. Whether the government’s next step will be the filing of a certificate of necessity instead of a petition to hasten trial of the suit, could not be learned definitely. However, formal action for a prompt hearing of the case is expected within the next few days and the seeking of a certificate of necessity to compel the setting of an immediate trial before three Federal judges has been suggested by department officials as a possibility. Owing to the crowded Federal calendar in court, and the unavailability of trial judges, an effort to obtain a certificate of necessity might be met with an adverse action. It appears that a preferred place on the trial calendar in order that it might be heard by one judge instead of the three who would have to be assigned if the certificate of necessity was obtained.

Chicago Board Stops

Alger’s Film Supply

CHICAGO, March 27.—The local governing board today issued a film stoppage order against E. A. Alger, operator of the Peru and nine other houses downtown, as a result of a complaint filed against him. The order took effect April 3, and whilst Campi upheld the local board.

The stop order was issued following Alger’s failure to appear before the board yesterday. He informed the board by letter that he was in touch with Compliance Director Sol A. Rosenblatt regarding a rehearing of his case.

New Delay in Sight

For L. A. Schedule

(continued from page 1)
revision. The Code Authority secretary returned from Hollywood Sunday night.

Film submitted his report to Charles L. O’Reilly, Sidney Justin and Paul Lazarus for study late Monday afternoon. Because of other business the trio has not been able to fully digest the contents in this morning’s session. The committee will ask that it be given another week in which to go over and make analysis before reporting to Campi.

The schedule is slated to go into effect Sunday, according to plans by code director. Whether this will be carried out with the exception of those situations contested by F.W.C., or adopted regardless of changes, if any, to come later, will be decided today.

Wall Street

Most Rise on Big Board

Columbia vte 4134 4155 4135 + 0
Consolidated 497 497 497
Costs pd (IV) 1032 1018 1018 + 16
Eastman 12168 11859 11859 + 2
Loew’s (a) 12159 12159 12159
Low’s (b) 12159 12159 12159
Loew’s (c) 12159 12159 12159
Loew’s (d) 12159 12159 12159
Paramount 350 349 349 + 1
Pathé “A” 1262 1262 1262
Warners 25 25 25
Warners pd 156 156 156

(continued from page 1)
will be called within the next few weeks further to discuss the move. It has been indicated that the I.T.O.A. representing practically all of the smaller exhibitors might have a meeting in the coming weeks in order to get a record for elimination of twin bills and advancement in admissions and is now anxious to get the larger the motion pictures that are being handled by the locals. All houses will go single bill at the same time, if the plan is adopted.

Complaints Must

Prove Competition

Cleveland, March 27.—The grievance board has made a ruling that hereafter complainants must prove they are competitors of houses against which they are filing complaints.

Statements in covering the competition angle must be included in the complaints, as well. This is to carry out a recent decision of the Federal Trade Commissioners are entitled to hearings.

The board has lifted its stop film service order against the Ohio, Toledo, and Cleveland, owner, has agreed to maintain admissions at the contract level.

Drop Boston Complaint

Boston, March 27.—The grievance board has dropped a complaint against Edward T. Bloomberg, operator of the Strand at Gloucester, in which he charged that M. & P-Fublin is monopolizing product of five major distributors. He is expected to file an appeal.

New code signers in this territory are: Victory Amusement Co. for the Victory, Casino and Olympic, Lawrence; Abraham Goodside, Strand, and New Hi-Lo Theatre Corp., Sanford Theatre Co., Thomas A. McNulty of the Warwick, Marblehead, and Waltham Amusement Co.

College Takes Appeal

CHICAGO, March 27.—An appeal to Campi has been taken by Winthrop College from the grievance board decision that it cannot show pictures not previously shown in Rock Hill, S.C., theatres and cannot charge admission to persons outside the college. The case has been banned by the grievance board in Rhodes Brothers’ houses at Mooresville, F. C. Hanes at Lenoir, and Harold Kay at North Wilkesboro.

For Taxation Purposes

Universal’s application now before the New York Court for exemption for listing 300,000 shares of new common stock does not tie in with new financing, according to company officials. It comes at a time when the company has been applying for the ordinary type of finance to meet its obligations, officials stated who have declined to have the company’s story for taxation purposes.

Mills on “Time” Staff

A. K. Mills, formerly the publicity staff of Batten, Barton, Durstine & Osborne, has joined The Mills Co., as assistant publicity manager. Ralph Rolan, vice-president in charge of advertising and promotion.
MEDDLERS SEEK TO GRAB SCREEN TO FINANCE "WELFARE WORK"

In MOTION PICTURE HERALD
Western Film Demand Gains; More Planned

(Continued from page 1) the series to eight. An announcement to this effect is expected at the annual convention in Chicago starting May 25.

Exhibitors all over the country feature westerns on week-ends above other types of pictures. This applies to the big city runs as well as small towns. In New York, westerns are great Saturday and Sunday matinees and attractions for juveniles and it is not unusual for neighborhood houses to put on an action film as a third feature for the first two shows.

Some exhibitors have exchanged getting so many calls for the westerns that branch heads have reopened the vaults for features two and three years old.

Para.-Erpi Terms Called Exorbitant

(Continued from page 1) fees yesterday by Ralph Vatner, attorney for Erpi, and Robert M. Ehrlich, executor who states that he owns $23,000 of Paramount bonds.

The affidavit recites that the RCA Victor bid would save Paramount $3,000,000 during the life of the proposed contract. It also contends that various Erpi overcharges against Paramount should be offset against the Erpi $1,500,000 claim which the exhibitor proposes to settle for $1,200,000.

The affidavit states that Erpi may be liable to Paramount for treble damages of $50,000,000 under the antitrust laws, citing, for substantiation, the Delaware Federal court ruling in the case of Warners, Duo Vac and General Talking Pictures against A. T. & T. Western Electric and Erpi. The affidavit also states that Erpi's patents should be listed individually in the licensing agreement.

Paramount's protection in the event any of them are held to be invalid. Counsel for the Paramount trustees have filed an answer.

Vatner is counsel for the American Society for the Protection of the M. P. Theatre, an organization which has launched bitter attacks on the "big electricals" and Erpi in particular in recent years.

Approval of Allied Plan Seen as Sure

(Continued from page 1) however, was expected to be made up in advance of today's hearing.

Sufficient agents have been received from general creditors having approximately $40,000 of claims from the holders of the $1,747,000 of Allied debentures outstanding.

The plan provides for the outright purchase of stock in Allied's two companies, Pitkin and Valencia for $12,875,000 with payments spread over 25 years but subject to earlier completion on a discount basis. Also, while the plan does not contain the settlement provisions of Allied's large claim against Paramount Publix, it has a reserve providing for approval of the proposed settlement by the creditors. The settlement itself is a separate pact calling for the leading Paramount of the Brooklyn Paramount, the Paramount at Glen's Falls, N. Y., Paramount at Fremont, G. and the purchase of the Alabama at Birmingham.

It also provides for a cash payment to Allied of $150,000 and the allowance of a 5% balance of Allied's claim on a general creditor's basis at $5,000.00.

"Traveling Saleslady" (Warners)

Joan Blondell and Glenda Farrell are given top billing in this one, it is that grand trouper and excellent comedian Hugh Herbert who provides practically all the entertainment by his antics. Cast as an absent-minded inventor, Herbert had last night's Strand audience roaring at his every scene. Chiefly because of his work and because of the ever so much more than satisfactory.

The yarn has Miss Blondell as the daughter of a toothpaste manufacturer (Grant Mitchell) who goes over to her father's competitor with Herbert and his invention, known as "cocktail toothpaste," when she is refused a job by her parent. To convince her father that she can run her business as well as they, she approaches success as a saleslady. In the meantime she meets William Gargan, acre salesman for her father, and they fall in love, but continue to fight in a business way.

The windup is satisfactory, with the lovers in each other's arms and the rival companies merging.

Director Ray Enright keeps the film moving at a fast pace, inserting Herbert every time it starts to lag to give it added impetus. F. Hugh Herbert and Manuel Seff are to be commended on their screen play. The photography of George Barnes is good.

Others in the cast, all of whom turn in swell jobs, include Ruth Donnelly, Johnny Arthur, and shear Bel Roach and Joseph Crehan.

Production Code Seal No. 663. Running time, 60 minutes. "G."

"Moscow Laughs" (Amkino)

Believe it or not. In "Moscow Laughs" the Soviets have turned out a film entirely devoid of propaganda. That, it must be admitted, is quite an achievement—for the Soviets. The Russians are revealed in a gay mood in this one. Moscow laughs. It's about time it did.

This time the Muscovites have gone about producing entertainment purely and they have not done badly at it.

"Moscow Laughs" is a melange of comedy and music sprinkled with irony. Some of the music is rather good and the photography effective.

The story tells of a musical herdsman who is mistaken for a famous composer by a well-to-do young woman. Smitten with him, she invites him to her home. When the fellow is told to play for the guests he picks a tune on his herdsman's pipe. His flocks, attracted by the familiar strains of the instrument, break into the house and make a mess of things. When his identity is learned he is put out, and the romance between him and the girl is ended.

Later, in Moscow, the young musician by pure chance finds himself at the head of a jazz orchestra after a series of difficulties. Things look bright for him in the end.

The chief trouble with the film is that it lacks the polish and smoothness found in the musical entertainment turned out in Hollywood.

Leonid Utesov, Lubov Ordrova and M. P. Strekova are the principal players. The cast is capable. Direction is credited to Gregory Alexander and the music to L. O. Dunayevsky, Kinowed unloaded.

There are English subtitles in profusion.

No production code seal. Running time, 90 minutes. "G."

New Orleans to Vote On Daylight Saving

New Orleans, March 27.—As a result of efforts of exchange men and exhibitors the Commission Council has decided to submit daylight saving time to a citywide referendum April 23. Theatre interests were supported by Norman Carter, representing exhibitors, who said the time change would cost a week by 20 per cent, and the house, he said, are now contributing $8,000 monthly to the city's relief rolls. He predicted advancement of clocks would mean heavy cuts in this amount.

Report California Film Bills Doomed

(Continued from page 1) "flying" bills which provide for boards on new legislation.

Two more administration bills have been reported out of committee with recommendations for passage. They will come up with the income tax measure later this week or early next week. One boosts the rate on bank corporation first two to four per cent to raise $10,000,000, and the other calls for an eight-hour day for female office workers.

California Tax Row Features Paper Ads

Sacramento, March 27.—Edwin Pickett of this city, head of an insurance firm, has taken the fight against high income taxes into the newspapers in the form of ads directed at members of the Legislature.

The idea is to prove that if the bill passed now the entire industry will move to Florida. Joseph M. Schenck is quoted.

Cohen in all other cases. The hearing will be continued on April 1.

A bill which had been approached now by a group from their own ranks with plans that all discontinue bank nights as soon as the board shows it can enforce cease and desist orders.

Gains in Fight on Frisco Bank Nights

(Continued from page 1)

Nasser Bros. houses and two Fox West Coast theatres, ordered to end the practice. Nasser immediately filed an appeal, while F.W.C. accepted the ruling.

The Nasser houses are the New Mission, New Fillmore, Royal, Alberta, Americana and Castro. The F.W.C. theatres are the El Capitan and Rialto. The cases involving these theatres were heard on March 19.

The board then heard Cohen's complaints against Golden State and Levin Theatres, witnesses including Robert McNiel, Cohen and Ben Levin. The board held that a downtown house not holding bank nights was affected by any neighborhood.

The board's ruling was seen as an indication of complete victory for "Colonel" Is Only Draw in Slump at K.C.

Kansas City, March 27.—The beginning of Lent sent grosses down, "Little Colonel," in a second week at the Uptown, being the only attraction to hold its own stage, taking $4,400 against $3,500 par.

Total first run business was $29,300, average $3,200.

Week Ending March 20: (Radio)

ROBERTA (U.A.) MAINSTAGE—(1,000), 15c-25c-40c, 6 days, Gross: $3,500. (Average, $583.)

"LOVE IN BLOOM" (Para.) WEEKEND.—(1,800), 15c-25c-40c, 6 days, Gross: $3,000. (Average, $500 for 6 days)

Week Ending March 21:

THE NICK OF TIME (R. B.) MIDLAND—(4,000), 15c-25c-40c, 7 days, Gross: $7,000. (Average, $1,000.)

NIGHT LIFE OF THE GODS" (Univ.) TOWER—(2,500), 7c, 7 days, Stage: Allen & Kent, Ames & Arons. Johnny Hyndman, director, box office, others.

Gross: $7,000. (Average, $1,000.)

Week Ending March 22:

THE SINGING VIOLINIST (fox) UPTOWN.—(2,000), 25c, 7 days, 2nd week. Gross: $4,000. (Average, $571.)

"Colonel" Is Only Draw in Slump at K.C.
“The next speech will be a
DANCE!”

We’re positively speechless!
No orators for the Big Night!
Music and high jinks aplenty!
Hot tunes, rousing entertainment!
TICKETS LIMITED TO 1,000—

NAKED TRUTH DINNER
AMPA
SAT. NIGHT—APRIL 27th, 1935
$7.50 PER PERSON
HOTEL ASTOR

Tickets from PAUL BENJAMIN,
National Screen Service, 630 9th Ave.
Reservations will be made as tickets are
paid for. Check or cash with order.
The "Front" Show

The campaign to wrest from its monopoly on inspired cinematic cartoons in color is beginning to assume threatening proportions. Two partners, Harmon and Ising, of the M.G.M. studios, are apparently the chief conspirators, and their latest volley is being fired at the Capitol, where "When the Cat's Away" evokes both laughter and applause. This is a little gem of a tinted cartoon. In the "front" show at the Capitol there is also a contribution by James Fitzpatrick, a Travel Talk called "Rainbow Canyons," a loveliest piece of color work since Fitzpatrick adopted that medium. But the main feature of this week's "front" show is the warning finger which is being pointed at the whimsical Mr. Watch out, !
Parent Groups Aim an Attack Upon Theatres

Will Go After Shows for Civic Auditoriums

That the National Congress of Parents and Teachers intends to sponsor a movement to force booking of pictures into schools and church and civic auditoriums to competition with theatres is indicated by Mrs. A. Raymond Klock, motion picture chairman of the District of Columbia Parent and Teachers Assn.

This is one of the organization actively backing the Pettengill anti-block booking bill. The bill is only an "entering wedge," Mrs. Klock states in a telegram to Terry Ramsaye, editor of Motion Picture Herald.

Seeking some light on the aims of the Parent-Teacher group, which has been conducting an active campaign (Continued on page 2)

McCarthy Says New Films Top 'Em All

J. J. McCarthy, whose name, even in this generation of showmen, still is linked with the roadshowing of such pictures as "Birth of a Nation," "The Covered Wagon," "Way Down East" and others regarded in conservative quarters as box-office successes, is back from Hollywood where he was shown new product which recalled roadshow days and the pictures that made them possible.

At the top of the list of the new pictures shown him, McCarthy places (Continued on page 6)

Four Are Named for Consolidated Board

Ben Goetz, J. E. McPherson, J. W. Coffman and M. J. Siegel were elected to the board of Consolidated Film Industries for three-year terms at the annual meeting of stockholders of the company yesterday.

Coffman succeeds J. D. Egan and Siegel succeeds George W. Yates, whose terms expired. Goetz and McPherson were reelected.

Columbia to Stress Stars Next Season

Columbia plans to bolster its star lineup and increase the number of specials next season. For the current program, the company has 10

(Motion Picture Daily, March 29, 1935)

Federal Housing Loan Limit
Boost to $50,000 Predicted

By BERTRAM F. LINZ

Washington, March 28.—Legislation increasing from $2,000 to $50,000 the amount which may be loaned to business properties, including theatres, under the Federal Housing Act is expected to be approved by Congress in the near future.

The increase has already been given the support of the House and officials of the Housing Administration anticipate that support will also be gained in the Senate, which will make passage easy.

Administration officials have consistently contended that the $2,000 maximum has made impossible any extensive use of the government's assistance by business men, whereas it is felt that a $50,000 maximum will open a wider field.

Majors Agree To Duals for K.C. Houses

By BRUCE ALLAN

KANSAS CITY, March 28.—With the single exception of Paramount, all distributors have agreed to permit double booking unsold previously in Kansas City, it is reported by the I. T. O., which has a committee interviewing exchanges on the subject. In selling this season's contracts major companies adopted a stand sharply restricting the practice.

Whether the present restrictions will be lifted depends, it is said, on whether all exhibitors are willing to agree not to play duals on the singles spot, but to delay them 28 days. The latter proviso was offered in return for dualing privileges.

Fox Midwest has opposed indiscriminate double billing, but is reported willing to go along with the independents in this instance, since the clearance penalty is provided.

Paramount, the sole holdout among the distributors, gives as its reason (Continued on page 7)

Clearance Now Live Topic in London Area

Fox Waving On Tri-Ergon Court Appeal

Supreme Court's Time Limit Is Midnight

The possibility that William Fox will ask for a rehearing by the U.S. Supreme Court of the American Tri-Ergon patent litigation will continue up to the stroke of midnight tonight, when the time in which the rehearing may be petitioned expires, it appeared yesterday.

Fox was reliably reported to be waveriing between asking a rehearing of both the double print and flywheel patents or the flywheel patent alone. Within the last few days, according to these reports, he has favored petitioning the rehearing of the flywheel patent only, but yesterday his attitude leaned toward the inclusion of both patents.

Inquiries at the offices of Ward, Crosby & Neal, Fox's attorneys, in whose hands the rehearing petition would be placed, were met with the statement that "no decision has been reached yet." The statement was in response to inquiries as to whether any rehearing petition at all would be sought.

Gaumont Calls Off Big Booking Deals

LOUIS, March 28.—Kinematograph Renters' Society has won a signal victory as a result of its boycott of Gaumont British following the recent so-called acquisitions of (Continued on page 7)

Depinet's Demurrer To Be Heard Monday

While trial of the St. Louis indictment of major companies and executives for conspiracy will probably be postponed beyond the tentative trial date set for next Tuesday, arguments on the demurrer to the indictment of Ned E. Depinet, RKO distribution (Continued on page 7)

Premiums Sweeping K.C.; In 60% of Detroit Houses

DARREY, March 28.—Sixty per cent of the theatres in Detroit are giving away premiums, a checkup shows.

Many out-state houses, although a much smaller percentage, are also using them. A year ago less than 10 per cent of the Detroit houses had giveaways.

Exhibitors giving away chinaware, kitchenware, etc., say that it is (Continued on page 4)

Kansas City, March 28.—Spreading to the majority of independently operated suburban theatres in the last few weeks, the premium vogue will reach its peak here about April 20 when Fox Midwest plans to inaugurate a coupon scheme at its local theatres, including the first run Uptown.

Another convert to the giveaway idea is Jay Means, head of the I.T.O. (Continued on page 4)

Studios Will Move, Regardless: Schenck

LOS ANGELES, March 28.—Joseph M. Schenck, upon his arrival here by plane today, said the industry, fighting for self-preservation, is going ahead with plans to move out of California, regardless of the outcome of
Insiders' Outlook
By RED KANN

REPUTED circuit opposition to the first of two shorts made by Pathe for the Federal Housing Administration on the government's ineffectiveness in advertising plugs carries little genuine merit. This opinion is ventured on the strength of a personal investigation of the subject by the reporter. These are the first two of three shots, you will remember, which are to be supplied exhibitors without charge all for the sake of familiarizing the public with what can be done under the provisions of the FHA.

The films are extremely interesting, running the field as they do from why and how to moderate the evils of social ethics, plumbing and kindred matters snuggling closely to the hearts and hears homes of millions of the citizenry throughout the United States. There is an occasional boost by way of direct mention of contributing sources; it is true, but such mention at no point is blatant or, in this opinion, is apt to project the exhibition end of the industry into an armed camp.

One episode gives credit to the Home Institute maintained by the New York Herald Tribune, but "The March of Time," it is the fair thing to point out, threw its Hauptmann verdict story to the New York Daily News. Another credits the decorating department at Macy's for suggestions on how to make 1930 living rooms look more like 1935. Yet, in its opening release, "The March of Time" produced in a small little bellyhoo for "21," that delicate, one-time speakeasy now converted into a restaurant swing enough to attract many of your important film notables for lunch every day.

This space believes the eye brow raising indulged in by certain of the circuits is a bit人家 of the line of invention. A few of the facts to justify their reluctance to play the subjects as they stand, we believe a measure of tolerance might well tend to their decision. But we do nothing of the sort. There is to consider also in a matter like this the public service which widespread screening time affords the public on all subjects with a moral. This industry, with a comfortable and comfortable record of such service behind it, certainly should not entertain deletion by any of its important units at this time.

Ferguson to Assist Showmanship Exhibit
William R. Ferguson, president, representing Ameca, has accepted appointment to the general arrangements committee for the 3rd annual Showmanship Exhibit to be held at the Motion Picture Club, starting Monday. Ferguson's duties will include the selection of film and theatre advertising heads whose companies are planning exhibits. The show, sponsored by Motion Picture Herald and Motion Picture Club, will also include Quigley Award entries and other theatre advertising campaigns submitted to the Managers' Round Table Club.

Invitations have been extended to theatremen, home office staffs, advertising agency executives and others. The show will run for four days, daily from 10 A.M. to 10 P.M.

Schlesinger Renewes

See End of British Tax
London, March 28.—Removal of the six-penny tax is regarded as certain when the new government budget is adopted on April 15.

Eckman Here Shortly
London, March 28.—Sam Eckman, Jr., managing director of M-G-M here, is preparing for his annual visit to New York.

FROM MOTION PICTURE DAILY, March 14:

WILMINGTON, March 13.—The Standard Capital Corp. has been formed to produce and finance a picture at a capitalization of $1,500,000, to finance production. In the incorporation papers, J. Chute, president New York financier, is listed as president; Lawrence W. Fox, Jr., vice-president, and Margaret Sullivan, secretary. The board of directors is comprised of George Arbusky, Garrettson Duliu, Daniel Ferguson, W. Atkins and J. Russel Fergen.

A flock of high and fancy, as well as influential names, these. If you get a kick out of coming events, their shadows and the like, somewhere you will be immediately above. For Standard Capital, which is doing no talking, is involved in (1) a deal for the purchase of rights of the major companies and (2) a pension financing program which will run into millions. Number two plan would supplant a new active grouping, through which is acquired its spot what with some of this and a lot of that brewing in Washington.

Trouble on the wing along Euclid Avenue and its outskirts. The Cleveland boys, who consistently refuse to hang well together, are in a dither again over the dual situation. The original agreement ruling twins out was wet in the first instance that it failed to plug the backdoor method by which new exhibitors, and the government, may further gump the gump theatre situation which has a persistent habit of prevailing in that city. But now that Max Leshikowich, president, and his associates, was out on it, who knows where the mess will go or how far. If there is any lesson at all in what Minnesota is aking place there, it is the emphasis anew which stamps itself on the obvious inability of groups in this industry to make a decision and then stand pat.

More tragedies looming out Hollywood way. The new California income tax program, when added to the Federal maximum of sixty-three per cent, would sock $1,000,000 incomes to the merry tune of $84,000. Who was it said that he was blessed above the poor or a tune to that effect?

Curtis, Fiske Fly East
Los Angeles, March 14.—John and William M. L. Fiske, 3rd, by plane for New York to-day to attend a First Division director's meeting on Monday. Nicholas M. Longfellow, president, will leave Sunday.

(Continued from page 1)

for the bill, Ramsay sent the follow-ing:

Would you be good enough to give us your opinion of the Pettengill bill and, if so, you think it is the proper keynot of appended program of progress in dealing with the motion picture?

Mrs. Flook replied: "The passage of the Pettengill bill would be an opening wedge for a broader program which would put churches, schools and civic organizations on a level with motion picture theatres, giving them equal opportunity to rent and exhibit the film on the day. In present circumstances the theatres have every advantage over many beautiful and lovely public auditoriums. There is no reason why church, school and civic organizations should not be as customers for the many good films now being exhibited."

"We do not want book booking. The National Congress of Parents and Teachers has decided on a policy which would permit the selection of the better types of motion pictures for promotion in church and school halls and civic auditoriums."

Sees Benefit to Welfare Work
"If the Pettengill bill becomes law, community organizations would have the same renting and selection privilege as the present theatre operators. Much splendid world service can be financed in every community from the proceeds of motion picture exhibition in church, school and civic auditoriums. Passage of the Pettengill bill would also bring about a wider and better photoplay."

Commenting editorially on the program, Ramsay says in the current issue of Motion Picture Herald:

"The National Congress of Parents and Teachers is hereby declared to be contemplating forcible entry, entry by law, or some other business to engage in exhibition in competition with the existing institution of the screen.

"The motion picture mechanism necessary to that end are on the open market, available to all who desire to make motion pictures. The National Congress of Parents and Teachers and all friends and affiliates have an entirely free opportunity to engage in the production and distribution and exhibition of any and as many motion pictures of any sort, as they may desire."

"That opportunity is not sufficient. They prefer invasion, expropriation, a special license to take from the 'exclusives' the amusement merchandise on which the whole industry exists."

Blumberg in 'Friso
San Francisco, March 28.—N. J. Blumberg, general manager of the RKO circuit, is here on his theatre inspection tour.

Zanuck Completes List
Alvin, Pittsburgh: First week without stage show, but tremendous business assures holdover.

Wisconsin, Milwaukee: Substantially ahead of great “County Chairman” grosses.

Fox, Philadelphia: Set for second week as it leads “County Chairman” and “Judge Priest.”

Buffalo, Buffalo: Far ahead of anything else in town.

Warfield, San Francisco: Packing them in faster than “Judge Priest” or “County Chairman.”

State, Richmond: Flood of ticket-buyers prompts manager to predict 3-week run.

Uptown, Toronto: Beating “The County Chairman,” day for day.

New, Baltimore: Powerful box-office pace indicates certain holdover.

WILL ROGERS
in
‘LIFE BEGINS AT 40’
with ROCHELLE HUDSON, RICHARD CROMWELL, GEORGE BARBIER, Jane Darwell, Slim Summerville, Sterling Holloway.

Produced by Sol M. Wurtzel
the state's tax program, as a protec- tive measure against the possibility of detrimental legislation in the future.

The producer, who was accompanied by Al Lichtman, William Phillips and A. C. Farnsworth, who are in the industry would locate wherever it would be assured that at no time in its existence would it be threatened by tax legislation.

Schenck, who asserted he had received a stay fromthe Florida Supreme Court, New York, Connecticut, New Jersey, North Carolina and Delaware with assurances no tax burdens would be placed on studios, proposed an amend- ment to California's constitution guar- anteening studios an equitable taxation system.

He said that if the high tax pro- gram goes through, Hollywood and neighboring communities would lose thousands of Film workers and a payroll of $100,000,000 yearly to some other state.

Campi Delays Action On Code Amendments

Campi yesterday noted receipt of a letter from Ed Kuykendall, president of the Screen Producers. A meeting with the M.P.T.O.A. committee on code amendments and Code Authority to discuss proposals adopted at the New Orleans conven- tion.

Because of the heavy calendar, Campi fixed the date for the meeting when a definite date for the conference will be set. Kuykendall appeared at the regular session yes- terday, but did not bring up the mat- ter.

Several matters which were taken up yesterday were put over until today when Campi reconvenes. The budget for last month was passed, but will be released later.

No appeals were heard.


Clarification Sought On Cameraman Hours

Clarification of working hours for newsreel cameramen the code will be undertaken by a committee of four appointed by Deputy Administra- tor W. E. Baker. Following a meeting of newsreel companies and unions held in New York on Wednes- day, it was reported.

The code now provides that news- reeL cameramen may not work more than a total of 320 hours in eight weeks. The point issue involves around an interpretation of how those hours are spent.

Jack Wagon of the Pathe News and Albert J. Richards of Paramount News are representing all five reels. Lou Krouse is representing the I. A. T. E. and O. J. Boy, the New York City cameramen's union.

Premiums Sweeping K.C.; In 60% of Detroit Houses

(Continued from page 1)

(Continued from page 1)

who starts distributing kitchenware at his Oak Park in a few days. Means that he has dispelled the notion long ago in which he fought the practice and conducted a vote banning things which later was declared illegal. He said he is forced to the measure because his theatre is "sur- rounded" by competitors running 10- cent nights and giving premiums.

Only a half dozen suburban theatres are still trying to resist the gift wave, some of these may be compelled to adopt similar devices before long.

Ferguson Asks for Secrecy on Ticket

William R. Ferguson, president of the Amia, yesterday advised the official nominating committee and the group main- taining secrecy on slates to be proposed. He also told the committee to check up on candidates for acceptance before submitting their names. All slates must be in the hands of Mel Heymann, secre- tary, by April 4. Elections take place April 25, two days before the Naked Truth Dinner at the Astor.

Various committees reported prog- ress on the big affair. Paul Benja- min stated there were about 300 tickets left. Next Thursday will be an open meeting, the last in Ferguson's re- gime.

Brandt Takes House In Jackson Heights

Branching into new competitive areas, Harry Brandt has taken over the Colony, Jackson Heights, L.I., a territory dominated by Skouras and the I.T.O.A. A head last week took over and has been well received by the Springer & Cologisl neighborhood.

Brandt has a deal on for four ad- ditional theatres. According to re- ports, Springer & Cologisl has nego- tiations on for the same theatres. Brandt hopes to close within the next few weeks.

Limiting his circuit to the local area, Brandt has turned down a deal the other for the Brandt, Nelson, Springfield, Mass., the Fox, Detroit, and the Fox, St. Louis.

Set RKO-M. & S. Hearing

Resumption of arbitration hearings on the RKO-Mayer & Schneider breach of lease charges involving film playing policies at the Hollywood and Apollo has been tentatively scheduled for Monday.

Goldwyn in English Deal

LONDON, March 28—Samuel Gold- wyn, who arrived on the Olympic, March 14, with a special letter from Korda to make scenes of English artists for "The Goldwyn Follies."

Fadiman Under Knife

William Fadiman, eastern story edi- tor for Fox, March 1, was designated by the Atlanta Journal and the New York Times as having "very satis- factory" last night.

Connecticut Lining Up Battle on Bills

NEW HAVEN, March 28—J. B. Fish- man, president of the M. F. T. O. of Connecticut, has called a special meeting of the organization for next Tues- day to discuss five bills pending in the legislature which are inimical to the industry.

On April 9 the Legislature will have on the calendar two bills, one for a five cent tax on gross admissions and another seeking a 50 per cent in- crease in the seating tax. The seat tax ranges from 25 cents to $8 a day.

On April 12 three bills will come up. They are: Two men in a booth, compulsory control device for each machine in a booth and a censorship bill.

Theatre men are worried over these five measures. Considerable attention is also being focused on the dog race- ing bill which comes up in the assem- bly on April 10.

Vetoes Connecticut Racing

HARTFORD, March 28.—Gov. Wilbur C. Cross last night vetoed a horse racing bill today on the ground that its gambling provisions would have made the state a "partner" in exploitation of its citizens. The veto was sustained in the House.

Consolidate Sunday Bills in Harrisburg

HARRISBURG, March 28.— Represent a consolidation of several open Sunday bills in the Pennsylvania session, a new bill has been presented in the House by Assemblyman Louis Crumb. It was introduced by Republicans Allen, Philadelphia and Thomas W. Barber of Erie.

It calls for a referendum in each municipality at the next municipal elections in November. If passed, Sunday shows will be permitted after 2 o'clock.

Another measure provides for 24 hours of rest each week for projec- tionists.

Independents File Schreiber Answers

DETROIT, March 28.—Attorney David Newman has filed briefs for the independent exhibitors in the suit brought against the independent exhibitors in the suit brought against the independent exhibitors for Carole Lombard, a federal court, charging Co-Operative Theatres of Michigan, Inc., and the local ex- changes with conspiracy to prevent him from getting product for his Coloni- nal.

Briefs have been filed by the plain- tiff and all others will be filed by April 1. The court has indicated that a decision will be given promptly after filing of these briefs.

Louis Paul to M-G-M

Hollywood, March 28.—Louis Paul, who won the O. Henry short story contest last year, has been signed by M-G-M.

Edna May Oliver and Elizabeth Allen have been given new long term contracts, too.

Miss Sullivan Loaned

Hollywood, March 28.—Margaret Sullavan will do her first picture away from Universal on a loan to Para- mount for "So Red the Rose" in exh- cution of the Paramount loan to Paramount for "So Red the Rose" in exch- cution of the Paramount loan to

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HERE THEY COME

FOR YOUR 1935-1936 BOX OFFICE UNIVERSAL ANNOUNCES 1ST

The HUNCHBACK OF NOTRE DAME with an all star cast

WATCH FOR THE OTHERS
McCarthey Says New Films Top 'Em All

(Continued from page 1)

"Les Misérables," Darryl Zanuck's re-make of Victor Hugo, starring Fredric March and Charles Laughton.

"It is one of the greatest pictures I have ever seen," McCarthey pronounced with emphasis, placing both hands on his desk and showing no signs of wavering.

"I have made 15 trips to Hollywood," he continued, "and I saw more good things on this trip than I have ever seen before."

Other novel product that came in for praise from him included Fox's "Life Begins," which is due out in May with Will Rogers, the two-forthcoming Janet Gaynor pictures, "The Parlor Tales of a Wife" and "Datue Inferno," 20th Century's "Richellei," with George Arliss, and M-G-M's "Naughty Marietta."

McCarthey, who is head of the Advertising Advisory Council of M. P. D. A., also said that Lipton Wilkinson will remain on the courts for a minimum of three months—reorganizing studio publicity methods in conjunction with a number of companies. If Wilkinson then succeeds, it will be necessary for the old timers to remain in Hollywood permanently he may do so, it was said. A principal reason for the weakening of the old giants was the strengthening of control over the release of stills, giving closer supervision of the releases to the actual heads of studio publicity.

Astoria Studio for Para, News, Is Plan

Eastern Service Studios will terminate its tenancy of the Astoria studio immediately on confirmation of the plan of reorganization for Prudence Bonds, Inc., holder of the first mortgage of $930,000 on the property. The new plan provides for leasing of the studio to Paramount Pictures.

Counsel for the Paramount trustees yesterday filed a petition with Special Master Frye to have the studio joined with Prudence in the latter's amended plan of reorganization, which calls for a $33,250 deposit by Paramount News as a guaranty of leasing performance and embody other minor amendments to the original plan. The Paramount News and Studio runs to July 1, 1941, at $133,000 per year. The Prudence reorganization plan in addition to this provides for the release of Paramount from all claims arising out of defaults on the mortgage, the discontinuance of litigation against Paramount News and of a foreclosure action on the studio mortgage begun by Prudence in 1933.

Olympia Theatres' Claim Order Signed

An order allowing the claim of Olympia Theatres against Paramount Publix at $1,824,562 upon delivery to Paramount of $2,234 shares of Olympia common stock and 6,509 of preferred was signed yesterday by Federal Judge Alfred C. Cote. The order expedites the reorganization of Olympia by averting the possible opposition to a plan of reorganization for the circuit which would make no provision for the claims of stockholders.


MOTION PICTURE DAILY'S

HOLLYWOOD PREVIEW

"People Will Talk"

(Paramount)

HOLLYWOOD, March 28—Deacting alternatively on dialogue and situations, this is an amusing farce with Charlie Ruggles and Mary Boland as an ideally married couple who find their daughter, Leila Hyams, quarreling with their son-in-law, Dean Jagger, over the latter's attention to Ruthelma Stevens on the young couple's first wedding anniversary.

When Miss Hyams leaves her husband and returns home, Miss Boland tells Ruggles they, too, must quarrel to show the youngsters how foolish fighting is. This staged fight starts innocently, but reaches serious proportions when Ruggles becomes involved with the vamp, Miss Stevens, and comes to a climax when the pair, during an innocent drinking bout, are later discovered asleep in the country club cloakroom.

Matters straighten out when Jagger arranges the fake kidnapping of Ruggles and Miss Boland. Ruggles, discovering the ruse first, puts on a grand fight with himself, while Miss Boland, sitting blindfolded, thinks he is beating up a large gang.

Director Alfred Santell has pointed out the dialogue in the scenes where the action lags and has made the lines secondary where the situations provide their own laughs. Herbert Fields has adapted from the Sophie Kerr stories, and F. Hugh Herbert introduces some old gags, but for the most part his material is new.

The supporting cast, which includes Edward Brophy, as a wrestling promoter, and Stanley Andrews, as an irate husband, is convincing.

The picture is well suited to round out a bill with a more serious feature.

Production Code Seal No. 671. Running time, 73 minutes. "G."

"Mister Dynamite"

(Universal)

HOLLYWOOD, March 28.—Marked by sparkling dialogue and farcical situations, this good mystery comedy loaded with laughs and suspense does credit to Dashiell Hammett's original. Thourestly entertaining all the way, it seems certain to click in most spots. Three murders and a suicide hit it out of the ordinary mystery category with the solution equally involved, however.

Edmund Lowe, who runs out of town regularly for shady activities with his companion, Jean Dixon, also slightly shady, annexes fat revenues for knowing lots and talking little. When Verna Hillie is suspected of murder, however, Lowe changes his tune and tries to solve a triple murder legitimately.

He finds himself in a tri-cornered romance with Miss Dixon, Miss Hillie and Esther Ralston, with the women doing most of the romancing. Lowe using them to solve the crimes. Miss Ralston finally is found guilty of murdering her husband, Victor Varconi, and the other woman.

Miss Hillie's heart is broken when Lowe gets shipped out of town again with Miss Dixon, which is all right with the latter duo.

Alan Crosland's direction is keyed well for suspense and laughs, with all performances good, as is George Robinson's photography.

Production Code Seal No. 692. Running time, 70 minutes. "G."

"Vagabond Lady"

(M-G-M)

HOLLYWOOD, March 28.—A brisk comedy romance, keynoted by sparkling fun, this runs the gamut of popular entertainment. Speed in witty situations and action together with surprise situations, give it the formula of madcap capers.

Refreshingly taking liberal theatrical license, the yarn is built up on familiar but uniquely handled triangle premise. Reginald Denny, proud of his family traditions, entrusts the care of his secretary-sweetheart, Evelyn Venable, to his madcap, irresponsible brother, Robert Young, while he goes on a business trip. The idea is that Young's wild antics will convince the girl that Denny is the only person possible for her marital consideration. Everything happens as expected. As he gradually falls in love, Young gives the girl a hectic time via a carnival night, boat ride route. The girl's amazement is heightened by the feeling that her fiancé father, Frank Craven, is abetting Young's romantic ambitions. Rushing back to Denny for peace and safety, Young is hilariously

Wall Street

Loew's Ptd. Gains on Big Board

Columbia vtc 6.4 6.4 5.1
Cons. pfd (14) 6.4 6.4 6.4
Eastman 6.4 6.4 6.4
Fox "A" 6.4 6.4 6.4
Loew's "B" 6.4 6.4 6.4
Loew's (695) 6.4 6.4 6.4
Paramount 6.4 6.4 6.4
Pathé 6.4 6.4 6.4
RKO 6.4 6.4 6.4
Warner 6.4 6.4 6.4

Trans Lux Rises 1/2 on Curby

Technicolor corp. 112 112 112 112

Para, Public Bonds Show Gain

Columbia to Stress Stars Next Season

(Continued from page 1)

specials in the group of 40 features, exclusive of eight westerns. Next season's schedule will probably find the list of specials doubled with more money spent generally on the balance of the program.

Prior to the departure of Jack Cohn and Abe Montague for the coast Sunday, all home office executives held a special session to discuss the picture and star situation. From the results shown so far this season, the consensus was for a substancial increase in the "big" picture group and a need for additional stars.

It's understood that the star angle will be stressed in the new season's policy. Jack Cohn and Montague are due back from the coast early next week by plane. They will be accompanied by Harry Cohn on the 1935-36 line and convention plans.

Color Pictures to Disturb $116,982

Color Pictures, Inc., which dissolved recently, has $116,982.86 available for distribution as a result of sale of 5,313 shares of Technicolor stock. This amount to 52 cents per share on the shares outstanding at the time of the dissolution.

Stockholders have been instructed to surrender at the Bank of the Manhattan Co. the receipts which they received in the "big" picture stock. That no action occurred, so that checks can be mailed to them.

Chaplin Names Picture

HOLLYWOOD, March 28.—Charles Chaplin has selected "The Masses" as the title of his present picture now in work under the name of "Production No. 5."
Purely Personal

WALTER ABEL, recently starred here in the Broadway hit, "Merrily We Roll Along," has finally left for the coast to report to Radio.

PAT REIS, HOWARD DIETZ'S secretary, kissed BILL FERGUSON in public yesterday when the AMGA president gave her a fountain pen for her birthday, which was Wednesday.

THORTON DLEHANY, film critic on the New York Evening Post, sets sail from this port on March 31. Objective: England and the Continent.

JOSPEH S. HUMMEL, foreign foreign sales manager for Warners, sails tomorrow on the REX for a four-month tour of European offices.

Quip of the Day
Louis Nelsoa of the Nelsoa & Renner circuit dropped into the Paramount exchange around the noon hour for rebate on his contract.

He didn't get far when Henry Randel, Brooklyn manager, told him the showmanship department was closed for the day.

"Furthermore," Randel said, "it's a losing proposition so we've decided to drop it altogether.

HOWARD S. CULMAN, trustee of the Roxy, was in Albany yesterday conferring with Governor LEHMAN.

GEORGE KURILANSKI of the Allen-town, Allen-town, Pa., was in town yesterday on a premium deal.

Ed LEVY of New Haven was a visitor yesterday. He claims he came to town to buy his wife a spring outfit.

BUNNY KUSSEL picked a rainy day yesterday to get out of bed after being down eight days with a cold.

CHARLES GOODWIN of Philadelphia was around the Film Center Bldg. and premium houses yesterday.

HARRY H. THOMAS, who has been down with a cold the past two days, is expected back at his office today.

KATHERINE BROWN, eastern story editor for Radio, leaves today for the coast. She will be away three weeks.

FRANK FALARY, European story scout for Paramount, has arrived on the coast.

The Moo SILVERS are blessed event.

At FREDERAND arrived from the coast yesterday by plane.

HARRY D. BURLEY has returned from a three-day visit to Pittsburgh.

Cleveland

LEW WASSERMAN, the Circle's manager, has booked LANE PENNIMENT as the added stage attraction. FRANK PHILPS of the Warner home office gag, in town for a couple of days... NAT WOLF, Warner zone manager, chaperoned by DAVE HAFER and SID DANNENBERG, made a tour of the Goodwill of the southern part of the state. . . . A new record gross was hung up when the RKO Palace receipts added up to $11,300, with "Vandites" on the stage sharing honors with "Murder on a Honeymoon." Previous record was held by Fred WARING. . . .

ST. LOUIS


Re-Sign Hall, McCoy

HOLLYWOOD, March 28—Al Hall and Leo McCray, directors, have given new tickets at Paramount. Hall is working on the new Mae West picture at present and McCray is mentioned to direct "The Milky Way," though not definitely set as yet.

Majors Agree To Duels for K.C. Houses

(Continued from page 1) that it wants to protect its first run here, the Newman. However, the Newman committee informed the company it will release a large number of pictures for twin bills.

According to Jay MEANS, I. O. T. O. president, legally and in accordance with Campi rulings duals cannot be prevented from playing on the spot designated for single houses when the exhibitors are willing for the balance of this year to set them back 28 days.

Recently Warners conceded its features might be dualled by subsequent when played with stage shows at the RKO Mainstreet and Tower, first runs, but not after they have been shown alone at a first run, Columbia and Universal, at first designating only certain hustings. Dualling, later permitted the practice on some pictures with a 28-day delay in clearance. Other companies insist on single billing of all pictures that receive a first run, but otherwise they may be dualled at subsequents when available. Until this year the company was permitted on practically all product.

The I. O. T. O. committee, headed by H. POLK, and including ED HARTMAN, Rube FINKELSTEIN, J. P. RIGGS and J. W. COTTER, is continuing its work in an effort to obtain agreement on all sides.

Milwaukee for Dual Ban, Price Boosts

MILWAUKEE, March 28—A plan for a general increase of prices in Milwaukee and the elimination of premiums is being worked out by a committee of the I. T. P. A. of Wisconsin members, consisting of Charles Washichack, chairman, Ross Balford, E. Langeman and James Keefe.

The plan is contingent upon the downtown situation and it is hoped to secure the cooperation of Warners and Fox.

Canton on Duals 100%

CANTON, March 28—All nine houses here are showing duals this week for the first time. Loew's went on a dual basis for the second time in five years. The Palace has been using the policy occasionally.

Talk Cleveland Ban Today

Cleveland, March 28—At the request of local exhibitors a hearing will be held Friday morning on an injunction to stop duals in the University. Pending a meeting of the exhibitors' association in the afternoon, other theatre men are holding in abeyance a threatened move to go dual.

Asher Hearing Monday

HOLLYWOOD, March 28—The hearing scheduled for yesterday before the Academy Conciliations Committee on Nite, for which the film was postponed until next Monday. The studio held Asther in default on two pictures while the actor was in Europe when he was wanted for work.

It is understood it is now ready to compromise on one film.
See it...

AND YOU’LL SELL YOUR HEAD OFF!

Ask your FOX Exchange for a screening of...

"$10 RAISE"

Don’t form any opinions about it... before the showing.

Make it a party... with your wife, your friends, her friends... or anybody else who’s ever asked for a raise. (Note to the boss: And who hasn’t?)

If you don’t laugh till you ache at the headaches of the timid Romeo hero... we’ve never seen a comedy.

And if you don’t decide to back it with every trick in the bag... we’ve never seen a showman!

SENATE BILL IN TO EXTEND NRA 2 YEARS

Provides Monopoly Curb, but Is Only Tentative

By BERTRAM F. LINZ

WASHINGTON, March 29.—Extension of the Industrial Recovery Act for two years from June 16, so amended as to apply only to interstate industries and restricting the exemptions from the anti-trust laws, is provided for in a bill introduced in Congress today by Senator Pat Harrison of Mississippi.

Harrison, who is chairman of the Finance Committee, emphasized that the measure is purely tentative and subject to amendment, and at the same time found necessary as a result of the investigation of the operation of the law which his committee is now making.

Judge Delays Action on Cleveland Duels

CLEVELAND, March 29—Common pleas Judge Dempsey today postponed until tomorrow a hearing on a petition for a temporary injunction against the University Town playing duals in order to have time to read two earlier decisions involving the same feature agreement.

These earlier stays were granted by Judges Skeels and Corlett, but

Court Move to Stop “Fury” Cuts Looms

Judge M. A. Musmanno of Pittsburgh is disturbed over reports that the New York censor board contemplates cuts in “Black Fury.” He

Start of Coast Clearance Meets New Postponement

After three and a half hours of discussion on the Fox West Coast petition with its clearance and zoning committee, Code Authority yesterday unanimously ruled that the plan will not go into effect Sunday, as originally scheduled, and at the same time invited any and all coast exhibitors objecting to the schedule to be heard in New York at a future date.

The Los Angeles clearance and zoning board was notified by John C. Flinn to invite theatre owners affected by the plan to get together and agree on a date for the Campi hearing. After the regular Code Authority session on Thursday, Charles L. O'Reilly, Paul Lazarus and Sidney Justin, the clearance and zoning group, met with William T. Powers, attorney, and Edward Alpersen, film buyer of F.W.C., from 4 P. M. to 12:30 A. M., during which time Alpersen suggested that all sides be heard on the plan before it is put

Wotta Town!

Columbus, Miss., March 29.—This town now has two claims to fame. It's the home of Ed Kaykendall and a man got lost here.

Having arrived from Jackson, Miss., the stranger found a boarding house and went out to see the sights. They bluffed his vision, so the next day he inserted an ad in the local paper asking help in finding that boarding house.

Legislative Fights Acute in 4 States

Legislative battles are now acute in four states—tennessee, Pennsylvania, Michigan and Delaware. In Tennessee and Pennsylvania admission tax bills are stirring general agitation; in Michigan it's a censorship bill modeled after the Ohio law, and in Delaware exhibitors are battling a dog race measure.

Tenn. Fights 10% Tax

MEMPHIS, March 29.—Exhibitors, convinced on Nashville this week to fight the proposed 10 per cent amusement tax which has been favorably

Seek Theatre Fight on Taxes via Films

PHILADELPHIA, March 29—Theatre men are urged by the Independent Exhibitors Protective Ass'n in its latest bulletin to take advantage of the opportunity afforded by their

Objections to More Para. Claims Heard

Motions to expunge claims against Paramount in the total of $191,972 were taken under advisement by Special Master John E. Joyce following a hearing yesterday.

The claims included that of Tobin-Thonhild for $111,119; Warner Bros.,

Para. Trustees Shy Off Answer to Erpi

Unless directed to do so by Special Master John E. Joyce, counsel for the Paramount Publici interests will not affidavit attacking the terms of Paramount's new domestic recording license agreement with Erpi. The attack was made by Ralph Votier, representing a Paramount bondholder, who, the trustees' counsel contends has not been granted the right to intervene in Paramount's reorganization proceedings and hence has no legal standing.

Charles Skouras on Coast to End Drive

LOS ANGELES, March 29.—Although he was not due until next week, Charles Skouras arrived late tonight by plane from New York. He wanted to be on hand for the windup of the 13-week drive in some of the Coast houses which ends Sunday night and

Fox Petitions For Rehearing On Tri-Ergon

Assertions Court Erred in Flynn Wheel Ruling

By CLARENCE LINZ

WASHINGTON, March 29.—William Fox, in a last minute effort to establish the validity of one of his two litigated American Tri-Ergon patents, filed a petition here today for a rehearing by the U. S. Supreme Court of the Winder & Vincent and Altons Publix case, involving the so-called flywheel patent.

According to the final day on which Fox could make his application. No petition for a rehearing of the Paramount-Flywheel patents involving the double print patent, was filed. Thus, Fox serves notice, by not contesting the Supreme Court ruling holding this patent to be invalid, that he has

(Continued on page 2)

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(Continued on page 2)
**Wall Street**

Loets" Inc., Gains ½ on Big Board

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Small Losses on Curb

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**Scandals” in Roxy**

"Scandals" in White’s 1935 "Scandals" has been booked into the Roxy starting April 26.

**First Division List To Be Set Next Week**

Conferences on production plans and sales of First Division Prod. start Monday when the board of directors will decide whether or not to push forward with plans which are expected to last a week. John A. Curtis, vice-president; George Williams, manager; and Frank South, director of the production unit, are in session for the week, and Nicholas M. Ludington, president, will arrive by plane Monday. Al Frieslander and William M. Fiske, representing the exchange division, will stop in to attend. Henry Hobart, in charge of production, may arrive next week. No total of pictures has yet been definitely decided, Curtis stated yesterday. He said the company was negotiating with a number of producers and stars and would make an announcement of all details following the sessions. Curtis denied that the remainder of the Second team and four Fourth club westerns are being turned over to another producer.

"Colonel" Is $84,000 Draw at Music Hall

(Continued from page 1)

yesterday. It will be held two weeks at the Albee, Brooklyn, however. "Naughty Marietta" at the Capitol tallied $38,000 for the first stanza. Next Friday “West Point of the Air” goes in.

Second week of "The Wedding Night" at the Rivoli ended with $20,500, while the Strand was on the second week with "Gold Diggers of 1935" grossed $13,500.

**Brower Now Director**

Hollywood, March 29.—Otto Brower has been signed to a new one-year directorial contract by Darryl F. Zanuck, of 20th Century-Brower, formerly with Paramount and Radio, who is director of assistant on "Call of the Wild."
Legislative Fights Acute In 4 States

Plan Harrisburg Protest

Philadelphia, March 29.—A large group of exhibitors, representing both the M.P.T.O.A. of Delaware and Eastern Maryland, led Delaware exhibitors in the fight against the dog racing bill. Exhibitors from Wilmington, Middletown, Dover, New Castle, Seaford, Harrington, Rehoboth, Milford, Laurel, Smyrna and Georgetown were at the meeting.

Michigan Censor Bill In

Duluth, March 29.—A bill providing for a state censorship board of three, to be appointed by the Governor for three-year terms, has been introduced by Representative Edward H. Fenlon of St. Ignace.

Cost of administration would be paid from fees assessed exhibitors and exhibitors, Fenlon said. The bill is patterned after the Ohio law.

Act on Ohio Walkathon Ban

Columbus, March 29.—The Senate today passed Senator Philip Wolf's bill to prohibit dance marathons, walkathons and other endurance contests lasting longer than 24 hours. House concurrence is expected as there is practically no opposition.

Oppose Delaware Dog Tracks

Dover, March 29.—A. A. J. Yanni, Warner zone manager, and A. Joseph DeFiorre, president of the Independent M.P.T.O.A. of Delaware and Eastern Maryland, led Delaware exhibitors in the fight against the dog racing bill. Exhibitors from Wilmington, Middletown, Dover, New Castle, Seaford, Harrington, Rehoboth, Milford, Laurel, Smyrna and Georgetown were at the meeting.

Arizona to Settle Tax

Phoenix, March 20.—Arizona is calling a special session of its legislature on April 10 to settle the theater tax situation which was originally scheduled to be heard March 15.

Horlacker Starts Monday

Horlacker Film Delivery Service resumes operations in New York Monday after an absence of five years, during which time the company had an agreement with Stern's to pick up Local and Paramount films. After the elimination of the route in Philadelphia, Baltimore, Washington and Norfolk, Va., this agreement has expired.

Under the new schedule, three trucks will leave daily for Philadelphia and connecting points. James Clark, president of the National Film Carriers' Ass'n, is also head of Horlacker. Louis Moltich, who inaugurated the interstate service for the company five years ago, is manager of the local office.

Clark was in town yesterday and is due again on Tuesday.

Objections to More Para. Claims Made

“Four Hours to Kill” (Paramount)

Hollywood, March 29.—Constructed a la “Grand Hotel” with the major setting the theatre lounge and smoking room. While the show goes on and during intermissions, this melodrama intertwines for unique and vivid interest Richard Bartheswell, killer on his way to cell 29 at Alcatraz here, X-ray infinity Roscoe Karns, an expectant father; Joe Morrison, an usher studying law; Helen Mack, his sweetheart; Dorothy Tree, an usherette teamed with Noel Madison as a pair of blackmailers; Henry Travers, house manager; Charles Wilson, a detective, and varied personalities of the audience.

Skillful and agile, is this production. It is done with surgical precision emphasizing realistic, cynical qualities rather than romance and heart, which are present, however. The action builds toward a finely sustained, dramatic denouement.

A fast and splendidly portrayed, strives for appeal. Karns nearly steals the show. Others in the cast contribute neat vignettes.

Arthur Horniblow, as usual, produced, with dexterous expertise. Mitchell Leisen directed well. Horniblow’s plans call for music and the photography add to the good production values. Sold as a novel thrill melodrama it should register nicely.

Seek Theatre Fight On Taxes via Films

“Robertas” Is 3d Week Top On the Coast

Los Angeles, March 29.—“Roberta” was a third-week sensation at the Hillstreet. It held up to $12,400, over the $12,225 of “Marjorie Morningstar.” Total first run business was $72,225, Average is $91,200.

“Robertas” is for the week ending March 27:

“AFTER OFFICE HOURS” (M-G-M) $8,600, 6 days, Gross: $5,600. (Average: $933)

“LITTLE FRIENDS” (Pathé British) FILMART: $6,950, 49c-55c, 7 days. Gross: $2,200. (Average: $314)

“SCARLET PIMPERNEL” (U. A.) 4-STAR, (900), 49c-55c, 6 days. Gross: $5,900. (Average: $983).

“ROBERTA” (Radio) HILLSTREET: ($2,100), 26c-55c, 6 days. Gross: $6,000. (Average: $1,000)

“ROBERTA” (Fox) WALTERS, ST. LOUIS: $1,000, 25c-55c, 6 days. Gross: $2,100. (Average: $350)

“ROBERTA” (Radio) WARNER BROS. (Hollywood): $1,000, 25c-55c, 6 days. Gross: $1,215. (Average: $202)

“ROBERTA” (Para.) WARNER BROS. (Hollywood): ($1,000), 25c-55c, 6 days. Gross: $1,215. (Average: $202)


“DEATH FLIES EAST” (Para.) THE KILLER: $1,000, 26c-55c, 6 days. Gross: $1,500. (Average: $250)

FANTAGES (5,000), 26c-55c, 6 days. Gross: $1,000. (Average: $167)

Alleged Owners Vote Fixed for April 19

Creditors of Allied Owners Corp. will vote April 19 on continuation of the company’s plan of reorganization which provides for theatre purchase agreements with Loew’s and Paramount, it was decided yesterday at a hearing before Federal Judge Robert M. Carter. Although a preponderance of the company’s creditors represented at yesterday’s hearing indicated sufficient support, Judge Carter declared that he would take the vote in order to comply with agreements between Loew’s and Paramount to withdraw from committees which favor the plan. Inasmuch as the plan requires approval at a state court only a week ago, it was felt that insufficient time had been afforded to dissenting-out-of-town creditors for withdrawal. It is expected that a few creditors may withdraw, but not a sufficient number to affect confirmation of the plan on April 19.

Nobility acts and specialty performers are being sought by Paramount for three new picture. Ben Gazzara, talent scout for the company, is in town with Benjamin Gazzara, producer, on a two-week search for talent. The pictures for which unusual personalities are sought are: “The Big Broadcast of 1935,” “Sailors Be- hinde” and “The Plot Thickens.” The general purpose here is to compete with Vinton Freedly on “Any- thing Goes,” which Gazzara will make.

Pathe makes the announcement to the New York Stock Exchange to list $36,032 shares of 1 per common stock. Pathe’s recently approved re- organization plan authorized the issuance of 2,000,000 shares of new common stock.

Delay Roxy Stock Suit

Trial of the Chicago Title & Trust Co. suit for $1,000,000 from William Fox and Fox Timers Corp. as a result of defaults on the redemption of Roxy Theatre stock, which was decided to begin yesterday in state supreme court here was postponed to April 5. Indications are that the suit will be set for trial beginning April 8.

Fox Met Plan Aided

Permission for Fox Theatres Corp. to reincorporate out of state on a plan of reorganization for Fox Metropolitan Playhouse was granted yesterday for Federal Judge Martin T. Manton, who has jurisdiction over the theatre’s receivership. The date for a creditors’ hearing on the plan has been set back from April 12 to April 15.
Coast Zoning Start Again
Is Postponed

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into operation. He stressed the fact that there was no immediate necessity for putting the schedule into effect Sunday, since F.W.C. has been cooperating with other exhibitors for the past year and a half waiving protection when the emergency arose.

Alpersen offered to devote all of his thirteenth year business to work with Campi to operating with the clearance and zoning committee on the schedule and pointed out that before Campi puts into operation a plan that will be the pattern for the rest of the country it must be well considered, fair and equitable to all parties concerned. He also asked that no favoritism be shown.

It is understood F.W.C.'s petition presented 13 clearance situations and that there are about 40 complaints from independent exhibitors which have never been heard.

In holding up the schedule, Campi feels that it wants to satisfy all concerned as far as possible, so that there will be no boomerangs later. It is said that the report of the Los Angeles board was insufficient to guide the clearance plan and that every exhibitor in the territory should have been given a chance to have his say.

Court Move to Stop
“Fury” Cuts Looms

(Continued from page 1)

threatens to seek an injunction if eliminations are ordered.

According to reports, the New York censors regard some of the scenes as objectionable.

“The board, I presume,” says the judge, who is the author of the story, “is particularly concerned about my treatment on the screen of the story of the murder of John Barosky, an Italian miner, said to be one of the worst, but the fiction, and I cannot understand upon what basis the New York censors can conflict with the story. Judge Musiano wired the New York board asking its attitude on the situation.

When asked about the matter, Irwin Esmond, director of the board, yesterday said that no action had been taken on the picture.

“It was submitted and withdrawn,” he said. “It has just been returned. and will be viewed as soon as possible.”

Judge Delays Action
On Cleveland Duals

(Continued from page 1)

the decisions upheld the validity of signatures to the general agreement. In this case, however, the question is whether it has the right to grant a stay.

Attorneys for the University said today they intend to attack the validity of the agreement for the first time. Previous cases have covered only the validity of signatures. The next move makes the University the complainant rather than the defendant.

Throttle Pushing

By H. E. N.

ATLANTA, GA.

We have often heard, during many years of throttle pushing, of some 350,000 miles, that shop-worn expression: No exhibitor can make a profit by showing one company's product if two Stewarts, T. Murray, owner of the Kialto which seats 1,000, and is a downtown first-run house, will back this theory sky high and is doing so well with an exclusive feature policy that he is not afraid to tell the world about it. He points out that they are selling premium or double features, but operates and sells with intelligent exploitation campaigns the features that merit them. In addition to the feature, his program consists of a two-reel cartoon, “Screen Snapshots,” new and cartoons. This setup was inaugurated in August of 1934 and has continued without interruption ever since. Bill has consistently sold his feature trade mark to the public of Atlanta. Oh yes, but you must forget to tell you the name of the distributor, Columbia. Murray states that he will run five weeks: “Night of the Living Dead,” “Night of the Living Dead,” three with a repeat of one. The above set-up has no tricks tied to it and is a flat rental proposition, and Murray takes them all.

“Prints in the Theatre and Money in the Bank” was the slogan inaugurated last June in the New York office. Bromberg, sales force, distributors of Monogram for Charlotte, Atlanta, Tampa and New Orleans territories. In appreciation of the good work done by his sales staff, Bromberg is giving his boys two weeks’ vacation, a trip to the coast, a $10-a-day incidental account, and all expenses paid. A side trip to the Grand Canyon and a journey to San Francisco and a detour to Tia Juana are included. The trip includes a round trip to Hollywood to make the trip with Bromberg: Charlotte, H. H. Everest, Cy Dillon, Jack London, Miami, John Mangham, P. H. Savin, Henry Glover; Tampa, Carl Floyd; New Orleans, Loe Seischmady, Ed Orte and H. Y. Harrell, from the New York office, has just returned from a trip through Florida, states that the outlook for business in that state is bad for the coming summer.

KEY WEST, Fla.

The F. E. R. A. has cleaned up this city and beaches and is now operating the palatial Flager Hotel. The influx of tourists this winter, under a publicity campaign by the government, has drawn many visitors. Senator Juan Caroncell of the Monroe and Beaucana of the Palace have done very well indeed. Caroncell has opened a walls-to-walls campaign on the downtown section with atmospherically “Carmens” and husky turtle harpooners in attendance.

EUSTIS, Fla.

Herbert Walshe, who has been operating the Eustis for the past five years, has lost his lease. The big popular showman plans to go elsewhere.

MORE FROM ATLANTA

Oscar Oldknow, general manager of National Theatres Supply, will let contracts for two 1,400-seat suburban house at North Ave. and Techwood Drive. This three-story product is at the center of the new government housing project which is building 3,000 unit apartment homes here. Triple A in a contract with balcony, costing $100,000, is planned. The theatre will be known as the Techwood and will open some time in April. With these, Oldknow will leave soon for the coast and will spend the summer at Malibu.

“A Film Clearing House,” in which the family of John Eckell and Uncle Claude spring into the limelight with an innovation on formulating film that could be well adapted in the Rocky Mountain section and the Northwest, has just completed the center of this territory. It is annually saving the exhibitors of this territory thousands of dollars in transportation costs. Daily, this organization keeps track of all film collected at its depot and ships it via American Railway and Southeastern. It has shipped to all points thereby cutting express rates 95 per cent. In cities where there are more than one account, shipment is made to the theatre, and the same is broken up. On the return shipment of film, a saving of 25 per cent of the original forwarding charge is made by theatre. Some 200 accounts are being handled daily by this organization which has never had a missent.

“Dusty” Rhodes, booker for the Roy Martin circuit, tells us that the new theatre this circuit will open sometime in May at Sylacauga. Also this picture will be one of the few first run houses in the Ritz and sent 1,000. The Martin circuit now comprises 25 houses.

Love B. Harrell, a well-known figure and attorney in southeastern film circles, has gone back to his first love, the ministry. Rev. Harrell is now associate pastor of the Wesley Memorial Church, this city. Mrs. Harrell is operating the hotel room in conjunction with the church, where well-known figures of the industry may be seen every now and then. Mrs. Weltingham Wood and Mrs. Violet Edwards, Georgia exhibitors, entertained friends here the other day.

Pickets at Mayfair

Sign Writers’ Local No. 230 yesterday began picketing the Mayfair and Astor following a recent switch between the branches of the union to have been made by the two houses. Metropolitan circuit houses recently extended their agreement with the union shops to Oct.

Stephen Albu Passes

DETROIT, March 29.—Stephen Albu, veteran exhibitor, died unexpectedly from an operation for stomach trouble. He has been in operation of the Priscilla for the last four years.

Senate Bill
In to Extend
NRA 2 Years

It was introduced, dedicated to quell the threatened flight from the codes which has been reported.

The bill provides that all existing codes will be extended for 90 days, in which period they are to be thoroughly surveyed to determine what code provisions that have them conform to the anti-monopoly and other provisions of the new law.

While the legislation provides that only interstate industries shall be covered, observers in Washington believe that exhibitors will continue until other codes and interpretation in the bill applying codes to industries which “substantially affect” interstate commerce.

Copied verbatim, the proposed law must not promote or sanction the creation or maintenance of monopoly, or of practices, plans, or practices of any competitor, discriminate against, or narrow or sanction devices for fixing prices or controlling the sale or distribution which are repressive of fair competition.

Violations of code provisions would be punishable only by fine.

Charles Skouras on
To Coast End Drive

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also confer with Reeves Espy, who leaves F.W.C. tomorrow to join Samuel Goldwyn.

Skouras did not plan to return un- til the 10-year operating pact with National Theatres had been signed in New York on Thursday morning, but Leo Spitz, personal attorney for the Skourases, is handling the washup of the contracts for F.W.C. operating heads.

The contract, retroactive to Jan. 1, 1935, will expire Jan. 1, 1945. It calls for a flat salary to both Skourases with a 1 per cent graduated percentage of the profits.

Sypors, vice-president of National has signed a contract with Fox West Coast Theatre Corp., is due next week via the air lane. S. R. Kent flew in Thursday and Edward Zabel, Charles’ secretary, left New York Wednesday by train, stopping over at Milwaukee to see his parents for a few days before continuing west.

On April 1, F.W.C. will start another 13-week drive.

Conferences on the Skouras Brothers 10-year contract with National Theatres for operation of Fox West Coast and other National subsidiaries are not expected to finish up for another three weeks. Signatures in all cases are expected well before the end of April or the beginning of May.

Principal details are set, but variation in the language of some of the clauses is holding up the signature.

M-G-M Signs Three

Hollywood, March 29.—M-G-M has signed for Fox West Coast, B. John Harrington and Percy Waram.