Loew Waivers Ordered Ended On Protection

Columbia Set For 48 with Westerns Cut

Blame the NRA

Notes Purchased Secured By Subsidiary Stock

Local 306 Men Ask Sherman to Resign

New Officer To Get Code Enforcement

Minnesott Decision Bumps Arbitration

M.P. Research Council Seen After New “Front”

Consolidated New Force In RKO Affairs

Vancouver Excited Over New Film Plan

Talley and Stallings Summon Big Meeting

No Issue Wednesday
Published daily except Sunday and holidays by Motion Picture Daily, Inc., subsidiary of Quigley Publishing Co., Inc., Martin Quigley, President; Calvin Brown, Vice-President and Treasurer.


Executive Editor-James A. Cron

Editor-In-Chief and Publisher-Martin Quigley

Advertising Manager-Maurice K. KANE

Missionary of the Month: The Rev. W. E. Waller, A.B., operates the Hwa-Sin Mission in China under the care of the American Board of Commissioners for Foreign Missions.

“purely personal”

JULIUS S. FISHER, publicity

director for Amalgamated Theatres, Ltd., Singapore, sailed Saturday on the Britannic after a three weeks’ vacation.

CHARLES GIBSON WHITEHEAD, associate producer of Colored Photoplay Co., Inc., is the proud father of a nine month daughter. He plans to name the heiress Dolores.

LEX DALY of the U. A. foreign publicity department, ended the uncertainty Friday evening when his final sales argument went across and RUTH STRIPLEING became his wife.

Most BLUMENSTEIN, in charge of theatre advertising for Warmers, is off again on a business trip. Stops will be Cleveland, Philadelphia and Atlantic City.

EUGENE BURKE left for Hollywood yesterday after completing the script of Shirley Temple’s next for Fox, and returned to New York Saturday.

BILL ORE of M-G-M observed a 25th wedding anniversary over the week-end at his home in Oaklands.

RUBY KEELE, now vacationing with AL JOLSON in Scarsdale, returns to the coast July 23.

GENEYETT, Tom, arrived from Europe on the Benares.

CHARLES O’REILLY finally goes to Omaha this week.

IRVING MANNES of Chicago will be here for a few days.

Take Two Lincoln Spots

LINCOLN, Neb., July 1—The Westland Theatres Corp. of Denver has taken over the Rialto and State, acting through an affiliate incorporated as Cornhusker Theatres.

The two have been operated for the past two years by a local independent, with occasional closing periods. The State, renamed the Kiva, will use first runs, while the Rialto continues seconds.

New Newburgh Company

ALBANY, July 1—New York—New York. The New York Central Corp., Newburgh, has been chartered with capital of $5,000. Henry Wilson, Pataline Hotel, Newburgh; Alice Nelson, Salisbury Mills, and Alexs Beckerich, White Plains, are the incorporators.

Six Spots Change Hands

OMAHA, July 1—Six theatres in Iowa and Nebraska within the Omaha distribution area changed hands last week.


DARLING, W. A. Clark, Sterling, Busey Hill, Neb., has turned over the Rialto to the Omaha States Theatres Corp., Rialto, Missouri Valley, Ia.

Two houses closed: Bailey at Missouri Valley, and the Table Rock at Table Rock, Neb.

Zanuck Nearly Killed

LONDON, July 1—Darryl Zanuck was seriously injured by a spurs to death by cattle in South Africa, according to cable reports received here today. The beasts resumed being photographed, it is reported, and charged the cameras.
Campi Sets Up Special Plan On U.A. Cases

Special procedure for hearing and disposing of U. A. 10 per cent cancel- lation complaints has been set up by Campi, according to a new communiqüe. This question has had Campi in a state of uncertainty for several weeks. A decision from the Chicago grievance board, which is to be made any time before buying, on the case referred to the Campi grievance board, has not been received, according to the campers. It is expected that the Campi grievance board will receive the case for consideration.

If the protestant has not bought the entire group of pictures then he can not cancel on individual contracts and the case will be dismissed without further ado. However, if it is found that the exhibitor purchased all the pictures, the Campi grievance board, as a result of the ruling, will be required to be heard by the Fair Trade Adjustment Agency, which will attempt to settle. Failing to arrive at a settlement, the case will be heard by the Campi grievance board.

In the case of the Egyptian, DeKalb, III., Code Authority did not have a decision from the Chicago grievance board and so did not know whether the exhibitor had bought all of the 21 pictures of the month. This is required to be heard by the Campi board in the Windy City this week, and if it is found that the exhibitor did not violate the code, the case will be dismissed.

Dowley Talks Fight On Canadian Charge

(Continued from page 1)

against him in the suit of the Canadian Performing Rights Society over the music copyright tax.

Dowley denies that if the Court of Appeals confirms the judgment he will organize independents to demand an investigation of the score situation in Canada. Dowley is a member of the Parliamentary committee at Ottawa.

He insists that he is willing to pay the performance tax and that he will not appeal the judgment. He is, however, willing to challenge the Canadian law on the merits of the case.

Wisconsin Men Hit Company Trailers

MINNEAPOLIS, July 1—Resolutions opposing the sale of trailers by M-G-M have been adopted by Independent Theatre Owners Ass'n at Lake Geneva. The resolution says that the members will not buy M-G-M trailers.

Plans for an independent trailer show, which would reduce the selling price and would be independent of the M-G-M trailers, are to be discussed at the meeting. The resolution also includes the same statement about Warner-First National product.

Dayton, Tippacene Rezoning Completed

CINCINNATI, July 1—The local clearances and rezoning board yesterday zoned the Dayton territory, and Tippecanoe, with the county board, which both of which protests have been filed.

Greater Cincinnati and Columbus territories were zoned last week as a result of the protests of objections of operators, which were heard by the Board of Appeals, and the hearing of the objections was continued.

Dismiss Phila. Cases

PHILADELPHIA, July 1—Two cases have been dismissed by the clearance and zoning board. In both cases, the Boulevard of Brookline vs. Airdmore, and the Canco vs. the Harvard gate, the plaintiffs did not present sufficient evidence that clearance was unfair.

M.P. Research Council

See After New “Front"

(Continued from page 1)

The Motion Picture Research Council building just prior to the annual meeting of the N. E. A. was to lay out a program that would bring it out of the shadows created by the church crusade for clean films. The decision of the council to call a national meeting in Chicago and invite all religious and educational groups strengthened this impression.

The resignation of Mrs. Belmont, who had called the meeting here, and her failure to attend caused considerable comment among the group who were unexpressed expressions indicated that the plea of overwork was merely an alibi to cover up friction within the organization. The resignation of Mrs. Belmont, however, were reluctant to discuss the matter.

That the council meeting was held at this time in an attempt to develop a program for submission to the educators was indicated with pub- lication of the N. E. A. agenda. On Monday, Robert P. Wray of the Pennsylvania State College will discuss the "Relation of Motion Pictures to Standards and Morals," and the following day an entire session of one group will be devoted to the film situation, with Dr. Cline M. Koon of the Federal office of education speaking on the "Relation of Films to Radio and Classroom Instruction"; Rita Hoehn, assistant director of visual instruction, New York public schools, on "Motion Pictures as a Source of Visual Instruction"; Hilda Marie Djiler, research department, Washington public schools, on "Motion Pictures vs. Classroom Instruction"; Howard M. Leosard, Boston University Graduate School, on "Motion Pictures in Preparation for Use in Character Education"; and C. F. Huban, Pennsylvania State Department of Public Education, on "Report of the International Conference on Motion Pictures."

On July 5, the report of the M. P. Research Council will be taken up in N. E. A. group by Dr. W. W. Charter, director of the Bureau of Educational Research of Ohio State University, in an address on "The Effect of Motion Pictures on Chil-

Talley and Stallings

Summon Big Meeting

(Continued from page 1)

meeting of European forces will be held to discuss plans for the newsfeed in the fall.

Arrangements are virtually perfected for coverage in Soviet Russia. Present at the at the "Kaskell" newsfeed in the Winter Olympics were: Gerald Sanger, editor of British Movietone News, heading a delegation from England, Scotland and Wales; Russell Muth, heading a contingent from Germany, Lithuania, Poland, Latvia, Estonia, Denmark, Norway, Holland and Finland; Ettore Villani, heading a group from Italy, Greece, Turkey, Palestine, Egypt, Syria, Madagascar, Australia; Hans Pelan, from Hungary, Czechoslovakia, Yugoslavia, Rumania, Bulgaria, France, Belgium, and Scandinavia; and C. F. Huban, from Canada, and his forces from Belgium, Switzerland, France, Portugal, and Spain.

A meeting also will be held within the next few weeks of editorial and camera crews covering Asia, Africa, South America, and Australia. Plans to increase the number of offices in Central and South America.
One Night of Love with Grace Moore in glorious style is one of the most charming and certainly the most intelligent musical pictures to come out of Hollywood."

Liberty Magazine

"To Columbia's hit roster, showmen may now add One Night of Love. After key city notices this star may find herself a rage, both as star and singer. . . A credit to the industry."

Motion Picture Daily

"Miss Moore's performance utterly charming and the whole picture a delightful entertainment."

Mary Pickford

"This is one for you! It is an evening for the Gods!"

—Kathryn Dougherty Photoplay Magazine

"Grace Moore sings exquisitely and brings something new into pictures."

Silver Screen

"Dear Grace . . . You completely won your audience with your warmth and charm and thrilled us with your glorious voice."

Norma Shearer

Just a few of the scores of reviews pouring in!

Grace

ONE NIGHT

TULLIO CARMINATI  LYLE TALBOT
MONA BARRIE

 Directed by
VICTOR SCHERTZINGER

WATCH FOR CAPRA'S "BROADWAY BILL"—with WARNER BAXTER.
"This marks a thrilling new epoch in sound pictures."

Movie Mirror

"Miss Moore is one of the most radiant personalities on the screen."

Ruth Chatterton

"Thrilling, thrilling, de luxe! Grace Moore sings her way into your heart."

Modern Screen

"Grace Moore's exquisite voice and charming personality make this picture enchanting. I was thrilled with it."

Gloria Swanson

"Great entertainment. Grace Moore's performance magnifique."

Maurice Chevalier

"The whole thing is the sort of ideal entertainment one yearns for."

Herbert Marshall

"Grace Moore's voice created the strongest audience reaction ever seen by this reviewer."

—Gene Chrm

Fawcett Publicatio

"One Night of Love should be a smash hit. Preview audience reaction definitely stamps it a box-office natural. A triumph for Grace Moore and a credit to the Columbia organization."

Box-Office Associated Publications

Hollywood thunders its praises!
Watch the next announcement!

Moore
OF
LOVE

RNA LOY and others — COLUMBIA MARCHES ON!

Story by DOROTHY SPEARE
and CHARLES BEAHAN

Screen play by
S. K. LAUREN

A COLUMBIA PICTURE
Monday, July 2, 1934

Columbia Set
For 48 with
Westerns Cut

(Continued from page 1)
ever before, plans have been fashioned to spurge on what will be the organization's largest production budget, substantially increased over the current negative cost allotment. A number of pictures to be built around star-director combinations will set their cap for preferred playing time during the big half, which is the last half, of the week next season.

The Colombians, about 125 strong, will be given the lineup as far as it will go, on Monday. The schedule will outline 32 pictures of the 48 specifically by title, directors and casts. Eight pictures in each of the nine divisions are being withheld to permit the company to select stories and players in conformity with changing times and trends. The final eight will make up the outdoor contingent and will star Tim McCoy, who will again make the same number as he is contributing to the 1933-34 schedule. Buck Jones, currently making four, will not appear on the 34-35 lineup. Short subjects, the men will be told, will be limited to 26 two-reelers and eight series of one-reelers.

Capra Will Do Two

Indicating Columbia's swing toward a more prolific production policy to make two Frank Capra productions, one Grace Moore, whose "One Night of Love" is the lead-off picture for the season; one Claudette Colbert, one Edward G. Robinson, four Jack Holt, one Holt with Edward G. Robinson, one Boris Karloff and one starring Gene Raymond and Ann Sothern.

Pressing the plan to feature more preferred playing time is the comment of a ranking executive who declared: "Because of the ever-mounting increase in cost of production, due not only to public demand for finely produced stories of popular plays, books and short stories, but also due to the operation of NRA principles throughout the organization, Columbia must be in a position to acquire more of exhibitors' preferred playing time."

The new lineup, it is promised, will be backed by more extensive newspaper, magazine and radio advertising and exploitation campaigns than ever before attempted. The budget is said to permit augmented national advertising in newspapers, national and fan magazines and over the leading broadcasting chains, as well as extensive merchandising and exploitation campaigns of a national scope.

The meeting at the Ritz will be the first of two. The second will be held in Chicago beginning July 9. The first order of business at this and the midwestern convention will concern itself with liquidation of current product and an explanation of why Columbia feels it has reached the point where it is ready to step out.

This will be followed by several sessions at which 1934-35 product will be outlined by Jack Cohn and discussed. Publicity, advertising, exploitation and sales plans will then be presented to the delegates and the convention will wind up with special conferences held by the individual branches to discuss local problems affecting each territory.

Cohn will officially open the meeting, which will include, in addition to his address, speeches by Abe Montague, general sales manager; Abe Schnettel, treasurer, and William Jaffe of the legal department. In addition, the home office contingent present at the convention consists of Nate Springold, George Brown, director of advertising, publicity and exploitation; Rube Jacker, Joseph A. McConvillie, Hal Hode, Lou Weinberg, Henri Brunet, J. Baracho, Louis Astor, Hank Kaufman, Al Seligman, Sam Liggitt, Milton Hanock, Lou

At Columbia Convention Helm

JACK COHN
Vice-President

LOU WEINBERG
Home Office Sales
Executive

LOUIS ASTER
Home Office Sales
Executive

RUBE JACKET
Assistant Sales
Manager

J. W. MACFARLAND
Short Sales
Supervisor

JOE MCONVILLE
Nat'l Sales Mgr.

ABE MONTAGUE
Gen'l Sales Mgr.

ABE SCHNEIDER
Company Treasurer

GEORGE BROWN
Director Public Relations

at Columbia Convention Helm

Ritzing It with Columbia

Atlantic City, July 1.—The Columbia conventioners are in almost complete possession of the Ritz-Carlton beach front. Although there were some arrivals on Saturday night, most of the boys got in today. The home office contingent arrived at noon. In the party were Jack Cohn, Nate Springold, Abe Montague, Rube Jacker, Joe McConvillie, Lou Aster, Lou Weinberg, Hal Hode, J. W. MacFarland, Al Seligman and Milt Hannock. Sam Liggitt got the rest of the home office crowd to the beach by flying down.

With serious business the order of the day commencing Monday morning, the Colombians applied themselves seriously to the task of acquiring suntans on the beach. Some were having themselves pushed along the boardwalk in wheel chairs and the convention will wind up with special conferences held by the individual branches to discuss local problems affecting each territory.

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Star Splurge
In Line for New Season

Goldberg, Ben Atwell, J. W. MacFarland, Arnold Van Leer, Sam Hacker, Charles Roberts, Mort Waring, Bill Brennan, John Kano, Mill Goodman and Maurice Grad, several of whom will address the gathering. Walter Poster, producer of Columbia cartoons, will attend.

Present from the field are the following division managers, branch managers and salesmen:

Albany—C. N. Johnston, manager; J. Bubwinkel, S. E. Field, J. Rieff.
Boston—Joe Miller, manager; M. Briskin, T. Donahoe, G. H. Ferguson.
Charlotte—R. J. Ingram, manager; G. Rosecr, C. Alexander.
Cleveland—H. C. Bisell, manager; G. J. Bell, D. S. Gerson, L. Zucker.
Memphis—J. J. Rogers, manager; F. Card, T. B. Hayes.
New Haven—L. H. Rogovin, manager.
Philadelphia—B. J. Cohn, manager; Mrs. Weinzer, B. Bathell, M. Gillis, V. Koron, S. Perlweig, Mr. Wurth, New Orleans—H. Duval, manager; J. Winberry, H. J. Fahncke.

Cast for Bellamy Film
Hollywood, July 1.—J. Carroll Naish, Victor Varley, Victor Hohl and Eddy Chandler have been signed for "Girl in Danger," last of Columbia's current policy mystery stories in which John Bellamy plays the lead. Shirley Grey is the heart interest.

Set July 7 as Date

"Whom the Gods Destroy," featuring Walter Connolly, is on Columbia's release chart for July 7.
**Chicago Takes Gain as Fair Crowds Grow**

**“Operator 13” Boston Smash With $21,000**

Boston, July 1.—Circus weeks and baseball and other box-office pageantry last week made no impact on this particular house. “Operator 13,” at Loew’s State, topped par by $3,000 on a gross of $21,000. The second-week show had $5,000 less on the average.

Total first run business was $125,000. Average is $12,750.

Estimated takings:

**Week Ending June 26:**
- **“OPERATOR 13” (M-G-M)**
  - United Artists—(2,800), 28c-35c, 7 days.
  - Gross: $12,000. Average: $1,600.
- **“MANY HAPPY RETURNS” (Para.)**
  - CHICAGO—(2,300), 28c-35c, 7 days.
  - Gross: $15,000. Average: $2,143.
- **“STRICTLY DYNAMITE” (Radio)**
  - PALACE—(2,300), 28c-35c, 7 days.
  - Gross: $11,875. Average: $1,696.
- **“LITTLE MISS MARKER” (Para.)**
  - ROOSEVELT—(1,500), 28c-35c, 6 days.
  - Gross: $8,000. Average: $1,333.

**Week Ending June 30:**
- **“ALL MEN ARE ENEMIES” (Fox)**
  - STATE—(2,750), 28c-35c, 6 days.
  - Gross: $14,250. Average: $2,375.
- **“SMARTY” (Warners)**
  - EVER SINCE EVE (Col.)
  - CENTURY—(1,850), 25c-35c.
- **“THE GREAT ZEKE” (M-G-M)**
  - HIPPODROME—(2,000), 25c-35c, 6 days.
  - Gross: $10,500. Average: $1,750.
- **“THE CONSTANT NYPHTH” (Fox)**
  - HOLLYWOOD—(2,800), 28c-35c, 7 days.
  - Gross: $14,000. Average: $2,000.
- **“THE POOR RICH” (Univ.)
  - LAFAYETTE—(2,000), 28c-35c, 7 days.

**“Tomorrow” Lang’s First**

Hollywood, July 1.—“Tomorrow” will be the title of an original story which Patz Lang will direct first for M-G-M. He worked on it in his way from Europe to this country with David O. Selznick and his party.
Noted for UNIFORMITY

REVOLUTIONARY new qualities made Eastman Super-Sensitive "Pan" a byword almost overnight. But only day-in and day-out delivery of those qualities over a long period could give this film lasting fame in the motion-picture world. Uniformity...the quality that has always characterized Eastman films...has made Eastman Super-Sensitive Panchromatic Negative the brilliant leader it is today. Eastman Kodak Company. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative
**Columbia Sets 26 Titles of 48 for 34-35**

Name Seven Star Films; Nine Shorts Series

By RED KANN

ATLANTIC CITY, July 2.—Columbia announced 26 titles on its 1934-35 list of 48 at today's session of the sales convention, and indicated the details of seven others in a general way. One short story, five novels and seven stage plays are represented in the list. Those on which star names but no titles were given are two to be directed by Frank Capra, one Edward (Continued on page 10)

**Columbiaians Cheer Jack Cohn Speech**

ATLANTIC CITY, July 2.—Columbia delegates this afternoon cheered the assertion by Jack Cohn that the industry is "more simmered than simmering." He said in part: "This violent burst of condemnation is directed at something greater and something far more important and all-embracing than the motion picture."

"The storm has mistakenly been Say Warners After Eight Jersey Spots

Warners are understood negotiating for eight New Jersey houses; the Rita, Lyndhurst; Rahway, Rahway; Playhouse, Dover; Rex, Irvington; Lincoln, Arlington; Bellevue, Upper Montclair; Broadmore, Bloomingfield; Park, Caldwell. The first five are operated by Haring & Blumenthal and the last three by Rapf & Rudin. Efforts to confirm the deals with Warners yesterday were unavailing.

Ann Ronnell to Sing

Ann Ronnell, sister of Di- vision Administrator Sol A. Rosenblatt, goes into vaudeville this week at the RKO Orpheum, Omaha. The composer will sing and play some of the popular tunes she has written.

From Omaha she will go to Hollywood where she will start work on a Paramount contract.

**Paramount to Continue Ban on Sales to All 10-Cent Houses**

Continuing its current policy, Paramount will not sell 10-cent houses next season, it is stated. The subject, in addition to duals and preferred playing time, is highlighting regional sales meetings now being held. The number of percentage pictures for 1934-35 has not yet been set, but it is understood each situation will be handled individually, since no blanket policy has been determined.

"Star" Urges 3/4 of Pictures Be Kept Clean

KANSAS CITY, July 2.—Offering a plan for self-regulation, the Kansas City Star suggests that three-fourths of the industry's total output be kept clean for general consumption, the remaining one-fourth to be intended for "mature minds" and so labeled when shown. The Star editorially urges the plan as a solution to the widespread agitation for screen reform and as a means of forestalling legislative action. The paper's policy is (Continued on page 12)

No Waite Successor Soon, Says Schaefer

No immediate naming of a successor to Stanley Waite, Paramount divisional sales manager who died recently, is contemplated by George Schaefer, Paramount general manager, who returned to his office yesterday following the company's annual sales meeting on the coast. In the meantime, Joseph Unger, central Atlantic division manager, who has taken over (Continued on page 6)

Para-Capitol Pool Deal Awaits Action

Pooling of the Capitol and Paramount remained in status quo yesterday as representatives of both Loew's and Paramount prepared for further conferences on the proposal in the near future.

The outcome of the Loew-Warner negotiations for the Fox Metropolitan (Continued on page 6)

Estimates Ohio Tax To Cost $3,000,000

CLEVELAND, July 2.—P. J. Wood, business manager of the T. O. E., estimates that the 10 per cent admission tax will net the State approximately $3,000,000 this year. Wood computed (Continued on page 6)

Further Delay Looked for On Fox Met. Sale

With Loew's and Warners still some distance from a final agreement with the Fox Metropolitan bondholders' committee on a purchase of the 87 hold for the circuit last night, indications are that no deal may be struck this week.

The holders, Loew's and Warners, and the bondholders' committee were prepared to go into court this morning and ask a further adjournment of the hearing scheduled for today before Federal Judge Julian W. Mack. Indications are that with the bondholders joining in the petition for another adjournment, the court will consent to a further delay. (Continued on page 6)

**Review Board Seeks Early End of Campi**

For Dismissal, Adoption Of Recommendations

WASHINGTON, July 2.—"Abrupt dismissal" of the film Code Authority and adoption of the recommendations made in its original report on the industry are urged by the National Re- view Board in its third and final report to the President.

The religious campaign against indecent pictures is laid squarely at the door of big producers and the code, but the punishment falls upon the small exhibitor who had nothing to do with the production of the pictures complained against or voice as to whether he would show them, the report held.

With the submission of its third report, the Darrow board went into eclipse, with Chairman Clarence Dar- row resigning and going to Europe and the three remaining members of the board, W. W. Neil, Fred P. Mann and Samuel P. Henry, returning to their homes. It was explained, how- ever, that the board has not abolished (Continued on page 12)

**Report Pecora in Fight on Kennedy**

WASHINGTON, July 2.—Opposition to the elections of Joseph P. Kennedy, former head of Pathe, to the chairmanship of the Securities and Ex- change Commission, was reported brevying here today under the leadership of Ferdinand Pecora.

Kennedy was President Roosevelt's choice for a full five-year term on the (Continued on page 6)

**Exchange Heads May Get Film Board Jobs**

Exchange managers in every key city may take over the old Film Boards of Trade in the event those organizations are abandoned next session, as learned yesterday.

Under this proposal, which has been advanced in several distribution quar- (Continued on page 6)

**No Issue Tomorrow**

Motion Picture Daily will not publish tomorrow, July 4, which is Independence Day and a legal holiday.
Atlantic City, July 2.

A PEPPY and enthusiastic bunch, this Columbia crowd, last to go into a sales convention but aspiring no end to something akin to close-to-the-top honors for the new season. This column told you weeks ago Harry Cohn was heading toward a flock of "A" pictures for '34-35. The Columbia lineup, which appears elsewhere in this edition today, demonstrates the veracity of the tip. The fluff which the company is turning loose on its intention of seeking more preferred playing time links up with production plans, made and announced and to be announced and later. Columbia is swinging sharply toward names and starring pictures, part of its more ambitious program.

Elsewhere. Herb Yates is president of Consolidated Film Industries. Consolidated has a host of businesses, but they're all offshoots of its principal enterprise, lab printing. Remembering this makes it easier to understand the why of that deal which gives Consolidated possession of RKO's six per cent secured notes. The paper carries it with voting priviliges, which will mean that Radio's prints will be turned out in Consolidated labs and not Pathé. Instances are not occurring where Yates has found important companies merely to keep his machines occupied.

The spokesman who appears thereafter is part of the same line of view. His interests rest with the bandolders. Barrring that, if you like, here is his reason why a reassessment of a share on the common—Is a necessary crimping which Paramount shareholders will have to meet: "There is considerable cash on hand, it is true. There are, however, mortgages on valuable theatre properties which must be met if the company is to avoid relinquishing its interest in those properties, acquired at a very considerable cost. The money must come from some place."

More on the same situation. Same spokesman, same interests, denies bondholders are even attempting to negotiate a "squeezed play" which will crowd the owners of over 3,000,000 shares of common outstanding when the Paramount reorganization finally is pieced together. There's been some talk, maybe irresponsible, maybe not, of this. "The real bona fide stockholders rate a definite status in the picture. They'll let it. In the second division, however, are to be found stockholders deliberately or accidentally emmeshed in speculation which seeks a killing and a quick how out of the picture. They rate a little consideration." Admitted is the difficulty of distinguishing the worthy from the unworthy, the apppellations being his, not ours.

No unanimity of opinion prevails at Paramount over releasing time on the Mac West picture. George Schaefer said in Chicago the other day July 19 may be the date, conceding in the same breath that the dry cleaning may take longer. As a matter of facts, the picture which puts a serious crimp into its owner's earning power by remaining in the studio, may go over until the fall. This is not as a matter of feasibility. The lambasting directed at the business from church quarters today makes the

Eastman Pfd. Off 2 on Big Board

<table>
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<tr>
<th>Eastman Pfd.</th>
<th>Low</th>
<th>High</th>
<th>Close</th>
<th>Net</th>
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<td>28</td>
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Technicolor Up 1/8 on Curb

Bond Issues Show Losses

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REPORT ON
"OPERATOR 13"

TRADE PAPER EDITORS PLEASE NOTE!

1- **BUSINESS** is excellent everywhere.

2- **MARION DAVIES'** work is praised in all press notices. Consensus of opinion indicates that this star's box-office draw is considerably enhanced by "Operator 13" following directly after her popular appearance in "Going Hollywood."

3- **ADVERTISING** angles incorporated in press sheet and Hearst newspaper campaign are being used to good advantage by showmen.

4- **CO-STARRING** of Marion Davies and Gary Cooper is proving a happy selection for fans and all promotion stresses star names.

5- **WEALTH OF SELLING** material pleases theatre managers. JEAN PARKER is getting especial attention, also Ted Healy and Four Mills Brothers.

6- **SONG EXPLOITATION** very helpful. "Sleepy Head" and "Jungle Fever" getting wide radio plug.

Respectfully submitted by Leo of M-G-M
THE WORLD MOVES ON

"THE LOVE STORY OF A CENTURY"

MADELEINE CARROLL
FRANCHOT TONE

Produced by Winfield Sheehan
Directed by John Ford
Story and screen play by Reginald Berkeley
Film Daily: "Will give any fan his money's worth, even at road-show prices. Invested with wide appeal. Ranges from languorous smoothness in the love scenes to rapid-fire action." N. Y. American: "A notable addition to cinema's best... an important event in the annals of motion picture history. A deeply stirring tale. Madeleine Carroll's is a deeply stirring performance." New York Daily News: "A lavish production, made on a grand scale with beautiful sets and fine photographic effects." N. Y. Daily Mirror: "Massive and spectacular film... magnificent drama... stirring and impressive love story... told with clarity and brilliance. Madeleine Carroll gives another sensitive and fine performance."

N.Y. Evening Journal: "Lovely, talented Madeleine Carroll makes her American debut an effective one. Filmed on a lavish scale." N. Y. World-Telegram: "Splendidly done. One of the most lavish and well-acted of the chronicle films... a sterling and sympathetic exhibit... poignant and realistic." N.Y. Sun: "An ambitious undertaking... has plenty to offer as entertainment. Its presence at the Criterion augurs well for the new season. Hollywood has produced another epic."

"IT'S PRESENCE AT THE CRITERION AUGURS WELL FOR THE NEW SEASON!"

—New York Sun

Now Playing Two-a-day
CRITERION THEATRE
New York City
Further Delay
Looked for On
Fox Met. Sale
(Continued from page 1)
Judge Mack, in granting the motion to alter or amend the decree, ruled that the bondholders' voice would carry the greatest weight in any final action taken by the court. However, the authorities, operators of the Fox Met circuit under the receivership, and slated to continue in operation for the next 60 days, said the bondholders, having agreed on the event the deal is consummated with outside bidders for the circuit, have vigorously opposed any reversal post-ponements of the court proceedings during the past few weeks. In each instance, however, Judge Mack has overridden their objections and advised them that any losses sustained by them since the date of the formal presentation of the joint Loew-Warner $4,000,000 bid could be charged against the circuit if and when a deal was consummated.

Meetings Held Daily
Loew and Warner representatives have been meeting almost daily with a sub-committee of the Fox Met bondholders' committee in an effort to effect a deal. The meetings have taken place in a sale of the circuit's assets. The Loew-Warner offer contemplates acquisition of the assets by the bondholders, splitting the bids, and then selling the 85 leases and titles to Loew-Warner for $4,000,000. The bondholders' committee hold meetings with the both the re-posed bonds to the bidders, thus placing the burden of reorganization upon Loew-Warner.

There are approximately $1,000,000 of Fox Met bonds which have not been deposited with the committee, with the result that 85 cent of the bonds are now out of town and also are eligible and being asked to sit in on hearings when in New York.

No Waite Successor
Soon, Says Schaefer
(Continued from page 1)
Waite's duties on a temporary basis, will continue to do double duty by handling both divisions.

MOTION PICTURE
DAILY

(Continued from page 1)
Exchanges Heads May
Get Film Board Jobs

Appeal Groups Sit
3 Days First Week
(Continued from page 1)
Discussions on the appeal, on which witnesses appeared was the case of Leon Rosenberg against Dave Weinberg, 44 West 57th St. Rosenberg was operating in New York, while Weinberg had a branch office in the field with the reception of the Orpheum, Jersey City, while Rosenberg was operating. Weinberg's picture has been rejected to decide on the issue. Other cases involved reduced admissions and overcharging.

Coast Indies After
An Eastern Contact
(Continued from page 1)
The clearance and zoning program he brought back from New York and stated all will be given a chance to hold the committee. Ben Berinstein, president, appealed for the eastern representa- tion. Mr. Richberg stated that one who cannot become effective unless he is given a chance to hold a committee will be able to report the organization might be well fold.

Mrs. John Vrankin of the University group of California M. P. Council talked on censorship cooperation and emphasized importance of national council. The chairman of the group of the Parents Teachers Asso., pleaded for the return to family entertainment.

Cleveland's Indies
Threaten an Appeal
Cleveland, July 2.—If the clearance board renders a decision granting 365 days protection over any theater playing double features, such a decision will be appealed to Code Authority.

M. A. Leibensburger, manager of the first Division branch, has made a formal objection to such a plan. Leibensburger states that his company along with other local independents, will enter the appeal.

All Cleveland theatres which were in Cleveland when the time the agreement was signed, are set to go against features on July 8. However, since the signing of the agreement, several houses which had been under threat of being closed by exhibitors who were not previously in the field. These houses, however, will offer double bills. The Temple is the first to dual.

Appeal Groups Sit
3 Days First Week

Broad Change
In NRA Seen
By New Order
(Continued from page 1)

WASHINGTON, July 2—Broad changes in the National Recovery Administration involving possibly the termination of Gen. Hugh S. Johnson, to be succeeded by C. S. Williams, the New York district director of the NRA, according to rumors today pressed by publication by the White House of an executive order signed by the president just prior to his leaving Washington today.
The order creates an industrial emergency committee to centralize the NRA and under the chairmanship of one head of the heretofore uncoordinated activities of emergency agencies dealing with problems of industrial recovery, labor disputes, relief and public works.

Donald R. Richberg, chief counsel of the National Recovery Administration, would succeed the New York district director and also will serve as executive secretary of the executive council and executive director of the National Emergency Council during the absence on vacation of Frank C. Walker, Richberg was selected from a recovery administration to devote his entire attention to his new duties. The other members of the new committee are to be announced, including Associate Secretary of Labor Perkins, Recovery Administrator Johnson and Emergency Administrator Agnew.

With Richberg at the head of the three bodies, the former general counsel of the recovery administration becomes one of the president's closest lieutenants and a major factor in determining the policies of the organization in which he was formerly second man.

Estimates Ohio Tax
Will Cost $3,000,000
(Continued from page 1)
this on the average monthly tax collection of the various cinema movements costing the exhibitors another yearly $3,000,000. Woot urges every exhibitor in the state to get behind the proposed general sales tax as the only possible method of their survival during the coming year. Only an adequate general sales tax, Woot contends, will relieve theatres of the present 10 per cent nuisance tax.

Roxy, Music Hall Repeat
With the Roxy and Music Hall grosses holding unusually well over the week-end, despite the heat, "Baby," the Roxy house over at the former house and "Of Human Bondage" stays another stanza at the Sixth Ave. theatre. The "Baby" in a few persons attend- ed the Roxy giving the house a take of $13,700 for the three days.

The Rialto on "Murder on the Blackboard" garnered a weak $9,590.

Poln Negri Wins Claim
WASHINGTON, July 2—Pola Negri said, she was given a tax abatement of $28,833, resulting from an asseniment on her 1926 return, according to the Bureau of Internal Revenue.

Stewart in New Post
POST FALL 2, July 2.—Howard Stewart, member of the John Hamrick staff and recently at the Music Box, has been named manager of Hamrick's Oriental.
"Marker" and Ellington Big In Pittsburgh

PITTSBURGH, July 2.—Considering the heat, business in town wasn’t bad last week, with a number of good films to carry the show. Duke Ellington’s band proved a winner at $2,000. The Publicity House managed to pull in almost $1,000, getting around $5,400 with "Such Women Are Dangerous" and the Dascari-Carrera fights pictures.

Other grosses were only moderate, although the Warner bettered par with "No Greater Glory" and "The Most Precious Thing in Life" at $5,300. The Stanley slipped considerably with "Merry Happy Returns" at $6,700, and the Regency’s "Let’s Talk It Over" and "The Love Captive," hit a new low at $1,100.

Total film grosses were $14,200. Average is $41,000.

"SUCH WOMEN ARE DANGEROUS" BAER-CARRERA FIGHT FULTON—(2,520), 38-46, 6 days, Gross: $16,270. Total, $31,000. Average, $5,166.

"LITTLE MISS MARKER" (Para.) PENN—(1,764), 38-46, 6 days, Gross: $11,000. Average, $1,833.

"MANY HAPPY RETURNS" (Para.) TAN-LINE—25c, 38-46, 6 days, Gross: $6,700. Average, $1,116.

"LETS TERROR" (Univ.) THE LOVE CAPTIVE" (Univ.) REGENT—25c, 38-46, 6 days, Gross: $9,100. Average, $1,516.

"NO GREATER GLORY" (Col.) MOST PRECIOUS THING IN LIFE" (Columbia) WOODRUM—(1,380), 38-46, 6 days, Gross: $13,600. Average, $2,266.

Protest Stops Run Of Hitler Picture
BUFFALO, July 2.—"Hitler’s Reign of Terror," which was withdrawn from the Hollywood here today after two showings, as a result of protests having been filed against the showing of the film by Alphonse Karl, German consul here, and Herman Schmidt, in behalf of the German-American United Front. Basil Bros., operators of the Hollywood, had leased it to Jewl Prod. for this picture, but closed the house when protests were made.

At Leonce, Jewel representative, declared the withdrawal was only depository and the film will be shown at another Buffalo theatre shortly.

PORTLAND, July 2.—"Hitler’s Reign of Terror," which was set in seven Pantages houses here, has been canceled after Wednesday run on the protest of A. H. Closterman, German Consul, and others.

McGowan to Do Shorts
Hollywood, July 2.—Negotiations have been completed for Robert McGowan to produce and direct 13 one-reelers "Vagabonds" at the Mack Sennett studios. The group will be made in Technicolor.

Change Crawford Title
Hollywood, July 2.—M-G-M has changed the title of the Joan Crawford picture, "Sacred and Profane Love," to "Chained."
WANDA HALE in N. Y. DAILY NEWS (FOUR STARS ★★★★)

Yesterday's premiere audience at the Music Hall broke out in unrestrained applause. Radio Pictures has turned out "Of Human Bondage" a picture that is at once absorbing, intense and convincing. Such a piece of filmcraft certainly could not have been turned out with any actor of less brilliance than Leslie Howard, who invests his role with a sympathy and an understanding that fit almost exactly the fine and sensitive demands of the W. Somerset Maugham classic... here we find Bette Davis doing a job that is so revealing as to make one ask, "Where's that girl been all this while?"... deserved glory.

REGINA CREWE in N. Y. AMERICAN

The milling throngs that stormed the Radio City Music Hall yesterday attested to the fact that a Hollywood hero does not necessarily have to be an Adonis or a crooner to succeed. Leslie Howard has made an indelible impression on the minds of men and the hearts of women... the film is a poignant portrait, sympathetically treated by Director John Cromwell and glossed by the polished performances of an unusually fine cast.

RICHARD WATTS, JR. in N. Y. HERALD TRIBUNE

Leslie Howard must certainly be the most satisfying actor on the English-speaking stage. There is a splendid air of rightness about everything he does. Thereupon, the mere fact of his appearance in the screen edition of that brilliant novel, "Of Human Bondage", provides the picture with dignity, power and dramatic effectiveness. As a photoplay, "Of Human Bondage" is definitely superior to the average... well written... good photoplay, made something more than that by Mr. Howard's perfect performance.

WILLIAM BOEHNEL in N. Y. WORLD-TELEGRAM

A dignified, sensitive, eminently satisfying screen treatment has been accorded "Of Human Bondage": W. Somerset Maugham's magnificent story... the film now on view at the Radio City Music Hall emerges a distinguished contribution to the cinema... adapted by Lester Cohn with such fine appreciation for the muted sorrow that is hidden in the novel's pages... that it has, as precious few films can claim to have, a true beauty in its writing. John Cromwell has done an extra fine job of direction, and the performances are excellent. Leslie Howard comes off with the first honors.

LESLEY H

IN W. SOMERSET MA

"OF HUMAN"

RKO-RADIO PICTURE WITH BETTE DAVIS..FRANCES DII..KAY JC
BLAND JOHANESON in N. Y. DAILY MIRROR

A brilliantly acted film version of the Maugham novel.
Miss Davis will astound you... a dramatic character actress of overwhelming power. Touching and infinitely tender, it is a simple description of a devastating fascination. Leslie Howard's performance is exquisite. He plays it with his usual warmth, tenderness and understanding.

MORDAUNT HALL in N. Y. TIMES

The very lifelike quality of the story and the marked authenticity of its atmosphere cause the spectators to hang on every word uttered by the interesting group of characters... one might be tempted to say that his portrait of Philip Carey excels any performance he has given before the camera. No more expert illustration of getting under the skin of the character has been done in motion pictures.

Another enormously effective portrayal is that of Bette Davis... outburst of applause when the film came to an end. John Cromwell, the director, has given many a subtle and imaginative touch to his scenes. There is nothing stereotyped about this film.

EILEEN CREELMAN in N. Y. SUN

Once in a while it happens that a fine book may become a fine picture. Of Somerset Maugham's modern classic, "Of Human Bondage," be it gratefully recorded, this is true.
Adaptor Lester Cohen, and director John Cromwell, have treated the book with honesty and vigor.
Leslie Howard, of course, is perfectly cast... Bette Davis's portrayal of the tawdry Cockney waitress, a performance as humorous as it is powerful, was something of a surprise. This Miss Davis is an actress rather than a screen beauty in this difficult part. It is, this "Of Human Bondage," a picture to be seen.

ROSE PELSWICK in N. Y. EVENING JOURNAL

In transferring "Of Human Bondage" to the screen, director John Cromwell and adaptor Lester Cohen have done well... with intelligent understanding, those responsible for the picture have made it a sombrely interesting narrative. Bette Davis sheds the artificiality of her previous parts, and her portrait of the tawdry waitress, Mildred, is excellent even to her Cockney accents... yesterday noon's Music Hall audience broke into enthusiastic applause.
The picture is handsomely mounted and was obviously filmed with a great deal of care and thought.

PANDRO S. BERMAN
EXECUTIVE PRODUCER

HELD OVER
SECOND WEEK
Radio City Music Hall
In the hottest weather in New York's history...
Columbia Conventioneers at Their Opening Session

Columbia Sets 26 Of 48 New Titles

(Continued from page 1)

G. Robinson & Edward Locke production, one with Claudette Colbert, one co-starring vehicle with Jack Holt and Edmund Lowe, and two starring vehicles for Jack Holt. This is to be known as the "March On" group. Individual announcements will be made at the proper time on eight specials, it was stated.

Eight Tim McCoy westerns will be included.

The shorts list will be made up of 26 two-reel comedies featuring Harry Langdon, Andy Clyde, Leon Errol and Walter Catlett. Eight single-reel series will include "Color Rhapsodies," "Krazy Kat" cartoons, "Scrappy" cartoons, "Laughing With Medbury" travelogues, "Life's Last Laughs" produced by C. S. Clancy; "Spice of Life," produced by Montene Prod, from material, selected from the Literary Digest, "World of Sport," and "Screen Snapshots.

The list follows:


Another Frank Capra production, "One Night of Love," with Grace Moore, a musical based on the stage play by Dorothy Specie and Charles Beahan. Directed by Victor Schertzinger.

"Faster in Her Hat," by I. A. L. Wyner, best seller.

An Edward G. Robinson-Howard Hawks production.

"Party Wire," from the Bruce Manning best seller.


A Jack Holt-Edmund Lowe production.

Comedy:

"Lucky," stage comedy, drama.

"Black Room Mystery," starring Jack Holt.


Two additional Jack Holt starring vehicles.

"Breakfast for Two," honey moon farce.

What They're Down For

COLUMBIA CITY, July 2 — Two musicals are included in the Columbia lineup, one to be produced by William Rowland with Russell Mack directing. It will be "The Girl Friend," a musical vehicle starring Jack Holt and Lyn Vélez. The other is "One Night of Love," starry George Brent and Lyn Vélez. The lineup so far set follows:

Women Players

CLAUDETTE COLBERT in an unstarred starring vehicle.

MURRAY LOWE — "Broadway Bill."

GRACE MOORE — "One Night of Love."

ANN SOTHERN — Starting in "Sure Fire," with Gene Raymond.

Lyn Vélez — "The Girl Friend."

Men Players

ROBERT ALLEN — "Broadway Bill."


"That's Gratitude," stage comedy by Frank Craven.

"Spring 3000," melodrama from the stage play by Charles Brackett and John Howard.


"Murder Island," from the story by Lang J. Lismoe, aviation background.

"Mutiny!" a story by a girl who lived another woman's life.

"Lady of New York," sophisticated vehicle.


"Day of the Unknown Woman," stage play by Gladys Unwin and Lyle Lyman.

"Is an Hour," stage comedy by Gladys Unwin and Lyle Lyman.

"I Confess," as the story of a girl who gave her heart to the world.

What They're Down For

Columbia's List Names 56 Stars; 16 Directors

COLUMBIA CITY, July 2 — Listed in the talent under contract for Columbia's new season list are 56 stars and featured players, 16 directors and producers, 22 well known authors and 20 studio writers.

The star players are:


Casparly on "Sure Fire" 

Hollywood, July 2 — Vera Caspary draws the Columbia assignment to do a treatment on "Sure Fire," which will star Gene Raymond.

Columbians Cheer Jack Cohn Speech

(Continued from page 1)

shifted to the latter because the motion picture reflects the things against which the crusaders inveigh—the tendencies of the times.

"They have directed their ire against the mirror, instead of against the thing or condition reflected in the mirror. "

"Sopistication is the one word that describes the effect universally charged against films. We are living in an era of sophistication and reflected in the conduct of city dwellers from coast to coast and reflected in the newspapers they read, and in American literature as a whole. To the extent that the motion picture holds the mirror up to Nature it reflects the same sophistication, against which many of us inveigh in vain."

"I like every other human effort, motion pictures have faults and shortcomings. It may perhaps prove of benefit to producers to have their errors of omission and commission forcibly brought to their attention even in so rough and unfair a manner for I insist that indiscriminate abuse of the industry is most unfair. And in making this assertion I hold no brief for off-color entertainment."

Harry Spingold Passes

Word has been received here of the death of Harry W. Spingold, of the radio department of the William Morris Agency, from a heart attack while en route to New York from Chicago where he had been resting after a recent illness. Nate Spingold, Columbia executive, was informed of his brother's death while attending his company's sales convention in Atlantic City yesterday.

Col. Starts Eighth Short

Hollywood, July 2 — The eighth and last of Columbia's musical short series, went into production today under the direction of Archie Gottler, who penned the script in collaboration with Ewart Adamson.

Hillyer to Do Short

Hollywood, July 2 — Columbia does number 11 of the "Minute Mystery" series this week.
"Black Moon" and Show Top Oklahoma

OKLAHOMA City, July 2—"Black Moon" and a stage show for four days at the Liberty Theatre. The $2,030 take was better than an ordinary week's business. For the last three days the house put on "Sweetheart of Sigma Chi," and this also did a good business at $1,200. At heat for other spots. Total first run business was $2,120. Average is $1,350.

Estimated takings for the week ending June 30

"LIFE OF CHARLES WINTERS" (Radio)

CRITERION (1), 25¢, 30¢, 35¢, 40¢, 45¢, 60¢, 7 days, Gross: $3,020, (Average, $403)

"LITTLE MISS MARKER" (Par)

MIDWEST (1), 25¢, 30¢, 35¢, 45¢, 60¢, 7 days, Gross: $2,000, (Average, $200)

"SWEETHEART OF SIGMA CHI"

MIDWEST (1,900), 25¢, 30¢, 35¢, 40¢, 45¢, 60¢, 7 days, Gross: $3,000, (Average, $200)

Shea Firms Go Into New Operating Setup

BUFFALO, July 2—Reorganization of the companies headed by the late Michael Shea has been effected, with Buffalo Theatres, Inc., operating the Shea Theatre Corp. and other subsidiaries except Erie Operating Co. Stock in Buffalo Theatres, Inc., is held by the Shea Theatre Realty Sec. Inc.; Paramount and M-G-M, and by Vincent R. McFaul, who was Shea's vice-president. McFaul becomes president and general manager of the new company. Other officers and directors will be elected next week.

Buffalo Theatres, Inc., was organized to operate Shea's Buffalo, Hippodrome and Court Street properties owned by the McNaughton company. Shea's Century, leased from Max Kroll, also operates. The Shea company managed suburban theatres, and for the present, at least, to be managed by the Erie Operating Co.

Plans Feature Comedies

HOLLYWOOD, July 2—Jed Buell, former Mack Sennett executive, has formed Rainbow Pictures to make feature comedies in association with Joseph Kheel. The latter recently arrived from Warburg Brothers, and Buell will star "College Sweetheart" with Andy Clyde, Grady Sutton, Frankie Eastman, Mary Howard, Pauline Lord and other top names.

Para, Signs Plays

HOLLYWOOD, July 2—Carole Lombard was signed by Paramount today to a two-year contract giving the studio the exclusive use of her services. Mary Boland was also signed for six more pictures and the song writing team of Bud Rice and Harry MacGordy had their option renewed for two more years.

On Aviation Board

HOLLYWOOD, July 2—A. J. Berres, alternate member of the Studio Labor Board, has wanted to break into the Aviation Board commission in Washington by President Roosevelt. His successor on the Labor Board has not been appointed as yet.

Ritzing It with Columbia

ATLANTIC City, July 2—Sixteen branches comprising the eastern division and two Canadian branches are taking part in a "Call to Arms" campaign at Atlantic City, Atlanta, Boston, Buffalo, Charlotte, Cincinnati, Cleveland, Dallas, Memphis, New Haven, New York, Oklahoma City, Philadelphia, Pittsburgh, Washington, and Toronto and Montreal. The Canadian branches are in charge of Exposition Rose Kennedy, W. Elman and G. H. Coplan.

Lou Weinberg, another member of the home office sales staff, has thrown his famous diet to the winds. "In my opinion big business is a matter of desire to help clean up whatever minor details remain to make this campaign a success."

Milt Hankock, in charge of the contract department, has been scared to death since somebody dipped him the information that he would be called upon to make a speech. It's a gag, but he hasn't glutton wise to it yet.

George Brown, director of public relations, assisted by Exploration Chief Lou Goldberg and Publicity Chief Ben Atwell, has done a high- ly effective piece of work. The two Columbia's are shown as exclusive presentation cities of Columbia-Cleveland. From the railroad station, throughout the entire walkabout, there is ample evidence that the convention is being held in town.

Remembering his experience with the ocean last year, General Sales Manager Abe Montague is treating that body of water more respectfully this year. He is taking no more chances of acquiring bruised ribs.

The passing year saw the promotion of Sam Galancy to a district management with supervision over Washington, Pittsburgh and Cincinnati. His fellow Columbians have been taking the opportunity to extend congratulations in person. Galancy is still the perfect example of the well-dressed man should wear.

Counselor Bill Jaffe was observed in a spot of complete relaxation on the beach, looking as if he had been dipped in butter preparatory to frying. Taking no chances with the sun's rays he frequently applied olive oil to the epidermis.

Both wowie the neighboring of 300 pounds, "Tiny" Rogovin, New Haven manager, and Charlie Bruni, Buffalo manager, have thrown the weight of their offices down the walkabout. Observing them, Joe Miller, Buffalo manager, declared, "Most people say there is a shortage of beef."

To Hank Brusen goes the credit for the excellent arrangements made to house the convention crowd and to his assistant, Hank Kaufman, as well. This is the first time the Columbians have stopped at the Ritz-Carlton and they seem to enjoy the change in surroundings.

Again Harry Weiner, Philadelphia manager, shows his interest in the entertainment welfare of his brother Columbians by offering them the courtesy of the various Warner houses. Weiner has also promised some unusual entertainment surprises for the banquet, which will wind up the convention.

Maurice Grad, director of sales promotion, was observed jotting mysterious notes on a pad of paper. An investigation revealed that Grad helps edit the Bosco Junior which each May Winchellizes the activities of the boys.

Messrs. Rosenfeld, Elman and Coplan, wanting to be sure of the quality of their liquid refreshments, brought a generous supply of their own with them from the Maple Leaf Dairy.

Sam Moscow, southern district manager, was observed seated in front of a piano at the Ritz where he purchased some of the old time songs for the benefit and edification of those Columbians who fancy themselves vocalists. Next to selling film stock, Moscow would sooner back away from the piano keys than anything else.

Art Levy, Pittsburgh manager, got off a nifty while discussing an exhibitor with whom he tried to do business last season. "The trouble with him," said Art, "is that he can't ever make up his mind. If he went horseback riding, he would mow four horses simultaneously and ride off in all directions."

Hollywood Personalities

HOLLYWOOD, July 2—Charles Butterworth standing by with a staff of Carl Brisson's films, get their roles under their Fox contract in "Fun on the Air." Carl Brisson's new Benedict Canyon home will be known as "Kohen-havn."

Pauline Lord's highly pedigreed Pekingese registered name is actually "Garbage," but actually changes the name to "Gaboocian."

Enrico Caruso, Jr., on a diet. ... Aline Mac Mahon back from Broadway. Eddie Robinson, too. ... Doro- thy Dacre's first with Warner, will be "Black Heat." Oakie and Norma McLeod, a twosome at the Lakeside Golf Club. ... Jack Haley has a new Buick. ... Charles Laughton wants to take up polo. ... Charles R. Rogers and Bill Lebaron lunching at Levy's.

Contract Breaches Not Campi Matter

Declaring it cannot act in complaints involving breach of contract and designation of preferred playing dates, the state court upheld appeals filed by United Artists and M-G-M.

The U.S. case originally was filed against L. Drake, Ansonia, Wadesboro, N.C., the Charlotte board refused to direct the exhibitor to furnish preferred playing time according to contracts. The opinion of Campi held that under Article V-E, Part 9 (b), the board is limited only to relieving an exhibitor from the obligation to play a picture. Having no other powers in that connection, the parties are left to resort legal remedies.

The decision of the Philadelphia grievance board in the case of Louis Backer, who was refused at Elberon, against Stanley, same city, was affirmed, but amended to read that the complaint's policy is not unfair and that the defendant will immediately select pictures on his selective contracts, so that the complainant can negotiate for those turned down from Columbia and Universal lists.

The complaint of J. M. Anderson, Pennsylvania manager, of the States Theatre Corp., Rialto, same city, on building a new theatre was dismissed.

Mexico Excited Over New Historical Film

By JAMES LOCKHART

MEXICO City, July 2—Mexico City is abuzz with news that a new film produced "Juarez y Maximilian" (Juarez and Maximilian) based upon the famous novel of the same period. Though some of the criticisms were unfavorable in that the critics claimed the film was nothing more than a series of scenes of the period, the film is commanding the highest price of any picture in this country. The Principal, which was a legitimate house for two centuries, is housing the film. Columbia is handling the release.

Lasky to Do Nurse Yarn

HOLLYWOOD, July 2—Jesse L. Lasky's first venture for Fox under the new program at Fox will be "The White Parade," a yarn dealing with student-nurses, based on a forthcoming novel by Rian James, who is also writing the screen play in collaboration with Jesse Lasky, Jr. and Elizabeth Winchell.

The picture gets under way August 6 under the direction of Irving Cummings.

Willentz Will Appeal

Clearance complaint filed by the Ellwood, Newark, against Warners' Regent in that city and the Capitol, Belmar, against Warners, New York clearance and zoning board will be appealed to Campi by David T. Willentz who represented Allied New Jersey in the action.
Review Board Seeks Early End of Campi

(Continued from page 1)

itself, is but taking a "recess" until July 10 in order to give the President opportunity to decide whether he wishes to continue the investigation of more than 150 codes against which complaints have been filed but on which no action has been taken. The board still has about $10,000 of its original $50,000 appropriation.

"It may be safely said that not in many years has an industry so far been developed and so strongly supported by the public as has the industry." Administration members should be selected "with an eye single to their fitness and qualifications for the duties to be performed and should be entitled to vote upon all questions." "In reviewing all the codes we have examined," the board said, "the condition has been persistent, undeniable, and apparent to any impartial observer as the indications have been so clear and the costs of the code to the theater industry. Administration members should be reviewed by the public at large."

The boycotting provisions of the code have been turned against the very interests the boards intended them as a result of the continued efforts of the large producers to thrust upon the public a type of picture which it will not accept. The board, therefore, called upon to advert again to the so-called code of fair competition for the motion picture industry and to renew its recommendations in reference thereto, the President was told."

"In the first report, this board described the excesses of the monopoly in this industry and demanded that something be done to protect the small enterprise against the unassailable capacity of the powerful," it was pointed out.

Want New Authority

"We suggest that the remedies for great and undeniable ills of this nature ought not to be left to public action when the government is equipped with ample power to correct them. And the first moves toward correction in this case would be the abrupt dismissal of the present code authority and the choice of another that can control everything in the public and has some other impulse than the extraction of fat profits." The board feels compelled to advert again to the so-called code of fair competition for the motion picture industry and to renew its recommendations in reference thereto.

Our former report on this code demonstrated not only its monopolistic and oppressive character, but also indicated that in its negotiations and writings by the deputy administrator complete frankness and impartiality were lacking.
The board made definite findings that the code was not warranted by and in conformity to the National Industrial Recovery Act, inasmuch as it authorized practices which have been specifically declared unlawful by the courts of this land as monopolistic and oppressive.

Numerous instances have come to the notice of this board of practices which have been determined to be monopolistic and oppressive by decisions of the U. S. Supreme Court. In view of the fact that in a number of cases where complaints have been noted where parties have been restrained in hearings held before the National Recovery Administration from citing these decisions, this board, pursuant to the authority granted it in the motion picture code, the producer-dominated grievances boards are directing a boycott against independent exhibitors. The board feels called upon to advert again to the so-called code of fair competition for the motion picture industry and to renew its recommendations in reference thereto, the President was told.

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Columbia to Push Hard on 10 Specials

Campaign for Preferred Time Based on These

By RED KANN

ATLANTIC CITY, July 4.—Columbia’s place in the sun next season revolves around 10 pictures on which its campaign for preferred playing time is based. They will be known as “extended run specials” and will be backed by all the advertising and exploitation resources Columbia can muster.

Heading the group are two Frank Capras, of which “Broadway Bill,” the first, is practically finished. It is based on Mark Hellinger’s “Strictly Confidential,” and includes among its featured players Warner Baxter, Myrna Loy, with assistance from Madeleine Carroll and Lionel Barrymore. Other specials are “The Long Ships” and “Mr. Skeffington.”

Production Slows Under New Policy

HOLLYWOOD, July 4.—Production activity, due to slower and more careful preparation, pictures to conform with present demand for clean pictures, continues on the decline with only 33 features and seven shorts in actual production as against 33 features and 11 shorts the preceding week.

There is little hope for an immediate increase, as there are only 19 features and 12 shorts in the final stages.

Madison Houses Ask License Fees Slash

MADISON, Wis., July 4.—A petition of local theatre operators asking a reduction in the theatre license has been referred to the Common Council’s license committee for consideration.

In their communication to the council the managers claimed the ordinance was passed when the theatres were enjoying good business. Under the present ordinance, theatres are licensed according to seating capacity with the larger houses paying a fee of approximately $300.

French Regulations Continued to Dec. 1

WASHINGTON, July 4.—Regulations governing exhibition of foreign films in France are continued, with certain modifications, for six months, until.

Fox Met. Deal Again Delayed After Hearing

Holders Want to Dispose Of Bonds, Not Leases

By MARGARET MAHONEY

Some of the points over which Loew’s and Warners’ attorneys have been haggling the past few weeks with the sub-committee of the Fox Metropolitan bondholders’ committee were revealed at the Federal Court hearing Tuesday before Judge Julian W. Mack at which a further postponement was taken until tomorrow afternoon.

William L. Baithon, counsel for the bondholders’ committee, told the court that his clients were determined to sell only their $1,000,000 of deposited Fox Met bonds, and these at

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Code Assent Order Officially Signed

Division Administrator Sol A. Rosenblatt officially signed an order Tuesday for reopening of code assents. New forms are being mailed by Camni to all code board secretaries this week with deadline for returning assents Aug. 15. Two code signers must endorse the new compliances.

Public hearings on producer and distributor allocations and other code amendments are expected to be set by Rosenblatt within the next two weeks. To date, Mace E. McEvoy and J. Louis Geller comprise the second appeal committee which sits today to hear a number of cases.

I.T.O.A. Moves to Go Into State Court

I.T.O.A.’s motion to remand its action against Code Authority back to the state Supreme Court was denied by Federal Judge Henry Goddard Tuesday.

In the event I.T.O.A. now does not

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Not Affected

New Orleans, July 4.—A second canvass of exhibitors and exchange men shows the campaign of the League of Decency has, as yet, left no ill effects on box-oftices. Grosses are down, but this is attributed to the extreme weather and after-night clubs, bathing beaches and beer gardens.

Mundus List Will Include 25 Foreigns

Mundus Distributing Corp. will release 25 foreign films in the United States, the product being produced abroad by Herbert Wilcox, British & Dominions and London Films.

First release will be “Cash,” a B & D. picture. Sales policy on Mundus films will be individual contracts with United Artists handling physical distribution. No date has yet been set for general release. The second picture has not been decided.

According to the sales plan, special Mundus sales representatives will be named and they will work under Earl Kramer, whose headquarters are in New York.

U. A. in Good Shape On Films—Lichtman

United Artists is better off as far as product is concerned than it has ever been this early in the season, asserts Al Lichtman, vice-president and general manager.

For the new season, he says, “our organization has four productions completed and awaiting release, three in work and nearing completion and one now before the cameras.”

When Darryl Zanuck, vice-president in charge of production, returns in August, Lichtman says he will start

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Girls Too Aggressive in Film Love, NEA Is Told

WASHINGTON, July 4.—National studies have shown films to be above general moral standards with respect to democracy and the treatment of children by parents, almost parallel in respect to kissing, but in marked contrast, in respect to aggressiveness of a girl in lovelocking, members of the National Education Ass’n were told.

Stanley Will Close 75 in Philadelphia

Movement May Spread Due to Church Boycott

PHILADELPHIA, July 4.—Stanley-Warners yesterday gave two-weeks notice to employees in 75 theatres in Philadelphia.

This is said to be part of a general movement for closing until the Catholic boycott is modified.

Speaking for independents in the M.P.T.O., Lewen Pizar said the action would be followed, and Dave Barrist, spokesman for the new J.E. C.A. said it would follow suit if the closings show signs of becoming general.

In a statement for Stanley-Warners, Leonard Schlesinger said he understood this territory was the only one where the church ban was aimed at.

Myers Asks Delay On All New Buying

CAUTIONING exhibitors not to buy new season product in a hurry, Abram F. Myers, general counsel for Allied, on Tuesday advised the New Jersey unit to study announcements from every company and match results of

(Continued on page 4)

Wanger’s Plans Are Not Set, He States

Walter Wanger’s independent production plans are not yet set, he declared on his return Tuesday from a five-weeks’ European trip.

“Things look good in Europe,” Wanger commented. “There’s plenty of activity there. Every Hollywood producer should make the trip, there’s no question about that.”

Wanger leaves for the coast this week-end.

Equipment Firms Go On a C.O.D. Basis

Local theatre equipment supply dealers are planning to put all accounts on a C.O.D. basis, as a result of large losses sustained by dealers with the bankruptcy of Manhattan Filmhouse.

One dealer alone is said to have lost $11,000 on the account and other men are also said to have dropped sizable amounts.
Girls Too Aggressive in Film Love. NEA Is Told

(Continued from page 1)

last night by Robert P. Wray of Pennsylvania State College.

"Aggressiveness of a girl in love-making is the phase of morality in which pictures most often conflict with present standards," Dr. De la R. declared. "It seems evident that pictures are opposing present standards of value in respect to aggressiveness of a girl in love-making.

The study was based on a large number of separate scenes, submitted by all classes of life and employment.

"Conduct in the movies in respect to kissing and caressing almost perfectly parallels life," is was found, while "pictures stand rather above the morals in respect to democratic attitudes and practices." The author's study dealing with the treatment of children by parents finds the movie at their best.

Kennedy Made Head Of Securities Board

WASHINGTON, July 4.—Following reported opposition to his election to the chairmanship of the Securities and Exchange Commission by President Pecora, Joseph P. Kennedy, former head of Pathé, has been unanimously named to the post. Kennedy was President Roosevelt's choice for the job.

The chairmanship of the commission was sought by Pecora. The appointment of Kennedy was made at the initial meeting of the commission. Kennedy, a member of which, with the exception of Pecora, readily bowed to the President's wishes that Kennedy be elected.

Cantor to Start Soon

Hollywood, July 4.—Eddie Cantor will start his fifth musical for Samuel Goldwyn in a few days. It will be called "Kid Millions." Roy Del Ruth will direct.

Milwaukee House Dark

MILWAUKEE, July 4.—The Alhambra, local first run operated by Fred S. Meyer and managed by Stan Meyer, has closed for an indefinite period.

Loew Kansas City House Tries Duals

KANSAS CITY, July 4.—While Loew has agreed to throw duals overboard in Kansas City, the circuit inaugurates the policy in Kansas City Friday when the Midland, 4,000-seat downtown first run will run with its first bill of more than one feature. "Laughing Boy" and "Lazy River" are scheduled for the opener.

The move is reported to be intended to hasten an agreement on the part of the independent suburbs to restrict duals to one a week and eliminate 10-cent admissions, which Loew and other affiliated circuits demand in exchange for higher first run admissions. Should the suburbs adopt the agreement, the first runs also promise to stick to single features.

Whether this latest development will have the desired effect is speculative, as the few independents opposing the agreement anticipate that the first runs will raise admissions and discard duals beginning with the new season, regardless of anything the suburbs may do. On top of that, it is generally believed Loew will not extend its double bills beyond the one week.

Addition of Loew to the double feature ranks finds only one first run in Kansas City, the Sherman Fox Up-town, on a steady single feature policy.

Duals Are Discussed By Delaware-MPTOA

HARRINGTON, Del., July 4.—The double feature problem was discussed and a "like warm" stand against poor pictures was taken at the monthly meeting of the Independent Theatres of Delaware and Eastern Shore of Maryland here. Action on the feature problem is still pending.

A committee of three, comprising A. F. Blair of the Kiatco and A. B. Seligman of the Strand of Wilmington and Bryan Dashiel of Cambridge, Md., was appointed to draft a letter to exhibitors in the form of a formal request for cleaner pictures.

Purely Personal

HARRY EGERT of Progressive Poster Service is vacationing at Pine Hill. Louis Weinheimer, Egert's partner, leaves Saturday for the Adirondacks for a three-week fishing trip.

George Martinez Sierra, Spanish agent, is here on a two-week trip, and Calefona Barcena, Spanish star, also with Fox, arrived yesterday on the Conte di Novara.

F. F. Proctor, founder of the Proctor circuit, and Mrs. Proctor, accompanied by three nieces, sailed last night on the Rotterdam for a North Cape cruise.

Walter Ryan has been named District Manager of the American Federation of Actors by Ralph Whitehead, executive secretary.

Arthur Loew, Sam Morris, Joe Lee, Harry Buxbaum, Phil Hoek, and others were among Sardi luncheons on Tuesday.

M. Puson, operator of the Fox and Metropolitan theatres in the Philippine Islands, is here for a short stay.

Alexander Snekel, general manager for Universal in Brazil, arrived yesterday on the Pan America.

Lou Metzger left for the coast yesterday by plane and will be back in a few weeks.

Harold Ronne is at Saranac Lake NVA Camp working out new programs.

Homer Crov's "Madame Tubbs" has been a hit by the exhibitors.

Gradwell Sears returns from the coast tomorrow.

S. R. Kent returned Tuesday from Chicago.

Mrs. Streeter is in Saratoga on business.

Misseddeals 58

WASHINGTON, July 4.—During January, 1934, there were 58 picture shows not operating in the city of Montevideo, Uruguay, which gave 1,796 shows at attendance, according to the monthly bulletin of the Municipal de Montevideo, as reported to the U. S. Department of Commerce by Assistant Julie B. Smith at Buenos Aires.

May Garner $85,000

Chalking up a gross of $70,000 for the first five days, "Of Human Bondage" will hit a new high for the last six months, according to RKO. An estimated take for Tuesday was $10,000, and for yesterday a take of $15,000 was expected. It is being held over at the Music Hall.

Brands Add Four More

Brandt Brothers have added four house to their circuit the last week, making a total of 28. Because the contracts have not yet been signed, the new acquisitions will not be reported.

Reissue for "Cimarron"

"Cimarron" is being reissued by RKO and numerous bookings are in the air that have been set throughout the country. Repeat runs are also being clocked on "Flying Down to Rio."
THE FLEET'S IN
HERE COMES THE NAVY
and so are
JAMES CAGNEY
PAT O'BRIEN
GLORIA STUART
FRANK McHUGH
And a Few Thousand Others,
directed by Lloyd Bacon, for
WARNER BROS.
Columbia to Push Hard on 10 Specials

(Continued from page 1)

Loy, Raymond and Walter Overman, Clarence Muse and Sterling Holloway, Robert Riskin, who adapted "Lily, Daisy, and Happened One Night," did the script. Others are "Carnival," also by Riskin, but with no great promise, and "Feather in Her Hat," a best seller by I. A. R. Wylie, which ran serially in the Delilahator; "Party Wire," another best seller by Bruce Manning; a Claudette Colbert special and an Edward G. Robinson vehicle, with Howard Hawks directing the latter; "Girl Friend," a musical extravaganza by Herbert Fields, Richard Rodgers and Lorenz Hart, in which Jack Hylton and the New Revels will be featured. William Rowland will produce. The other two will be "Mills of the Desert," an adaptation of a novel by William Warfield; and "One Night of Love," the musical adaptation of the Maxine Elliott play, which has been directed by Victor Schertzinger.

The remaining 38 on the schedule will be reserved for the A-1 group, but it is on the 10 that Columbia will do its splurging and spread its notifications around.

Indicative of the strides made by the company is the unimpeachable report that Columbia has already sold more business in the recent foreign production than unseen were labeled in the first eight weeks of the opening of the national sales drive during the season about to close.

Decentralization to Continue

Decentralization of Columbia's 21 exchanges, begun a year ago, will continue into the next on the theory that branch managers know their own territory best and likewise the salesmanship of Columbia will be largely content to accept deals set up in the field. While it is true that some offices in the field make contracts and insists the terms must be improved, the general practice is to accept an offer from the man in the field. For this reason it is understood percentage pictures have not been designated, nor have terms been set up on fixed bases to which the field force must adhere without variance.

Tuesday marked the close of the eastern convention, while Wednesday saw individual meetings between home office executives, district managers and field salesmen. The second day saw a breakdown of product by Jack Cohn and Abe Montague, with a discussion of advertising and exploitation plans by George Brown. In the afternoon Rue Jacker, Montague's assistant, spoke on the preparation of contracts and J. W. MacFarland, short subject sales supervisor, on his end of the progress.

Joe McConville, national sales supervisor, discussed his theory of what constitutes a proper sales presentation, and also spoke and gave credit for the company's progress to the field force. A surprise development, to which Montague reacted accordingly, was the presentation of a parchment scroll carrying the name of every member of the 16 exchanges represented at this meeting. He left Wednesday for New York, as did other office executives.

The group leaves for Chicago Friday, where the western meeting starts Monday, to terminate Thursday. District managers, branch managers andадamphetamine 13 exchanges will attend, with practically all delegations arriving Saturday, with an opportunity thereby to the World's Fair prior to the convention advent. Tuesday evening the eastern convention switched from the Ritz-Carleton to Hackney's, where an informal get-together dinner marked the formal termination of the sales powwow.

Columbia to Rebuild Its Studio on Coast

ATLANTIC CITY, July 4.—Columbia's studio facilities are to be practically rebuilt on an earthquake-proof basis, according to the sales manager, who was here today to work. The work has already been started, it was stated.

First of these is a two-story writers' building. The new unit will be a 3x150 structure for the electrical, paint, special effects, inserts and trailer departments. It will be of steel and concrete construction. A seven-story structure will be put up on adjoining Beechwood Drive property for the casting, production and art departments, the research library, still department and property departments. A fourth unit planned is an 11-story administration building with a three-story office building and two terraced stages.

A two-story addition to the laboratory and nearing completion, the new work is estimated at $350,000.

Pre-Convention Drive

Winners Are Announced

ATLANTIC CITY, July 4.—Names of the pre-convention contest to clean up all business for the past year were announced at the second day's session of the Columbia sales meet. Phil Fox, B. O. S. York, headed the list.

Others were: Second, William Brink; third, Murray Briskin, Buffalo; fourth, Max Gillis, Philadelphia; fifth, C. T. Koch, Atlanta.

Winners of branch prizes were: First, Portland, Ore., J. R. Beale; second, Chicago, Phil Dunas; third, Boston, T. F. O'Toole, manager; fourth, Charlotte, R. J. Ingram, manager; fifth, Memphis, J. J. Rogers, manager.

The announcements were made by Abe Montague, general sales manager.

Company plans for increasing the advertising budget for next year were discussed by George Brown, director of public relations. Nate Spindel gave a talk on the campaign book.

To Survey Production In Britain for Col.

Hollywood, July 4.—Harry Cohn is flying to England to meet with the head of the Columbia unit there to discuss the possibilities of producing a series of pictures there with Columbia in a view to cashing in on English talent.

Drop "Mud Turtle" Title

Hollywood, July 4.—Title of Columbia's "Mud Turtle," being prepared for Jack Holt, has been changed to "The Depths Below.

Columbia Signs Haley

Hollywood, July 4.—Columbia has signed Jack Haley for the male role in its "Girl Friend," starring Lupe Velez.

Jack Fier with Mascot

Hollywood, July 4.—Jack Fier, formerly with Consolidated Laboratories, has succeeded Maurice Connolly as assistant to Nat Levine, head of Mascot Pictures.

Ritzing It with Columbia

ATLANTIC CITY, July 4.—F. LLOYD STROCKER, manager of the Oklahoma City branch, declared he would have felt more at home at Atlantic City if he had had the brightness to erect a few thousand oil well rigs. According to Strocker, the sight of the building facades becomes monotonous after a while.

When someone suggested to him: "Duke" DUVAL, New Orleans manager, that he go down to Hackney's for some sea food, that citizen of the district responded to the proposal on the grounds that there was nothing in the line of fish he couldn't get just as good, if not better, in his home town. When asked what he could get up north that would be different, his immediate reply was: "Give me a double order of snow and sleet."

JACK UNDERWOOD, Dallas manager, disagreed with Duval. He likes Atlantic City because it has neither "northerns" nor "dust storms."

TIM O'TOOLE, Boston manager, took one look at Joe Miller, skipper of the Buffalo branch, as he got off the train and said: "Gosh, did you strip for bathing while traveling?" Whereupon Miller immediately removed the thousand or more inches of nakedness by putting on his hat.

JIM ROGERS, Memphis manager, has but one objection against conventions held in Atlantic City. This city is too far from Beale St.

BOB INGRAM, Charlotte manager, believes something should be done about a so-called "free exhibition." Board-walking. Wandering into a wax exhibit, he made the discovery that the usual process had been reversed. While no admission fee was charged, there was an exit fee. Because the individual supervising the collection box was a goodly female, he found himself paying about four times as much as the show was worth before he could get out.

When ever Hal B. Bissell, Cleveland manager, hits the Atlantic City coast, he leads up on sea food just to make sure that he does not develop a lack of iodine.

The cruelest of the cruelties happened at a dinner given by J. A. MacFarland, general sales manager, to the salesmen from the Far East, on the occasion of the opening of the World's Fair. The salesmen were cornered by a flock of foreign reporters and all spoke perfect English. They were at the Fair, they said, to get a glimpse of America, and they were impressed by the size of the buildings, the architecture and the general beauty of the exhibits. And they were pleased to learn that Columbia was the only American company represented at the Fair by a sales manager.

The Fair was a pleasant experience for everyone concerned. The salesmen were glad to be there and the foreign reporters were glad to see them.
JULY TO JANUARY
PARAMOUNT'S Greatest MOVIE SEASON
SIX MONTHS OF Smash ATTRACTIONS
JULY . . . 6 pictures, starting with the year's greatest money attraction, Mae West in "It Ain't No Sin," and a great musical, "Shoot the Works"
"IT AIN'T NO SIN"
with Roger Pryor, John Mack Brown
and Duke Ellington's Orchestra
Directed by Leo McCarey

WEST GOES SOUTH with three new "tall, dark
and handsons"...10 trunks of gorgeous clothes
5 sensational songs by Arthur Johnston
and Sam Coslow...the original "beef trust"
chorus...a hot band and a choir of 100 voices.

if it's a PARAMOUNT PICTURE it's the best show in town!
**BING CROSBY**
**MIRIAM HOPKINS**

"She Loves Me Not"

with
Kitty Carlisle · Directed by Elliott Nugent


**"YOU BELONG TO ME"**

with
Lee Tracy
Helen Mack
Helen Morgan

Directed by
Alfred L. Werker

director of
"The House of Rothschild"

**AUGUST**

5 "ace" film entertainments, including a Dietrich production, a Bing Crosby-Miriam Hopkins comedy with music, and a picture with Gary Cooper, Carole Lombard and Shirley Temple.
MARLENE DIETRICH

"THE SCARLET EMPRESS"

with John Lodge, Sam Jaffe, Louise Dresser
Directed by JOSEF VON STERNBERG

GARY COOPER
CAROLE LOMBARD
SHIRLEY TEMPLE

in
"Now and Forever"

with
Sir Guy Standing - Charlotte Granville
Directed by Henry Hathaway

Two of the biggest box office names in the business and the littlest BIG name in motion pictures today in a film entertainment jammed with romance, heart throbs and excitement.

if it's a PARAMOUNT PICTURE it's the best show in town!
SEPTEMBER... 5 more outstanding attractions, headed by Cecil B. DeMille's "Cleopatra", the biggest box office bet of the year, and "Mrs. Wiggs of the Cabbage Patch," a sure-fire success.
A love affair that shook the world, set in a spectacle of thrilling magnificence!

Directed by Cecil B. DeMille with
CLAUDETTE COLBERT
WARREN WILLIAM
HENRY WILCOXON

This picture promises to be the biggest grosser of the year, and perhaps, of all time. Made as only Cecil B. DeMille could make it, it is one of the most stupendous and exciting productions ever seen on the screen. 8000 players and two acres of stupendous sets form the background for the magnificent love story of Antony and Cleopatra.

"Mrs. WIGGS of the CABBAGE PATCH"

with
Pauline Lord · W. C. Fields
ZaSu Pitts
Evelyn Venable · Kent Taylor

Directed by Norman Taurog

Alice Hegan Rice's famous story and play brought to vivid life on the screen by a great cast of players.

An important production to be made on an elaborate scale that will build both profits and good will for every theatre that plays it.

"Mrs. Wiggs of the Cabbage Patch" is one of the world's most popular and best loved books. As a screen production, it will be watched for, waited for and paid for by a ready-made audience of millions.

if it's a PARAMOUNT PICTURE it's the best show in town!
Right at the time when football hysteria grips the nation and people start going places and doing things, Paramount will release the topper to "College Humor," a football musical, "College Rhythm." With Joe Penner, the No. 1 comedy attraction on the air today; Lanny Ross and a great cast of players... The action will be set to music by the great Paramount song-writing team, Gordon and Revel.

"College Rhythm"
with
Joe Penner • Lanny Ross • Richard Arlen
Ida Lupino • Lyda Roberti
Directeby Norman Taurog

Charles Laughton
"Ruggles of Red Gap"
with
Charlie Ruggles • Mary Boland • Sir Guy Standing
Harry Leon Wilson's classic of an English valet who became a social personage in a thriving metropolis of Western America. A riotous and highly amusing vehicle for Charles Laughton, whose great flair for comedy makes him one of the outstanding actors on the screen today... A motion picture made from a book that has had millions of readers.

Directed by Leo McCarey

OCTOBER ... The BIG Month ... The Harvest Month for Paramount box offices, with four sure-fire successes in "College Rhythm," "Limehouse Nights," "Ruggles of Red Gap" and "Pursuit of Happiness."
One of the most popular plays in New York this year

"THE PURSUIT OF HAPPINESS"

with
Francis Lederer - Joan Bennett
Charlie Ruggles - Mary Boland
Walter Kingsford
Directed by Ralph Murphy

All about those good old days when we proudly stressed in the Constitution of the United States the famous phrase, "life, liberty and pursuit of happiness"—and the greatest of these was the latter, which brings us to "bundling," the delightful subject of this picture.

SYLVIA SIDNEY and GEORGE RAFT

"Limehouse Nights"

with Anna May Wong  Directed by Alexander Hall
An action-packed melodrama in an exciting background! RAFT... suave, steely, gun in pocket, going places and doing things in a hair-raising hunt through dangerous Limehouse for SYLVIA SIDNEY, lovely captive of half-caste hatchet men.

"BACK PORCH"

with
W. C. FIELDS

if it's a PARAMOUNT PICTURE it's the best show in town!
"THE BIG BROADCAST OF 1935"
with LANNY ROSS, JACK OAKIE, PAUL GERRITS and a cast of the most popular performers on the air, including JESSICA DRAGONETTE and others to be chosen at the time of production.

Aimed directly at every showgoer in the world, bringing entertainment that includes more famous talent than has ever before appeared together in one grand show, "The Big Broadcast" is not an experiment—it is sure fire entertainment. Every screen and radio fan in the country will tune in on your box office when you play this picture.

CLAUDETTE COLBERT
in
"The Gilded Lily"
with CARY GRANT · JOHN LODGE
A fascinating peek into the romantic escapades of one of the world's most famous women—spicy enough to be interesting, clever enough to be amusing, daring enough to be dramatic. With Cary Grant as the No. 1 man in this notorious beauty's life.

NOVEMBER... 6 Top Money Pictures headed by a smash attraction in "The Big Broadcast," a Sylvia Sidney picture and four other big features.
if it's a PARAMOUNT PICTURE it's the best show in town!
DECEMBER... Paramount's Christmas tree blazes brightly with two of the year's big hits... MAE WEST in "Gentlemen's Choice" and BING CROSBY AND KITTY CARLISLE in "Here Is My Heart," delivered to you for holiday business.
The Sweethearts of the Ticket Machines!

BING CROSBY
KITTY CARLISLE

"Here is My Heart"

Directed by Elliott Nugent

After "She Loves Me Not," Bing Crosby and Kitty Carlisle will be one of the hottest "name" combinations in the business... the most popular voice on screen, radio and stage singing to the girl who answers him with the voice that registered so sensational in "Murder At the Vanities.

An amusing and romantic story of a gay, rich young blood who bought his way into a hotel as a wailer to be near a lovely young lady whose title made her hauty.

Sensational Broadway comedy hit

"THE MILKY WAY"

with JACK OAKIE and an all-star cast

"WAR IS DECLARED"

A sensational international special with a huge cast of players.

ZANE GREY'S

"HOME ON THE RANGE"

with RANDOLPH SCOTT

if it's a Paramount Picture it's the best show in town!
ROSTER OF PARAMOUNT PLAYERS, DIRECTORS AND WRITERS 1934-35

PLAYERS Adrienne Ames • Richard Arlen • George Barbier • Mary Boland • Whitney Bourne
Grace Bradley • Carl Brisson • Geo. Burns & Gracie Allen • Kitty Carlisle • Claudette Colbert
Gary Cooper • Larry Crabbe • Eddie Craven • Bing Crosby • Alfred Delcambre • Katherine DeMille
Marlene Dietrich • Jessica Dragonette • Frances Drake • W. C. Fields • William Frawley • Frances Fuller
Paul Gerrits • Gwenllian Gill • Cary Grant • Jack Haley • Charlotte Henry • Miriam Hopkins
Dean Jagger • Roscoe Karns • Charles Laughton • Baby LeRoy • John Lodge • Carole Lombard
Pauline Lord • Ida Lupino • Helen Mack • Fred MacMurray • Julian Madison • Margo • Joan Marsh
Herbert Marshall • Gertrude Michael • Raymond Milland • Lillian Moore • Joe Morrison • Lloyd Nolan
Jack Oakie • Lynne Overman • Gail Patrick • Joe Penner • George Raft • Claude Rains • Lyda Roberti
Lanny Ross • Jean Rouverol • Charlie Ruggles • Randolph Scott • Clara Lou Sheridan • Sylvia Sidney
Alison Skipworth • Sir Guy Standing • Colin Tapley • Kent Taylor • Eldred Tidbury • Lee Tracy
Evelyn Venable • Mae West • Henry Wilcoxon • Dorothy Wilson • Howard Wilson • Toby Wing

DIRECTORS Charles Barton • William Beaudine • Cecil B. DeMille • James Flood • Marion Garing
Alexander Hall • Henry Hathaway • Arthur Jacobson • Mitchell Leisen • Ernst Lubitsch • Leo McCarey
Norman McLeod • Wm. Cameron Menzies • Ralph Murphy • Jean Negulesco • Elliott Nugent
Gilbert Pratt • Wesley Ruggles • Edward Sedgwick • Arthur Sircom • Norman Taurog
Harlan Thompson • Frank Tuttle • Charles Vidor • Josef von Sternberg • Alfred Werker

WRITERS Frank R. Adams • Charles Barton* • Claude Binyon • Charles Brackett • Laurie Brazee
Dana Burnet • Bartlett Cormack • Jack Cunningham • Walter DeLeon • Finley Peter Dunne, Jr. • Guy Endore
Herbert Fields • Garrett Fort • Lewis Foster • Howard Green • Elmer Harris • Ben Hecht* • Cyril Hume
Grover Jones • Paul Jones • Vincent Lawrence • Gladys Lehman • Charles Logue • Charles MacArthur*
Jeanie Macpherson • Doris Malloy • Francis Martin • John McDermott • J. P. McEvoy • Wm. Slavens McNutt
Wm. Cameron Menzies* • Alice D. G. Miller • Jack Mintz • Paul Moss • Seena Owen • Frank Partos
Humphrey Pearson • Arthur Phillips • Gilbert Pratt* • Marguerite Roberts • Peter Ruric • Harry Ruskin
Dore Schary • Raymond L. Schrock • Chandler Sprague • Jane Storm • Harlan Thompson* • Keene Thompson
Dale Van Every • Virginia Van Upp • Bobby Vernon • Garnett Weston • Waldemar Young

*Also Directors
Fox Met. Deal Again Delayed After Hearing

Continued from page 1)

A price of $5 for 24 hours, as announced by Loew-Warner, is to be $4,000,000 for the title to the 87 leaseholds and fee properties of the circuit, and reflects no demand among the bondholders for part of the committee's bonds.

J. Robert Rubin, Loew's counsel, informed the committee that the bond offer had been mentioned by the committee but he had not heard it.

"I've heard a different figure from two of the three members of the subcommittee," Rubin told the court.

The sub-committee will have an opportunity to speak louder when it resumes its meetings today with the Loew-Warner representatives.

Another point brought up in the negotiations up to now, it was revealed, has been whether or not Loew and Warners have the right to examine, as requested by them, a schedule of grosses and operating expenses of the individual members of the Fox-Met circuit. The bondholders contend that the information was essential to the plan order to prepare a schedule of values, which they said they could arrive at a maximum or final bid. The bondholders' committee refused to supply this information, but after a four-hour adjournment from a morning session to mid-afternoon Tuesday, during which time the key members of the committee, it was agreed to furnish the bondholders with sundry other data which had theretofore been refused.

Object to Statements

Attorneys for Skouras and Randforce, operators of the circuit, objected to the request of the court. Another suggestion made in this connection was that the bondholders be placed in a position where they could acquire the houses showing a profit and deck the pernicious losers in a final deal.

Rubin protested that the bondholders required the information only because the committee, he said, was not prepared to deliver all of the leases and it was necessary for Loew's and Warner to know whether it was losing valuable or worthless properties in the event of lease withdrawals by landlords.

"It seems to me," Judge Mack interposed at this point, "that is the difficulty which confronts any outside bidder coming into this picture. The committee may buy you its bonds, and you know what it is going to do. I don't guarantee you that all of the landlords will renew leases with you if you buy the assets of the circuit, which are its leases, rather than the bonds."

The bondholders' committee, agreeing to object to the request, had to wait until tomorrow, stated that there was enough promise of an eventual agreement being reached to warrant continuing negotiations with the Loew-Warner representatives. Skouras and Randforce representatives opposed the request, declaring that negotiations have already hampered next season's earnings seriously, and that the necessity of making new film buys, negotiating new labor contracts and disposing of other urgent matters made it imperative to settle the issue.

John H. Amen, special assistant to the attorney general in charge of anti-trust cases, told the Tuesday hearing as "an observer," he said, Motion Picture Daily disclosed exclusively Friday that the government was interested in possible anti-trust angles of a successful Loew-Warner bid and that a federal law suit, filed by the Department of Justice, had been assigned to study developments.

Pittsburgh Quashes 5 Clearance Charges

PITTSBURGH, July 4—Five clearance complaints were dismissed and three grievances have been heard here.

Clearance complaints were dismissed as, it was held, they do not affect existing contracts and will be taken care of with publication of uniform zoning schedule for this territory.

Rike and Harry Brodowski, pro-产权 owner of the Rike-Warner's Kenyon, Pittsburgh, over plaintiff's Bellevue at Ike Brodowski, pro-产权 owner of the Ike-Warner's Kenyon, over plaintiff's Hodgeside, Pittsburgh; F. Panopoulos, Clairton, Pa., protested 28-day clearance case of Warner's Grady, and Victor, at McKeensport, over plaintiff's State at Clairton; Mrs. L. L. Macon, pro-产权 owner of Warner's Harris-Memorial and Vic-产权 owner of plaintiff's Grand at Elizabeth, both of Beaver, cleared for six-day clearance of Warners' Harris-State and Washington at Washington, Pa., over plaintiff's Alhambra and Warners' Fort at Washington, Pa.

Grievance complaints heard were:

Alleged overbuying by Warners' Kenyon, at Shaler Square, and Side Amusement Co., operating the Garden, Pittsburgh. Complaint dismissed.

Alleged underbuying by Warners of overbuying that had been submitted.

Complaint against Warners' Sherill Square and Camephora, Pittsburgh, by Harris Amusement Co., operating the Family, charging the two Warner houses received the privilege of playing pictures before the end of the first run clearance, whereas the complainant's competing house did not. Complaint dismissed on the ground that the board was without jurisdiction.

Complaint against Warner, charging Harry Fleishman, operating the Brighten, brought by Warner's Kenyon, charging admission reductions by issuance of script books. Complainant ordered to discontinue practices immediately.

ITOA Loses Move to Go Into State Court

Continued from page 1)

Proceedings to follow a notice and motion for an injunction to restrain Campi from refusing to permit non-assenters to the code from filing complaints with the ITOA. Campi may have within 30 days to have the case withdrawn for failure to state a cause of action.

ITOA's action to restrain Campi in Federal Court several weeks ago, but withdrew in order to file suit in state Court, believing that state laws offer more relief than Federal laws in the matter, Hugh A. Fulton, of Cra-

vath, de Gersdorf, Swaine & Wood, attorneys for Campi, had the case reinstated in Federal Court on the two theories that the state courts lacked jurisdiction. ITOA's unsuccessful move of Tuesday was a new attempt to return the case to the state court.

Darrow to Be Guest at ITOA's Luncheon

Clarence Darrow, anti-NRA gladiator and special critic of the film code, is scheduled to be guest of honor at the regular meeting of the I. T. O. A. at the Astor today, according to a notice issued following a meeting of the board of directors of the organization Tuesday.

Harry Brandt, I. T. O. A. presi-

dent, has made an "impeccable announcement" at the luncheon meeting, it was stated at the same time. The meeting will be open to the press which has been barred from the organization's gatherings since the code meetings it sponsored last summer.

U. A. in Good Shape

On Films—Lightman

Continued from page 1)

A number of head offices, headed by "The Mighty Barnum," will be included.

I feel confident that by January the United Artists will have completed half its program for the new season," Lightman added.

The four completed are: "Budog Drummond Strikes Back," "Affairs of Cellini," "The Last Gentleman," and "The Private Life of Don Juan."

Production Slows Under New Policy

Continued from page 1)

of preparation. The result of more precaution and time in editing is manifested in an increase of two weeks in the cutting room.

M-G-M continues to be the busiest lot with six features in work, two pre-

paring and 14 in the cutting rooms; Warners have six, two and eight; I. T. O. have four, two and two; Paramount, three, two and five; Columbia, three, two and four; Radio, three, three and three, while the independent have three, five and eight.

ITOA's subject division M-G-M reports two working, two preparing and four editing; Roach has one, two and four; Universal, zero, zero and four; Columbia, zero, one and three; Warners, zero, zero and one; Radio, four, zero and 12, while the independents have four, three and four.

K. C. Indies Draft Campi Zone Appeal

KANSAS CITY, July 4—Protesting the provision of the new clearance schedule boards in which the Motion Picture Daily has found a fixed price or be set back five cents in the price scale, a group of inde-

pendent exhibitors met and signed an appeal for forwarding to Campi.

Two clearance and zoning board members have also voiced objection to the plan which was adopted over their protest.

W. D. Fulton, spokesman for the protesting indies, said at least 30 out of 32 indie suburban exhibitors in Kansas City, Mo., would sign the appeal. Fred Meyn, zoning board member for Kan-

sas City, Kan., said subsequents there were preparing an appeal on the same ground. He called it price-fixing.

Independents fear that the plan forces them to one price and prevents flexi-

ible admissions on pictures of different costs. They demand the right to move admissions up or down and offer occasional bargain prices.

Harry Taylor, Columbia manager, representing unaffiliated distributors on the board, and William Benjamin, Universal manager, as well as inde-

pendent exhibitors object to the clause.

Long Island Towns' Clearance Decided

Smithtown and Port Jefferson in Long Island shall be given the same availability, according to a decision in the New York clearance and zon-

ing board Tuesday. A general session of Long Island exhibitors af-

ected was held in order to clear up the situation.

The decision further adds that there shall not be clearance between Say-

ville, Port Jefferson or Smithtown and films become available as follows:

Patchogue and Bay Shore shall have 14 days clearance in all Long Island towns if both towns play day and date with each other.

Bay Shore follows Patchogue, Bay Shore shall have only seven days' clearance.

Huntington and Huntington Station shall have seven days' clearance over Smith-

town on first run pictures. In the event any picture plays second run in Huntington or Huntington Station, that theatre shall not have any clearance over Smith-

town. Pictures are to become available for Smithtown and Port Jefferson considering the above prior rule.

Coast's New Zoning Plan Is Mailed Out

LOS ANGELES, July 4—Copies of the new clearance and zoning schedule have been mailed to all independents, whether or not members of the South-

ern California ITOA.

Opinion among the indies is that it is more realistic, and in advance for everyone. Exhibitors have 30 days in which to file protests and to be heard.

A meeting of the association is considering a plan to maintain a representa-

tive at Code Authority in New York to handle some of the problems. The idea is to raise funds for the pur-

pose and have a man familiar with clearance problems rather than a law-

yer.
WHAT SHOWMEN THINK
of the
MANAGERS' ROUND TABLE
CLUB

SECTION OF
MOTION
PICTURE
HERALD

JACK HOWE, manager, New Theatre, Woodstock, Va.—I have been keeping up with your Round Table section in the Herald weekly and I believe that if all exhibitors and managers would spend a little more time going over the Club pages, the depression for the exhibitors in the motion picture business would soon be at an end.

R. D. LEATHERMAN, manager, Queen Theatre, Abilene, Texas.—No manager can operate a theatre and know what he is doing without a Herald on his desk. The Round Table section is invaluable.

J. L. CARTWRIGHT, city manager, Halifax Theatres, Inc., Daytona Beach, Fla.—I think you have done marvelous work with your Managers' Round Table section, and you deserve congratulations as I believe it is greatly improved. I read it with a great deal of interest because it is "chuck" full of splendid ideas, and I have been very careful to keep a complete file.

JAMES R. PARTLOW, manager, Tipp Amusement Company, Tippecanoe City, Ohio.—I have found your section and the Herald in general to be of great aid to a "newly born" exhibitor, and am hoping, before long, to be able to contribute some things which may be of value to other showmen.

JAMES E. DELANEY, Delaney Theatre, Gananoque, Ont., Canada.—I find the Herald and the Round Table the greatest help one can employ and will never be without it. In my estimate, it is worth ten times ten its cost. I hope to help you now, as soon as I can, in return.

FRANK BOUCHER, city manager, Warner Bros., Hagerstown, Md.—The Motion Picture Herald and the Managers' Round Table Club are to be congratulated on inaugurating campaigns to stimulate showmanship.

JOE KINSKY, district manager, Capitol and Garden Theatres, Davenport, Iowa.—Without trying to kid you, the Motion Picture Herald, and especially the Round Table Club, is a part of my life. I take all the copies home and I get a great deal more pleasure reading them than I do the newspapers. My wife is just as interested in your publications as I am. In fact, we both find pleasant hours every week going over the magazine from cover to cover.

RICHARD L. MOSS, manager, California Theatre, San Diego, Cal... In offering the exploitation awards, the Managers' Round Table Club, the Motion Picture Herald and Mr. Quigley have added another accomplishment to the already long list for this publication.

R. E. WATSON, unemployed manager, Los Angeles, Cal.—The Herald happens to be the only paper that does keep one posted, and I would be at a loss without it.

THERE IS NO SUBSTITUTE FOR CIRCULATION
SID S. HOLLAND, city manager, Elkhart Amusement Co., Elkhart, Ind.—Your sponsorship of the award of the Martin Quigley plaques for 1934 exploitation is another indication of the splendid cooperation emanating from the Round Table Club.

EDWARD HARRISON, manager, Capitol Theatre, Pittsfield, Mass.—Want you to know that your Round Table department is very much appreciated.

LEON PICKLE, manager, Kentucky Theatre, Henderson, Ky.—I hope that my ideas may be of as much help to some of the other members as their ideas have been to me in the past. Your department in the Herald is the department of showmen, for showmen, and the first to be read, from beginning to end, every week.

MERRILL F. HANNA, manager, Hollywood Theatre, Detroit, Mich.—We depend on the Herald in many ways, and your Club pages remain as interesting as always. Have arranged a filing system for the Heralds, having two years of copies neatly stacked away, with a separate little file classifying all the stunts of interest, what edition they were in, etc.

HAROLD W. EVENS, manager, Loew’s State, St. Louis, Mo.—I enjoy your Round Table department very much and find it very often valuable.

ABE COHEN, manager, Schine’s Massena Theatre, Massena, N. Y.—...I am always interested in what the other fellow is doing, therefore I always turn to your Round Table pages first when I receive my Herald.

JOE FELDMAN, Warner Brothers Theatres, Pittsburgh, Pa.—I don’t suppose you would mind a compliment, since so few are usually the lot of trade paper editors. I think you guys are doing a remarkably showmanlike job in whooping up the Quigley Publications, and a white orchid is due you because the manner of promoting these publications is proving an inestimable service to live-wire showmen.

NEVIN McCORD, manager, Granada Theatre, Boise, Idaho.—I appreciate the way in which I have been honored by the Motion Picture Herald and every one connected with the presentation of the Quigley Award for March. The Round Table has always been a most valuable guide to me in my work. I have followed its suggestions from my early days in the theatre.

WALTER L. GOLDEN, Riverside, Jacksonville, Fla.—I honestly believe that winning the April Quigley Award was the proudest moment of my life, for I have never received anything that I value so highly. I want to thank you and everyone concerned for the consideration you gave me in this...and you can count on me to come right back as soon as we get a picture that will warrant a campaign.

C. J. OTTS, manager, Palace Theatre, Rayne City, Texas.—I enjoy the Round Table discussions. They have proven quite helpful numerous times. I hope you keep up the good work.

M. D. UTTERBACK, Lyric Theatre, Wellington, Kansas.—The Round Table columns are wonderful. They give an exhibitor an idea of how to play his show before he shows it. I find all of these stunts are good or the exhibitor wouldn’t have the time to send them in if they weren’t a success, but pass it on to someone else can profit by his successful experiment. We all are looking for new stunts that will bring them in without spending too much money.
Heat Wallops
All Broadway
Grosses Hard

Heat and outdoor attractions combined to hit Broadway grosses last week.

"Operator 13" made the best comparison, but this was pretty dull. It took $41,000 at the Capitol, with Abe Lyman’s band and Leo Carrillo on the stage.

"Majestic" was held down to $21,000 on "Let’s Try Again." At the Paramount "The Great Frightening" reached only $17,500. "Dr. Monica" had $18,515 at the Strand, and "Affairs of a Gentleman" took $13,700 at the Roxy.

Estimated takings:
Week Ending June 27:
HALF A SINNER (Univ.)
MAYBE (M-G-M)
BOTH YESTERDAYS (M-G-M)
Total: $11,685, 7 days. Gross: $3,330.

"LET'S TRY AGAIN" (Radio) RADIO CITY MUSIC HALL—(3,945), 6 days. Stage show. Gross: $62,000.

Week Ending June 28:
CAPITOL—(4,000), 36-45c, 7 days. Stage: Abe Lyman’s band, Leo Carrillo and others. Gross: $35,000.

FAIRGROUNDS (Radio) FAIRGROUNDS—(3,700), 8c-7c, 7 days. Vaudeville show. Gross: $5,700.

"THE GREAT FRIGHTENING" PARAMOUNT—(5,700), 35c-9.6c, 6 days. Stage: Joe Adal, Joe Dorsey, etc. Gross: $13,800.

AFFAIRS OF A GENTLEMAN (Univ.) ROXY—(2,800), 35c-7c, 7 days. Vaudeville show. Gross: $13,950.

STAGECRAFTERS (Warners) STRAND—(2,000), 3c-1.10c, 7 days. Gross: $3,200.

Week Ending June 29:
MURDER AT THE VANITIES (Para.) RKO CENTER—(2,900), 35c-8c, 7 days. Gross: $4,000.

Such Women Are Dangerous (Fox)—2 days. RKO CENTER—(2,900), 35c-8c, 7 days. Gross: $4,000.

Agent Fair Practice
Code Is Discussed

Hollywood, July 4.—The entire code of fair practice between producers and agents, as well as the latter’s clients was discussed behind closed doors at the office of Emanuel Cohen of Paramount. Writers and actors weighed means of securing one code dealing with relations between agents and those they represent.

Developments at the meeting will be held under advisement until July 16, when a vote will be taken on a single plan of fair practice.


Trem Carr, fifth producer representative, could not be present, as he was recently operated upon. His condition is reported worse at the Cedars of Lebanon Hospital.

Will Post Release Dates

BUFFALO, July 4.—General release dates, which have been posted on the bulletin board in the office of the Buffalo code board, $35 Pearl street, for guidance of exhibitors who need the information in requesting cancellations.

Looking ’Em Over

"I Can’t Escape"

(Reacon Prod.)

Though its story may be commonplace to a certain extent, "I Can’t Escape" seems to be made to order for neighborhood houses. A credit to the film is the high quality of its settings and acting of the principals, especially Onslow Stevens, Lila Lee and Russell Gleason. There are also some good directorial touches.

Stevens, on parole, meets Miss Lee, an "on call" girl, and falls in love with her. They take vows to go straight and decide to back life together. There is much footage devoted to Stevens’ efforts to get a job. Finally he lands one with a crooked investment firm, which hires him with the intention of letting him take the rap should they be run in with the law. To advance their scheme the partners in the firm require him to adopt an assumed name.

When Gleason pops into the picture determined on killing Stevens in the belief he was responsible for selling his father phoney stock and driving him to suicide, Stevens takes him into his home in the hope he may be able to win him away from the idea of committing murder.

When the partners slip with $100,000 invested in bad stock by a widow, Stevens discovers the his animosity and makes it possible to apprehend the crooked brokers.

Other players are Otis Harlan, Clara Kimball Young, Nat Carr, Eddie Gribbin and Kane Richardson. Otto Brower directed. Running, 59 minutes.

"The Star Packer"

(Lone Star-Paramount)

Patterned after the customary western formula, this John Wayne vehicle has its share of action and thrills for kids and audiences and the western enthusiasts. There is the bandit infested territory with the mysterious outlaw leader, the stage coach holds, shootings of stage drivers and stage coaches, the runaway coach with the romantic interest abroad. Verna Hillie, in this case, and the tracking of the outlaw leader and his ultimate downfall caused by Wayne, who takes the girl as his reward.

Fitted to this pattern are some good adventure episodes in the form of hard and fast riding, thrilling rescues and shooting scenes on a wholesale scale which should satisfy those who like their film fare staged in the wide open spaces. Running time, 56 minutes.

"Winters" and "Dynamite"

Detroit Draw

WEIGHT: 300,000, 5-8c, 7 days. Gross: $20,000.

LIFE OF VEGGIE WINTERS (Radio) FISHER—(2,000), 15c-50c, 7 days. Gross: $20,000.

"LITTLE LADY" (Warners) LADY—(2,000), 3c-15c, 7 days. Gross: $10,000.

"BAER-CARNERA FIGHT" SWEETHEART (Chesterfield) STATE—(3,000), 35c-9c, 7 days. Gross: $3,600. (Average, $514)

"CABLING LADY" (Warners) COBBLER—(800), 7c-30c, 7 days. Gross: $1,700. (Average, $243)

"SAILORS" and Fight Hold in Philadelphia

PHILADELPHIA, July 4.—Hot weather and the church boycott took its toll of Philadelphia’s film business last week.

Only the Fox, with the Baer-Carnera fight pictures held over for a second week, showed up. "The Thin Man," and "She Learned About Sailors," got a good break, grossing $15,000. In spite of the fact that the fight films had already been released to the second runs, they proved a draw at the Fox.

The Earle was fair with $11,500 for "Personality Kid," and a stage show, "The Thin Man," all breaks considered, did well with $10,900 at the Stanley.

Total first run business was $54,800, Average was $7,828.

Estimated takings for the week ending June 28:

"ANA ONCE" (Par.) ARCADIA—(500), 3c-10c, 6 days. Gross: $1,600. (Average, $266)

WHERE SINGERS MEET (Radio) BOYD—(1,200), 45c-55c, 6 days. Gross: $1,600. (Average, $266)

THE PERSONALITY KID (Warners) EARLE—(2,000), 45c-55c, 6 days. Gross: $1,700. (Average, $283)

SHE LEARNED ABOUT SAILORS (Fox) (Col.) CATE—(1,700), 3c-5c, 6 days. Gross: $1,500. (Average, $250)

PRIVATE SCANDAL (Para.) KARL—(1,000), 25c-35c, 6 days. Gross: $900. (Average, $150)

"THE BLACK CAT" (Univ.) STANLEY—(1,700), 30c-45c, 6 days. Gross: $1,200. (Average, $200)

"WINTER" Fair as Providence Slumps

PROVIDENCE, July 4.—It was another week of small grosses with showmen trying to keep the lure of the outdoors. RKO Albee was the only house to come anywhere near its average, catching $6,500 with "Life of Vergy Winters" and "Let’s Try Again." Majestic, Loew’s and Paramount had small takes.

Total first run business was $27,500. Average was $4,087.

Estimated takings for the week ending June 28:

"WINTER FRISCO" (F.N.) RUG—(300), 15c-50c. (F.N.) $700. (Average, $233)

"THE CIRCUS CLOWN" (Para.) MAJESTIC—(2,400), 15c-50c. Gross: $2,400. (Average, $700)

"I GIVE MY LOVE" (Univ.) FAYS—(1,000), 15c-35c. Gross: $1,500. (Average, $1,500)

THE STARCH OUT RETURNS" (Para.) FIFTEEN WIVES (Paramount) (Col.) $3,000. 15c-50c. 6 days. Gross: $180. (Average, $30)

"BORN TO BE BAD" (M-G-M) LOEWS STATE—(3,000), 15c-50c. 6 days. Gross: $3,000. (Average, $500)

"MYSTERY LINER" (Col.) "BLUE STEEL" (Col.) RKO ALBEE—(2,600), 3c-5c. 7 days. Gross: $1,200. (Average, $171)

"LIFE OF VEGGIE WINTERS" (Radio) SNOW—(2,000), 35c-55c, 6 days. Gross: $2,500. (Average, $417)
Buying Co-op Revamps with A New Entity

Detroit Group “Safe” Under Law: Moon

Detroit, July 5—Asserting all questions of legality are now removed, Mid-States Theatres, Inc. Detroit booking combine long subject to local wrangling and target of many threats by local exhibitors, drops out of the picture and gives way to a new company, to be known as Co-operative Theatres of Michigan, Inc.

Capitalized at $80,000 and incorporated under a law passed in 1931, Co-operative hops all legal hurdles and finds itself comfortably ensconced (Continued on page 3)

Chicago Overbuying Case Is An Enigma

CHICAGO, July 5—Case number one, Ben Bartelstein’s complaint of overbuying against Schoenstadt, continues to be the enigma of the local grievance board.

After many hearings Bartelstein was awarded 46 pictures in the three-cornered situation which involved his Annette theatre, the Schoenstadt Palace and the Villas, all of Cicero, The (Continued on page 3)

Chicago FTC Probe Going to Washington

CHICAGO, July 5.—The Federal Trade Commission probe into duals, sponsored by the I. T. O. A., is still under way with the report scheduled to go to James Horton, chief examiner (Continued on page 3)

May Wipe Out Weak Issues on ‘Changes

WASHINGTON, July 5—Elimination of weak and speculative issues from stock exchange listings is a number of (Continued on page 11)

“Gwyn” to U. A.

“Nell Gwyn,” produced in London by British and Dominion, has been acquired for American distribution by United Artists. This is the picture which Herbert Wilcox will preview at the Astor Tuesday night.

Warner After Domination Of Northern Jersey Sector

With acquisition practically set for eight theatres, Warners intend to further solidify their New Jersey holdings shortly. Negotiations are understood under way with a number of independents for theatres which will give Warners virtual domination in territories in which they now operate.

Operation of the five Bratter & Pollack and three Rap! & Rudin houses will be taken over within the next few weeks by Warners.

Seeks Accord on Boycott; Delaware Talks Shutdown

WILMINGTON, Del., July 5—Independent exhibitors in this area assert that, unless the boycott by church members in the area—allegedly indiscriminate pictures is lifted, they will have to close their houses. They state the boycott has become effective here. Announcement was also made that if the Warners and independents in the Philadelphia area are closed they will lose to close here also because films will not be available. This slant was not explained.

A. Joseph DeFiore of Wilmington, (Continued on page 6)

Arthur Will Oversee St. Louis Spots

Tussle Over Cleveland’s Zoning Near

Cleveland, July 5.—A fight over clearance proposed for Greater Cleveland is in the making. Currently it is brewing over a special classification set up for downtown theatres charging 15 cents during the day and 20 cents at night. Now getting product on the

Quality Clause in British Quota Act Seen Possibility

By BRUCE ALLAN

London, July 5—Introduction into the Quota Act of a clause covering quality today is looked at as a possibility to be sponsored in exhibitor ranks, following the statement in Commons of Walter Runciman, president of the British Board of Trade, that he would be pleased to consider any representations from the industry relative to the quality of quota films.

Runciman declared he had noted exhibitor protests at the recent C. E. A. convention at Blackpool, but pointed out more than double the statutory number of quota productions was available in the last quota year.

His comment developed by way of reply to a question citing widespread theatre complaint allegedly arising from an unjust interpretation of the act itself.

Darrow Will Aid ITOA on Code Revise

With Lowell Mason Will Contribute Services

Clarence Darrow, former head of the NRA Review Board, and Lowell B. Mason, former Review Board counsel, will contribute their services to the I. T. O. A., and other industry factions dissatisfied with the code in an effort to obtain changes in the code sought by independent groups by Harry Brandt, I. T. O. A. president, said yesterday at a luncheon meeting of his organization at the Astor.

Darrow, scheduled to be the guest of honor at the meeting, did not attend. His absence was explained by Brandt as due to illness but Milton C. Weisman, counsel for the I. T. O. A., told the meeting later that he had (Continued on page 3)

See New Delay in Fox Met. Dickers

A fifth postponement of the Federal court hearing for approval or disapproval of the Loew-Warner $4,000,000 offer for Fox Metropolitan Playhouses appears to be in prospect for today as a result of the inability of the bidders to conclude negotiations yesterday with (Continued on page 16)

Salary Report Nears; Scope Halts Release

WASHINGTON, July 5—General statistics and conclusions of the salary investigation will probably be made public as soon after presentation on Tuesday to General Johnson as the volume of work in the Government Printing Office permits, it was said today by Division Administrator Sol A. Rosenblatt.

The report will be so lengthy that mimeographing will be impossible, Rosenblatt declared. In all probability, a week or more will be required for the document to go through the printing office.

Clicks to $94,500

"Of Human Bondage" closed its first week at the Music Hall Wednesday night to a $89,500 week, without tax, or $500 less than Motion Picture Daily’s estimate. The July 4 gross was $18,000.
Film Gains Reported By Cleveland Bank

Cleveland, July 5.—Paid admissions at approximately 80 first runs and neighborhood houses in Cuyahoga County increased to a total of $3,523,025 in the first five months of this year, compared with $2,147,876 for the same period of 1935, says the Cleveland Trust Co. in an advertisement in the Cleveland Press.

ITOA Case on NIRA Validity Is Deferred

Albany, July 5.—The Court of Appeals adjourned today until October without having decided the case of Sherman vs. Ailes, which involves the independent Theatre Owners' Ass'n and Local 306, I. A. T. S. E., and the constitutionality of the NIRA and the state enabling act.

Sues Eastman Kodak

Rochester, July 5.—Eastman Kodak being sued in Federal Court here by the Hill Manufacturing Corp. of Kansas City, Kan., which asks damages of $9,000,000 on the charge of infringement on a process patented by the plaintiff in the use of the Kodak process of making film. The plaintifff alleges one of its machines was purchased for the actor, and the suit is a model for a larger unit.

Novarro Will Return

Hollywood, July 5.—Ramon Novarro's new contract, being issued to him here today, has prevented the actor from extending his concert tour to Europe. Novarro will leave for Europe Jan. 12 and will arrive in New York July 27, and in Hollywood August 1 where his first picture will be "In Old Vienna" with Evelyn Laye.

Plains Still Formulating

Hollywood, July 5.—Plans of Major Film Prod., recently authorized by the Federal Trade Commission to float its stock, are not sufficiently advanced to talk about them, according to Fred Church, president of the company.

Re-Sign Elliott Nugent

Hollywood, July 5.—Elliott Nugent has been handed a new contract by Paramount. The new ticket calls for the actor in six pictures over a period of time extending to September, 1935.

Sandwich Films Win Victory in Memphis

Memphis, July 5.—Movement to beat the blue laws by offering free films' privilege to seeing a free show and food and drink has scored a victory here with the release of the Shelley Cowan Grand Jury in indelibly signing Charles Menings, director of the Orpheum, who introduced the experiment recently. The Grand Jury has been kept open Sundays with a charge of 40 cents for a sandwich and a drink, with the purchaser's privilege of seeing a free show. On three occasions Menings has been arrested and required to pay fines totaling $75.

Sunday Films Allowed

Bronswiile, N. J., July 5.—The showing of films on Sunday is approved by theBronswiile Village Board.

Goman Off Tomorrow

George W. Goman, secretary of the West Coast Service Studios, sailed today aboard the Ile de France in connection with a series of European-financed productions to be made in New York next season. He will be away six weeks or more.

To East on Vacations

Hollywood, July 5.—Miriam Hopkins, who left Jan. 12 and will arrive in New York July 27, and in Hollywood August 1 where his first picture will be "In Old Vienna" with Evelyn Laye.

Salary Tiff Settled

Hollywood, July 5.—The reported salary dispute between Claire Dodd and Warners has been amicably settled and the actress has taken up her new role in a picture where she left off two months ago.

Brown Assigned Three

Hollywood, July 5.—Harry J. Brown's first productions on a new associate producer's contract with Paramount will be "Captain Blood," "The Case of the Curious Bride" and "The Irish in U."

Eastman Pfd. Off 2 on Big Board

Consolidated Film Industries, Inc., 1
Eastman Kodak 121
Fleetwood 7
Fox Film "A" .13
Lewis, S. 17
Leucite 183
Loew's Inc. 312
Paramount Publs, etc. 43
Pathes Exchange A .116
Pathes Exchange B .116
Warner Bros. 32

Technicolor Up Eighth on Curb

Warner Bonds Advance 3/4

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<tr>
<th>Technicolor</th>
<th>High</th>
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<td>13 1/4</td>
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Walter Rathner, who handles Curb bids in New York, reports that Technicolor was up 1/8.

Sets Record for Fourth

Los Angeles, July 5.—Los's State here broke all house records yesterday at the Palace theatre in opening, playing to 10,400 admissions, with "Operator 13" the attraction.

Anna Wong Returning

Hollywood, July 5.—Anna May Wong leaves England, July 8, leaving directly for Hollywood to take an engagement in Paramount's "Lime-house Nights."

Epstein London-Bound


ARNOLD RITTENBERG of Men- tone, who attended the Columbia Rose convention, "Ritty" whose company will release the "Spice of Life" one-reelers through Columbia, and at the same time has been attending while operating theatres in many parts of the country.

ALBERT SKEBEE, president of the West Coast Service Studios, leaves Monday with a camera and sound crew for up-state New York, where he will produce an industrial feature for the Niagara Hudson Power Co.

SAUL TRAUNER is full of smiles. The only Columbia salesman to sell 100 per of his possibilities this season, he was publicly commended for his enterprise by Abe MAGNUE at the Columbia powwow down at the N.C.A.A. Western Conference meetings.

HARRY RATHFLE, of Principal, returned yesterday on a five-week tour of the country on which he sold "Chando" and other pictures to state right distributors.

CLAUDE CUMMINGS is en route to Hollywood with style dope for use of the Wampa's "Baby Stars" in "Young and Beautiful." Mascot will produce.

HOD SUGARYN, U. A. manager in Panama, is in town for a short vacation. He is scheduled to sail for Panama on the 19th.

PAUL BERNSTEIN leaves today for North Carolina to visit his sister. He's on vacation.

WILLIAM SCULLY has gone to New Haven for a two-week business trip.

WESLEY EINB returns as master of ceremonies at the Roxty show.

Oscar DOOR of Loew's on the vacation list.

"U" Signs Child, 2/2

Hollywood, July 5.—Juanita Quig- ley, two and a half years old, has been signed by Universal for a role in "Imitation of Life," upon the completion of which she will go under a long-term contract.

WASHINGTON, July 5.—Loew's State here broke all house records yesterday at the Palace theatre in opening, playing to 10,400 admissions, with "Operator 13" the attraction.

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Epstein London-Bound

Darrow Will Aid ITOA on Code Revise

(Continued from page 1)

had Darrow's representation, Louis Mason, and the general counsel, Frank Wetsman, at the hearing. Mason and Brandt disclosed yesterday that a collective bargaining agreement had been reached. The agreement, covering the representatives of the New Alton and the St. Louis Post-Dispatch, will be presented to the Review Board for approval.

Mason also announced that the New Alton will be represented by the New Alton and the St. Louis Post-Dispatch, and the St. Louis Post-Dispatch will be represented by the New Alton.

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WARNER BROS.' ROYAL BLUSH

Dolores DEL RIO in Madame Du BARRY

VERREE TEASDALE • VICTOR JORY • REGINALD OWEN • OSGOOD PERKINS • And 17 Other Featured Stars . . . Directed by William Dieterle

Vitagraph, Inc., Distributors
Pledge Cards Circulating In K.C. Now

Kansas City, July 5—Signing of Legion of Decency pledges is under way in 125 Catholic churches in the Kansas City diocese following the reading at a pastoral letter by Bishop Thomas F. Lillis. Approximately 500 cards were signed at the first of the 25 diocesan parishes in Springfield, Sedalia, Booneville, Marshall and Joplin, Mo. The bishop emphasized that Catholics are taking their place in the film crusade. He emphasized there was “no reform in this move,” the sole purpose being “clean plays” in the playhouses of America, he said.

In his message to the communicants, Bishop Lillis branded the so-called magazine-style, pot-boiler publications of the “confessions” type as offenders against morals and decency, and described them as by-products of “the salacious motion pictures.”

“I have nothing but praise for the metropolitan press, however,” continued the episcopal letter. “Most papers of this country have moral standards and they keep them. Much has been done by the metropolitan papers to keep down the flow of dirty motion pictures and the filthy magazines.”

Waging Long Fight

Bishop Lillis for years has been campaigns against indecency on the screen in the denominational magazines available at the newstands. In his recent report to the Pope, the bishop dwelt on the “encroachment of indecency” from these sources.

Bishop Lillis charged that “less than a dozen magazines actually control” the industry and blamed them for “this moral depravity.” He said they violated the pledges to observe the production code.

A resolution urging their members to boycott indecent films has been adopted by members of the Kansas City district Methodist Episcopal church, South, at a meeting here. The resolution stated:

“Protest against the teachings of the Kansas City district, M. E. Church, South, realizing that a stream of indecency is pouring into the minds of plenty of others, ask that the heads of the diocese, the members of the diocesan board of missions and the parishes be made aware of the need of such a move. This resolution was approved by the president and the diocesan board of missions.”

Want Undesirable Films Out 100%, Not Merely Censored

Columbus, O., July 5.—A checkup by Motion Picture Daily shows that 300 petitions bearing signatures of 25,000 citizens demanding that all movies giving complete or partial nudity be run off the screen were signed by the Ohio Council of Churches to pastors throughout the state.

In a letter addressed to Skinner by W. J. Powell, operating the Loew’s at not a penny, the town’s only theater, he stated that as a small town exhibitor, to take such action as will result in complete rejection of off-color and vicious pictures.

“Unless something is done,” Powell wrote, “we are looking for bad spots in every film. It is an absolute fact that the kind of pictures produced during the past several years has driven away from me the theater a constant clean-minded patronage.”

He complained that under block booking he is unable to shelve the pictures which he knows in advance his patrons will disapprove.

Lima, O., July 5—Projecting the political angle into the situation, John A. Elden, Cleveland, seeking Republican nomination for governor, told a meeting sponsored by Citizens’ National League here that the state board of censors had pitifully failed to clean up films in Ohio. “More than that,” he charged, “the Democratic party has been responsible for greatly increasing the expenditures of the censor board.”

Seeks Accord on Boycott; Delaware Talks Shutdown

(Continued from page 1)

Says Catholic Campaign Aims at Duals’ Death

Buffalo, July 5—Elimination of double bills “most prominent in neighborhood houses,” is a major objective in the Legion of Decency campaign for better films, Rev. Alfred Barrett, moderator of the Student Soladity Area Conference, told the Holy Family Church sodality here.

Father Barrett quoted remarks of his uncle, Amedeo J. Van Beuren, producer for RKO, made at the recent convention in Chicago. Father Barret has a brother who is an actor and a brother and sister in distribution.

Charges “Evil” Films Are Cause of Crime

Niagara Falls, N. Y., July 5—“Evil” pictures are a crime, said Charles H. Tuttle, former Federal attorney for the Southern District of New York. Mr. Tuttle was a candidate for governor, declared at the ninth annual meeting of the Federation of Bar Assns. of Western New York.

Father Barrett declared that Catholic and Jewish denominations are the prime victims of clean-cut pictures.
COLUMBIA MARCHES ON

with

48

FEATURE PRODUCTIONS

through

1934 · 1935

Your needs and desires and our aims and hopes are one and the same:

GOOD PICTURES ... We ask for your continued faith and confidence in Columbia.

With it WE MUST SUCCEED—TOGETHER
2 FRANK CAPRA PRODUCTIONS
THE FIRST OF WHICH WILL BE
BROADWAY BILL
featuring WARNER BAXTER and MYRNA LOY
with Lynn Overman, Raymond Walburn, Clarence Muse, Doug-
las Dumbrille. By Robert Riskin, from “Strictly Confidential,” by
Mark Hellinger.

8 Extended Run Specials

GRACE MOORE in ONE NIGHT of LOVE
Season’s first big smash hit, with Tullio Carminati, Lyle Talbot, Mona Barrie.
Story by Dorothy Speare and Charles Beahan. Screen play by S. K. Lauren,
James Gow and Edmund North. Directed by Victor Schertzinger. Acclaimed by
critics.

A FEATHER IN HER HAT
Critics from coast to coast have hailed this best-selling novel of L. A. R. Wylie’s
as one of the most delightful heart-warming stories of the year! It promises to be
a knock-out as a picture!

An EDWARD G. ROBINSON Production
Directed by Howard Hawks
A great box-office star! A great box-office director! Their combination will result in
one of the ten best pictures of the year! You can look forward to something
extraordinary in motion picture triumphs.

PARTY WIRE
Now a best-selling novel—soon a big money picture! It captured the hearts of
thousands and the unstinted praise of reviewers everywhere! By Bruce
Manning.

A CLAUDETTE COLBERT Production
“It Happened One Night” lifted this brilliant popular star to new heights! Now
Columbia presents her in a great production that will give her exceptional
talents even greater scope!

MAID OF HONOR
One of America’s most popular authors, KATHARINE BRUSH, author of “Red-
Headed Woman,” now gives you this great story—read by nearly two million
readers of Cosmopolitan Magazine and published by popular demand in
book form. One of this year’s BIG ones.

CARNIVAL
Beautiful, kaleidoscopic, colorful—this dramatic romance is set against ever-
fascinating backgrounds. A tense story of tangled lives by Robert Riskin, scen-
artist of “Lady For A Day” and “It Happened One Night.”

THE GIRL FRIEND
A musical extravaganza featuring JACK HALEY and LUPE VELEZ, by Amer-
ica’s musical comedy kings. Book, music and lyrics by Herbert Fields, Richard
Rodgers, Lorenz Hart—authors and composers of “The Connecticut Yankee” and
“Hit the Deck.”
A-1 GROUP

SPRING 3100
From the Broadway play by Argyll Campbell, produced with great success at the Little Theatre, New York. On the screen, its swift action and tense drama will find wider popular appeal.

MAN PROOF
Love-proof, thrill-proof, kiss-proof! Many men tried to break down the wall of her resistance to love—but failed! Then one man imprisoned her heart forever!

MURDER ISLAND
A thrilling, swiftly-paced adventure of a young aviatrix whose plane, forced down on an uncharted island, is captured by bandits. From the story by Leland Jamieson.

MISTAKEN IDENTITY
The all-engrossing story of a girl who lived another woman’s life, endured many heartaches and sought passionately to win the romance which was hers alone.

WHITE LIES
You know her! You’ve seen her in the tabloids! You’ve heard her name whispered! Fast, modern, “aero-dynamic” romance with a dangerous tug at your emotions!

LADY OF NEW YORK
Beautiful, smart, sophisticated—she matched wits and crossed hearts in the world’s greatest love mart—New York—where the men love to play and pay!

PRIVATE PROPERTY
Pointed at! Whispered about! Captive in a cage of luxury! The world knew her story but none dared tell the truth! A breath-taker that will be talked about wherever played!

UNKNOWN WOMAN
Suspense and surprising situations follow each other with reckless rapidity in this exotic creature’s amazing career! The climax strikes a new note of high-pitched drama aimed at every woman’s heart!

$25 AN HOUR
From the outstanding Broadway success which played to exceptional business at the Mosque Theatre, New York. A gay, saucy, delightful romance by Gladys Unger and Leyia Georgi.

I CONFESS
The fascinating story of a woman who bared her heart to the world! Every page is torn from her very soul and out of it emerges a story that will pierce the heart of every man and woman!

8 PICTURES to be designated
Columbia will produce 8 other feature pictures not identified on these pages. This will permit the company from time to time to select such subjects and materials of a timely nature as may become available.

A HOLT Production
Lotus story of two pals who loved—each other’s sweethearts!

ARE!
most age, with a brilliant cast that is sure to box-office returns!

OFF in MYSTERY
he of “Frankenstein” who made a powerful mystery romance.

THE GODS
Age destinies and stranger loves. New York.

EPHTHS BELOW
Ag vehicles
for star. He will also co-star with

OR TWO
ach speeds its way from Riviera—speed limit!

LS
ich ran for one year in London...are in New York. From the play

ALEMAN
es of mounting surprises—blend-drama. From the story by Bradley

TUDE
hen it played all over the country—Theatre, New York. By Frank
8 OUTDOOR FEATURES

The gallant, romantic, thrilling ace of the saddle in a series of exciting, whirlwind dramas that spell box-office success and make him the undeniable King of the Outdoors.

COLUMBIA'S SHORT ATTRACTIONS

- ONE REEL EACH -

COLOR Rhapsodies
A riot of startling color that is topped only by the riotous blend of comedy and music. Will add a delightful dash to your program! Produced by Charles Mintz.

The SPICE of Life
Over one million weekly readers of the Literary Digest are ready-made fans for this new, delightful and hilarious reel of the world's humor. Produced by Mentone Productions, Inc.

Scrappy
More theatres than ever before are booking these lively, hilarious and joyous short feature hits. Gilt-edged proof of their popularity. Produced by Charles Mintz.

Krazy Kat
More than ten million people enjoy "Krazy Kat" daily in newspapers all over the country. George Herriman's famous cartoon strip whets their appetites for "Krazy's" screen antics! Produced by Charles Mintz.

Life's Last Laughs
Every epitaph a sign for roars! Will delight audiences and prove talk of your show. Received overwhelming fan reception when first shown at Radio City Music Hall! Produced by C. S. Clancy.

World of Sports
Up-to-the-minute sport thrills for all screen fans! Daring, breath-taking, keyed to the nth degree of heart-pounding excitement!

Laughing with Medbury
Medbury laughs at the world and the world laughs with him! There's a laugh in every landscape of this cock-eyed world with this famous commentator! Produced by Walter Futter.

Screen Snapshots
Hollywood through a keyhole! The fan magazine of the screen! Harriet Parsons, roving reporter, sees all and tells all about how the stars act when not acting.

26 star-studded 2-REEL COMEDIES

Harry Langdon — Andy Clyde — Leon Errol — Walter Catlett

and the 3 Stooges

The finest two-reel comedies you've ever played — featuring an aggregation of outstanding comedians! They're not merely an addition to your program — they're a whole show in themselves!
Church Drive Continues to Upset Nation

(Continued from page 6)

office, its argument is bound to be most effective. A study of audiences, howev- er, is anything but encouraging, and it requires no prophet to foretell that any picture which is questioned in advance will be a near sellout when shown.”

Simultaneously, in a lengthy homiletic Hoek- man, of the Holy Lutheran Church, issued a statement along practically similar lines, although directing his attack more against Will Hays.

Agrees Striking at B.O. Is the Only Way

CINCINNATI, July 5—Archbishop McNicholas has no idea of anything short of a militant organization of those who want reform,” declared Rev. Carl H. Olson, pastor of the Old Universal Church here, in a talk to his congre- gation on “Our Movies and Our Morals”:

“The Legion of Decency threatens to strike at the very heart in the moral issues we face—issues of life, death, and war.”

“The splendid organization of the Roman Catholic Church makes this new movement more effective than any resolution or word of protest which any other group could make. Protestant and Jewish leaders and groups have praised the venture, but they should go farther.”

Washington Protests Jews, Catholic Movement

WASHINGTON: July 5—Support of the Legion of Decency campaign swings into line from an unsuspected quarter with the Washington diocese of the Protestant Episcopal Church declaring it would join the Catholic movement actively.

Ohio Christian Endeavor Meeting Approves Drive

NEW PHILADELPHIA, Ohio, July 5—For the first time in Ohio Christian Endeavor history, a Protestant clergymen for support of a Catholic movement was endorsed and embodied in resolutions for clearer films adopted at the closing session here of the State Christian Endeavor convention.

Resolutions carried out sentiments of Rev. Vere W. Abbey, Christian Endeavor missionary secretary for India, Burma and Ceylon. “Movies too rotten to be shown in Ohio are being shown in New York, and unless we do something it calls for a near sellout when shown.”

Presbyterian Confab Endorses Film Drive

Oxford, Ohio, July 5—Protestants joined religious sects that have joined Catholics in their campaign for a “clean” motion picture here as the 70th general assembly of the United Presbyterian Church endorsed the move shortly before adjournment.

Approval of the position by the Catholic Church through its “League of Decency” followed closely similar action by the Federal Council of Churches of Christ in America, other denominational meetings last week in Wooster, the east and individual ex- pressions from Jewish leaders.

See NEA Swing to Crusade Against Films

WASHINGTON, July 5—The Na- tional Women’s Party, in its resolution on Friday to vote on resolutions now pending before the resolutions committee of the organization, including one holding the Federal Film Board’s recent inaction on the most important means of education and proposing that the NEA join with other organizations in demand- ing a high type of picture and in the movement to clean up the screen.

The resolutions pictures which threaten the integrity of the American home and American institu- tions, glorify lawlessness and con- tribute to child delinquency. Block booking is held in the resolution to be largely responsible for the “unsavory character” of present film entertain- ment and is condemned without re- serve.

Gets Come-Back Chance

HOLLYWOOD, July 5—Clara Kimball Young, once a big name in pictures, has been signed to a one-picture deal with Embassy Pictures to play the role of Chandu’s sister in the serial, “The Return of Chandu,” for Principal.

 Paramount Regional On; Last of Series

With talks by George Schaefer, J. J. Unger and Milt Kusell highlighting the last of the Paramount’s two-day regional got under way yesterday at the Waldorf Astor- mir, the manager presided.

Product and the flexible sales pol- icy also were discussed in a review of the national sales meet which was conducted here last week.

Today’s session will be devoted to individual district meetings with Unger slated to talk to salesmen, Swanson to automobile dealers, Smith to branch managers, Portland and New Haven, Kusell will gather his own from Albany, Buffalo, New Jer- sey, New York and Brooklyn to talk. About 65 are in at- tendance.

Frankwyn Co. Adds 2 More Stage Plays

Two additional legitimate produc- tion have also offered to the Frankwyn schedule for the coming season. Harold B. Franklin said yesterday that two plays, with George G. Whiting, Sr., and Harold I. Starr, scheduled for a try-out opening at Hartford on Labor Day, and a musical called "Grandeur French," will close this season, while the musical music hall star, set to open at the Lyceum here, October 15.

Charles B. Cochran, London pro- ducer, who is associated with Frank- wyn and Arch Selwyn in the produc- tion venture, is due here next month to prepare for the openings.

May Wipe Out Weak Issues on ‘Changes’

(Continued from page 1)

cities throughout the nation is anticip- ated here as one of the early acts of the Screen and Exchange Com- mission, of which Joseph P. Kennedy is chairman.

The anticipated action, however, is not expected to apply particularly to the New York Stock Exchange, where restrictions have been tightened volun- tarily in recent months.

Seek Accord or Boycott; Delaware Talks Shutdown

(Continued from page 6)

did not contemplate closing and that the boycott has not had any effect on the studios.

There has been no boycott ordered in the Catholic diocese of Wilmington such as those issued in the archdiocese of Philadelphia. The Wilmington di-ocese is in the Baltimore archdiocese and consequently the boycott at Phila- delphia cannot extend to the Catholics in this city and state.

Western Series Sold

Bud ‘n’ Ben Pictures Corp. has sold its series of 12 three-reel westerns to F. C. Pictures of Buffalo for Upper New York and to Metropolitan Pic- tures of Seattle for Washington, Ore- gon and Montana.

Substitution

Chicago, July 5—Sally Rand, whose fans dance at the Fair last year, started what became a stage vogue that grew until it fanned both coasts, made a reappearance at her old stomping ground today substituting a bubble for a fan.

Blue lights helped create the illusion Sally was danc- ing in the upholstered chair. Whether of matter of fact, she was nestling behind it. Fair officials regarded her as "essentially covered."

Fun in 1933. Bubble, no fan, in 1934. Local specula- tion centers around what it will be if the Fair opens again.

Variety Club Chatter

WASHINGTON, July 5—The first of the weekly luncheons of the Willard Hotel.

Kings for the day were Guy Womack, chairman; and Bob Claxton.

Off the main room, which is gaily decorated with paneled borders of troubadours and circus parades, is an entrance to the ladies’ reception room.


The following committees have been selected by the board of governors: John A. Blum, chairman; Harry E. Follander, vice-chairman; E. H. Fawley, secretary; W. B. Stiefel, treasurer; Harry D. Brown, E. H. Aron, W. B. York, assistants; Harry E. Meyer, treasurer; Harold Meikin, Frank LaFaw, Lou Low. Entertainment—Caster T. Barron, chair- man; Benjamin S. Stiefel, vice-chairman; Julian A. Bykowski, Jacob J. Karp, Leonard B. Schloss, William K. E. Cohen, assistant secretary. In- vestment—Philip M. McCoy, chairman; Charles E. McGowen, Walter A. Beranek, Charles E. Newton, secretary; Harry S. Brown, chairman; Charles E. Schulman, Harry E. Lou- thway, Edward Jacob, assistant secretary.

Six Years Later

Omaha, July 5—A small town exhibitor in Iowa, who in 1928 received a notation from the local Warner ex- change manager, Oncor, credit on the books and urged him to apply it on future sales, found the indication to the letter. He attached the faded and wrinkled letter to a frame, saying he wanted the money in cash since he decided to go out of business.
WILL ROGERS
in
HANDY ANDY

with

PEGGY WOOD
CONCHITA MONTENEGRO
MARY CARLISLE
ROGER IMHOF
ROBERT TAYLOR

Produced by Sol M. Wurtzel
Based on play “Merry Andrew” by Lewis Beach.
Screen play by William Conselman and
Henry Johnson. Adaptation by Kubec Glasmon.
Directed by David Butler
and you'll know what many exhibitors have SEEN for themselves!

"Sure-fire attraction for millions. There is every reason to anticipate 'David Harum' business."
—Motion Picture Herald

"Among the most enjoyable of Will Rogers' pictures ... particularly strong on comedy."
—Film Daily

"Keeps the laughs rolling with gags and situations."
—Variety Daily

"Down-to-earth, wholesome, homespun... with many laughs. Fast on the heels of 'David Harum'."
—Motion Picture Daily
MARKET GETS Good $6,500, Minneapolis

MINNEAPOLIS, July 5.—“Little Miss Marker” charmer was a fine $6,500 at the State and was shifted to the Century.

“Dr. Monica” was strong at the Minneapolis with a take of $8,000. The heat was near a record.

The six southern entries make top grosses of $26,000 got $27,000, while St. Paul’s four, took $14,000, took $15,000.

Estimated takings:

MINNESOTA—(Fox) WEDNESDAY June 28.

MOTION PICTURE DAILY

“MOTION PICTURE DAILY” (Chicago) Gross: $1,500. (Average, $400)

“MOTION PICTURE DAILY” (M-G-M) LYRIC—(1,239), 20c-25c, 7 days. Gross: $1,500. (Average, $214)

“HOLLYWOOD” (Warner’s) MINNESOTA—(4,000), 25c-50c, 7 days, Gross: $8,000. (Average, $1,143)

“LIFE OF VERGIE WINTERS” (Radio) RKO—(2,294), 25c-45c, 4 days, Gross: $1,500. (For the week, $375)

“SUE TO HOLD HOUSE” St. Paul, June 29.

“MANHATTAN MELODRAMA” (M-G-M) PARAMOUNT—(3,000), 25c-45c, 7 days. Gross: $1,500. (Average, $214)

“HOLLYWOOD PARTY” (M-G-M) RAYBONE—(2,490), 25c-40c, 4 days. Gross: $1,500. (Average, $375)

“SUCH WOMEN ARE DANGEROUS” (M-G-M) Riviera—(2,590), 25c-40c, 7 days. Gross: $3,200. (For the week, $457)

“THE LIFE OF VERGIE WINTERS” (Radio) RKO—KEITH’s, 25c-55c, 7 days. Gross: $7,000. (Average, $1,143)

“VALLEY OF THE GODS” (M-G-M) RKO-ORPHEUM—(1,000), 25c-60c, 7 days, Gross: $1,500. (Average, $214)

“THE KING’S SPEECH” (M-G-M) RKO-RCA—(2,000), 25c-45c, 4 days. Gross: $1,500. (Average, $375)

“AMORE E LA MODA” Hollywood, June 5.—Frank Nolan has at last fixed things so that players won’t have to smoke themselves to death in order to create a frosted breath for cinematic amusements.

The doctor says he has invented a gadget that fits inside the upper lip and holds a container of dry ice. The ordinary breath contacting the ice creates the frosted breath. The system was recently demonstrated in the “Merry Widow.”

“Vergie” Gets Kansas City’s High, $7,000

KANSAS CITY, July 5.—Grosses generally were off as Kansas City sweltered. Normal was reached by the “Life of Verge Winters” with $7,000 at the Mainstreet and “Affairs of a Gentleman” with a stage show at the Midland for $6,500. The “Show Off” gave the Midland $8,000, below par by $2,000.

Total first run business at the five first runs was $28,200. Average is $3,510.

Estimated takings:

Week Ending June 28:

“THE LIFE OF VERGIE WINTERS” (Radio) MIDLAND—(6,000), 25c-75c, 7 days, plus Saturday late show, Gross: $7,000. (Ave. straight fills, $700)

“SHOW OFF” (M-G-M) MIDLAND—(6,000), 25c-60c, 7 days, plus Saturday midnight show, Gross: $8,000. (Average, straight fills, $700)

“The Key” (Warner’s) NEW—(1,600), 25c, 7 days, plus Saturday late show, Gross: $4,900. (Average, $692)

“Affairs of a Gentleman” (University) Toward—(2,000), 25c-45c, 7 days. Gross: $1,500. (Average, $214)

“BAER-CARNATA” (M-G-M) PALACE—(6,000), 25c-50c, 7 days, Gross: $3,200. (Average, $457)

“Segall Plans Theatre Philadelphia, July 5.—Charles Segall, vice-president and manager of the Principal Theatres, has acquired a site at Broad St. and Olive Ave. in the northern section of Philadelphia and will build a theatre of the de luxe variety with a capacity of 1,500. He hopes to have the house completed by Thanksgiving Day. The project is Segall’s own, and part of his Principal Theatres affiliation.

In Deal with Adams

Bud Rogers, general sales manager of the Atabody Company, has signed an agreement with Jack K. Adams, president of Adams Film Exhibitors Inc., to handle his product in Texas, Oklahoma and Arkansas.

Select Plans “Old Lace”

“Lavender and Old Lace” by Myrtle Reed will be made by Select at Biograph.

Weiss Serial on Custer

“Custer’s Last Stand” will be produced as a serial by Louis Weiss for release via Exploitation Pictures, Inc. Production will be centered in Hollywood and Weiss on deck to personally supervise.

Pre-Release “Drummond”

PHILADELPHIA, July 5.—Instead of waiting until September, showing the film in the Aildale, its local outlet, U. A. has arranged with Stanley-Warner to re-lease “The Man with Two Faces” and “Strikes Back” at the Stanley July 14.

Up in Attorney General

DENVER, July 5.—David W. Oyler, operator who studied law in his spare time, is a candidate for the Democratic nomination for attorney general of Colorado.
K.C. Theatres Get Help from Papers

KANSAS CITY, July 5.—As a result of intense competition between the two local dailies for theatre advertising, they have extended their services to the theatres. The Star has added tabloid reviews in the Friday morning edition, to coincide with most first runs in addition to the usual reviews on Sunday.

The Journal-Post daily amusement column is now devoted more to the current and future attractions. This paper now includes the Fox Uptown and the Tower, non-advertising first run attractions as a move to obtain their business.

Neighborhood theatres are getting more cooperation from the Journal-Post than ever before. This was promised when 21 neighborhoods recently signed to use daily space in the amusement column for $1.60 a week. The advertising neighborhoods run a Journal-Post trailer, for which they receive the reported sum of $1.60, which is turned over to the I. T. O., as dues.

Downtown first runs are ired that the Journal-Post is not advertising with the neighborhoods in giving free tickets in an advertisers' promotion campaign.

A new feature, titled "Columns and Verses," the paper's weekly advertising supplement, two neighborhoods are chosen weekly to give away 100 passes, and in return, 15 passes, free publicity.

Before the neighborhoods started using the Journal-Post, the first runs had a monopoly on this cooperative plan.

New House for Lawrence

LAWRENCE, Kans., July 5.—This town next fall will boast the oldest and finest ever built in the Missouri. The newly formed Commonwealth Theatre Corp. has begun construction of a theatre estimated to cost $35,000 and scheduled for opening in September. The new company is affiliated with Commonwealth Theatres of Kansas City, which owns the Patee in Lawrence, which is credited with being the first picture theatre west of the Mississippi.

Stanley C. Schwahn, manager of the Patee, is president of Commonwealth Lawrence. C. A. Schultz is vice-president. Approximately 50 business men and citizens of Lawrence are stockholders.

To Erect Manila House

WASHINGTON, July 5.—Eastern Theatrical Co., Inc., of Manila, P.I., will erect a $50,000 theatre in Manila, according to a report submitted to the U.S. Department of Commerce by Acting Trade Commissioner Carl H. Boehringer.

The project is financed entirely by Filipinos and the company is now operating the Metropolitan and Fox Theatres in Manila.

The house will seat 1,100 and will be air-conditioned.

McConnells Have Twins

BIRMINGHAM, July 5.—Thomas Y. McConnell, Strand manager, is receiving congratulation. Mrs. McConnell gave birth to twin girls. The trio is doing nicely.

Taps New Revenue Source

Columbus, O., July 5.—Two cinemas, established a year ago in the Eastern Ohio and West Virginia coal mining region by Steubenville, Ohio, interests, and operated entirely with portable equipment, have materially increased receipts of the Paramount exchange, according to M. R. ("Dubbie") Clark, local manager.

Each circuit plays seven nights a week in mining camps having a small theatre in which pictures have not been shown since the last era. The projector is run in this regular booth with a cable extension carrying back to the sound horn on the stage. Pictures are heavily advertised. As many as 100 one-sheets and other accessories have been used starting this week, giving an indication that, prior to inauguration of the 14-town circuit, no revenue in rentals was derived from this particular region for six years, whereas returns have been steady each week since the project was launched. Only Paramount pictures are shown.

Ohio Managers Shifted

COLUMBUS, O., July 5.—Recent managerial changes include transfer of Charles Winthrop from the RKO Paramount, Cincinnati, to the Erwin Bock, manager of the RKO Capitol, Cincinnati, which went dark recently, succeeded by Harvey Cocks, manager of the Harris, Findlay, has been transferred to the Strand, Akron, re- ceived to elevated district manager for Warner's in northeastern Ohio. Ben Wahlster, manager of Warner's Palace, New London, for several years, has been transferred to San Pedro, Cal., to take charge of one of the Warner spots.

K. C. Picnic July 16

KANSAS CITY, July 5.—The local industry's annual picnic and golf tournament will be held July 16 at Knoll Country Club, the M. P. Relief Fund, which has directed these outings in the past, will this year join the efforts of the Variety Club. It is planned that eventually the Variety Club will take over all such local activities.

Bank Deposits Show Ohio Is Picking Up

COLUMBUS, O., July 5.—Indication of financial improvement in Ohio is reflected in the report just released by David A. Bower, president of the Ohio Bankers' Ass'n., which shows an increase of $81,550,000 in deposits of local banks in the state as of March 31. Resources increased $79,905,000 during the same period.

Improvement still is continuing, according to information, although ex- hibitors in various parts of the state complain of poor business, some of the key situations reporting an all-time low for June.

"U" Puts Its Stars In Radio Sequences

HOLLYWOOD, July 5.—Universal has decided to throw in a generous portion of its star roster in the radio slot sequence of "Gift of Gab." As a result, the Universal has signed up a dozen of its top players, including the "U" puts its stars in radio sequences.

Lined up for the one sequence are Lowell Sherman, Chester Morris, Bonnie Barnes, Boris Karloff, Bela Lugosi, Paul Lukas and Roger Pryor. These names are in addition to Edward Suplee, Gloria Stuart, Alice Faye, Robert Young, and several of the harmony teams, who appear in the top spots.

The film went into production Saturday with Karl Freund directing.

Retail Sales Gain

SALT LAKE CITY, July 5.—Retail sales here are up 18 per cent over those of last year and the gain for the first five months over the same period for 1933 is 20 per cent, according to reports from the 12th Federal Reserve District Bank.

For Utah and Idaho the May increase was 20.2 per cent and for the first five-month period it was 23.9 per cent.

Back to Duals Again

OMAHA, July 5.—The World is back on the duals again after the interval of four weeks of vaudeville by the Bert Smith Varieties company. The company had been booked for two weeks and the contract was extended two weeks longer when business seemed to warrant it. A box-office decline during the second two weeks terminated the engagement.

Carstairs Reaches Coast

HOLLYWOOD, July 5.—John Patty Carstairs, English writer signed by David O. Selznick on his recent trip to London, is under a two-year contract.

Penn-State Dissolved

DOVER, Del., July 5.—Penn-State Amusement Co., a Delaware corporation, has been dissolved by the State Department. A certificate of voluntary dissolution was issued following the consent of all the stockholders.

Columbia 'Change Grows

OMAHA, July 5.—The Columbia exchange has moved one door west on Davenport St. into new and modern quarters. The new quarters have 1,100 more square feet of space.

Hollywood Personalities

Hollywood, July 5.—Frances Drake is back from Honolulu. Jack Oakie's brother-in-law is visiting and Bob Ritchie's mother at dinner the other night. Gordon and Revel back from San Francisco where they appeared over Walter Winchell's program. Lee Tracy is looking at yachts. Gordon Westcott has taken over "The Girl Friend" until Lupe Velez returns from her personal appearance tour in the east. Frank Borzage has been elected secretary and treasurer of the Variety Club. Cecilia Tait has been signed to play Garbo's sister in "The Painted Veil." Virginia Karns, who has made such a hit here at the Biltmore Bowl, gets the role of "Widow Piper" in Roach's " Babes in Toyland."
Arthur Will
Oversee St. Louis Spots

(Continued from page 1)
the receivership, which is expected some time next week.

Arthur and Marco Wolf returned yesterday from St. Louis where they attended the court hearing and approval of the sale.

According to Arthur’s plans, the Ambassador and St. Louis will show F. & M. stage shows with pictures and the Fox and Missouri will be put on a single feature policy. Duals at the Grand Central will be continued unless St. Louis neighborhood and suburban theatres agree to eliminate twin bills.

F. & M. plan to increase prices, provided they get cooperation of other St. Louis. The Missouri matinees and 55 cent evenings. The scale would be general downtown, they hope.

Arthur has purchased a Douglas plane to commute between New York, Salt Lake City, St. Louis and Los Angeles. He expects to spend most of his future time in the developing the F. & M. circuit. He leaves next week for St. Louis to work out the operating setup for the five theatres. Marco returns to the coast at the same time, stopping at St. Louis.

St. Louis, July 5.—Federal Judge Davis has approved sale of the Ambassador, Missouri and Grand Central to the bondholders’ protective committee for $200,000. He also approved the reorganization plan of the committee and instructed counsel to present a formal decree for his approval tomorrow.

Objections by counsel for Warners and others were over-ruled by Special Master Nelson Coniff on June 7, the dissenters contending the sale price was inadequate and the reorganization plan unfair.

According to court procedure, the leases are not supposed to take possession until 60 days after approval of the reorganization, but it is understood the bondholders are anxious to have F. & M. step in immediately and the court will approve.

See New Delay in Fox Met. Dickers

(Continued from page 1)

a sub-committee of the Fox Met bondholders’ committee.

“Considerable progress” in the negotiations was reported by representa-tives of both sides last night, but no agreement prior to the court hearing today was not held likely. One spokesman said that nothing final was expected Tuesday. TV is predicted accord would be reached at that time with Loew’s and Warners agreeing to a purchase of the committee’s bonds at about 85 per cent of a $12,500,000 issue, for $4,000,000. Loew’s and Warners would then proceed with their own reorganization of the circuit, taking their own chances on cancellation of leases by landlords privileged to do so under their pacts with the receiver for the circuit.

Reports that the Loew-Warner bid has been boosted to $4,500,000 was accepted by the sub-committee for the bondholders yesterday were emphatically denied on both sides.

That the I. T. O. A. would oppose “as a major issue” the acquisition of the circuit by Loew’s and Warners was disclosed yesterday by an official of the organization, who pointed out that the playing of M-G-M product in 42 Randforce-Orchestras of the circuit would set back numerous independent houses to fourth and fourth run on that product. The Randforce-operated houses are not playing M-G-M product now, it was said, but are expected to if Loew becomes joint owner of Fox Met with Warners.

Los Angeles
Slides; Shy Of Big Films

Los Angeles, July 5.—Lacking in pictures with a real draw and despite fair weather, local grosses dipped about $10,000 under average for the first-run battery for the week which ended Wednesday night.

The Paramount continued to lead with its continuing busy stage attraction, this time “Coffee Club Revue,” plus Lew Hite and his orchestra and Miggie Jiggs. “Kids and Make Up” was the film.

Aside from the Pantages which ended at about $3,500 against a $3,200 average with “Hollywood Party” and “Sisters Under the Skin,” receipts elsewhere were about 25 per cent off. Total business was $51,247. Average total was $1,705.

Estimated takings for the week ending July 4:

“THE VIOLET MAN” (French) FILMASTE (3,595), 25c-55c, 7 days. Gross: $22,200. (Fox) $2,000.

“BABY TAKE A BOW” (Fox) LOEW’S (2,421), 30c-$1. Gross: $12,380. Average: $4,120.

“KISS AND MAKE-UP” (Para.) PARAMOUNT (2,391), 25c-55c, 7 days. Gross: $14,000. Average: $2,000.

“RETURN OF THE TERROR” (F. N.) WARNER BROS., (HOLLYWOOD) (2,000), 25c-55c, 7 days. Gross: $16,000. Average: $2,300.

“HOLLYWOOD PARTY” (M-G-M) SISTERS UNDER THE SKIN (Col.) PANTAGES (1,060), 30c, 55c, 7 days. Gross: $9,000. Average: $1,200.

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Mulvey, Fish on Coast

Hollywood, July 5.—James A. Mulvey and Ben Fish of Samuel Goldwyn Corporation are here for a series of conferences.

BUILDING THEATRE PATRONAGE

For Handy Reference

This is a treatise on theatre management in detail. It is needed on every theatre man’s desk. The wise manager will consult it many times a day.

Have This Inexpensive Assistant At Your Command

Price . . . $5.10

QUIGLEY BOOKSHOP

1790 Broadway
New York
Cleveland to Go Off Dual Bills Sunday

Agreement Affects All But New Operators

Cleveland, July 6.—On Sunday every theatre belonging to the Cleveland M. P. Exhibitors Ass'n., comprising 90 per cent of the houses of Greater Cleveland, will drop double features by unanimous agreement.

The agreement, signed by all members, commits them to a single feature policy for the remainder of the 1933-34 season and for the entire 1934-35 season. It is said by a leading local law firm to be binding.

The Catholic Universe, loud in its demand for clean pictures, accepted this announcement with enthusiasm and took credit for the policy, claiming it (Continued on page 3)

Cleveland Flooded With Zone Plaints

Cleveland, July 6.—A flood of complaints charging that the new clearance and zoning schedules being set up by the local code board are opposed to the schedules arrived at as a result of settlement of a law suit brought against first runs here two years ago is being forwarded to Campi (Continued on page 3)

Famous Canadian Job Goes to Haaza

Toronto, July 6.—William Haaza of Calgary has been appointed western division manager of Famous Players as successor to Harry Dahn of Winnipeg. Haaza will establish headquarters at Winnipeg. Dahn will return to the east.

Harold Bishop, formerly manager of the Capitol, Calgary, becomes assistant to Haaza at Winnipeg.

Buys a Yacht

Toronto, July 6.—N. L. Na-thanson, president of Famous Players, has purchased a steam yacht, the Thalassa, from the estate of C. O. Stillman, former president of Imperial Oil Ltd., subsidiary of Standard Oil. The Thalassa is of 138 tons registry and carries a crew of six.

Philadelphia Exhibitors to Meet Monday on Church Ban

Philadelphia, July 6.—Confusion entered the church boycott situation today with word from both the M. P. T. O. and the Independent Exhibitors Protective Ass'n., rival bodies, that each group had called its own meeting Monday to discuss the situation. The forms within the Philadelphia and the latter at the Broadwood. What Philadelphia exhibitors apparently have to determine now is which organization powwow they will attend.

In the meantime, the Catholic Standard and Times, official church publication in this diocese, today was openly dubious over the announced intention of Warners and the M. P. T. O. to close their theatres unless the ban is lifted.

ITOA to Have Only Darrow's Moral Support

While the I. T. O. A. and other independent factions have the moral support and sympathy of Clarence Darrow, former head of the National Recovery Review Board, their fight against the code will have to be carried on without his active or official assistance, the Chicago criminal attorney said yesterday.

In clarifying his position in the face of definite statements that he would give his services without remuneration (Continued on page 3)

No Code Hearings, States Rosenblatt

Washington, July 6.—No public hearings on amendments to the film code are contemplated, it was declared today by Division Administrator Sol A. Rosenblatt in commenting upon reports from New York that a hearing had been tentatively set for the last of this month.

It was explained by the division (Continued on page 3)

KMTA to Act On Guaranty, Percentages

Kansas City, July 6.—Action against guaranty and percentage demands of distributors will be sought by the Kansas-Missouri Theatre Ass'n., when it meets in convention here July 17. A. F. Baker, presi- dent, has issued a call for the convention, which will be held in the Variety Club quarters.

The association's board of directors is on record against existing percentages, recently agreeing that "the (Continued on page 3)

Columbia Men Off For Chicago Meet

Columbia home office executives, headed by Jack Cohn, will attend the convention of the eastern offices of the company will open Monday morning at the Medinah Club.

Included among those making the trip are: Jack Cohn, Abe Schneider (Continued on page 3)

Capri with Your Soup

Philadelphia, July 6.—A new angle in night club and restaurant operation is to be put into effect at the Arcadia Restaurant by Arthur H. Padula, who has just leased the place. He plans an "International Restaurant" and one of the features of the entertainment will be newsreels and travel subjects which will bear out the international angle.

Padula, a University of Pennsylvania graduate, is well-known for his innovations in restaurant and cabaret service. At the present time, he operates the Anchorage in Fairmount Park which he has equipped with "Flourescence," his own color lighting device which has since been used by many presentation units.

Loew-Warner To Make New Fox Met Bid

Revised Terms Will Be Submitted Tuesday

A new Loew-Warner bid of $4,000,000 for the Fox Metropolitan bonds outstanding, rather than for the leaseholds and fee properties of the circuit, will be ready for submission to the bondholders committee next Tuesday, it was disclosed at a hearing yesterday before Federal Judge Julian W. Mack.

The hearing was postponed to Thursday, July 12, to permit time for the Loew-Warner bid to be drafted and the committee to consider it.

Attorneys for the bondholders' committee and for the Loew-Warner interests expressed the hope that they could "get together" on both price and terms of the sale in the interim.

"Have the bidders changed their price or their terms?" Judge Mack (Continued on page 2)

NEA in Resolution Hits Unclean Films

Washington, July 6.—The National Education Ass'n's annual meeting came to an end here today with the passage of a resolution condemning indecent films.

Pointing out that "the motion picture is one of the most important means of education today," the resolution proclaimed the adherence of the (Continued on page 4)

No Circuit Closing Up in Wilmington

Wilmington, Del., July 6.—Although Catholics of the Wilmington diocese are interested in the protest against alleged indecent pictures, local circuit theatre managers said this morning (Continued on page 4)

Paper Value Less

Paper valuation of all amusement issues listed on the New York Stock Exchange was $15,146,210 on July 1 as compared with $16,014,145 on June 1, according to official exchange records.

This is a shrinkage of $8,858,035.
MOTION PICTURE DAILY
(Registered U. S. Patent Office)
Vol. 36 July 7, 1934 No. 5

Martin Quigley
Editor-in-Chief and Publisher
MAURICE E. GANN
Editor
JAMES A. CRON
Advertising Manager


Action on Guaranty, Percentages Sought

(Continued from page 1)

The new bid, it was said, will also dispel with the Loew-Warner demand for a breakdown of operating costs and grosses of individual houses of the circuit, and will make possible the possibility of an early release of leases by landlords who retained their right to do so in the event of a sale of the circuit to outsiders.

Attorneys for Skouras and Rondoff, the present operators of the circuit, believe that the new delay in the settlement of the circuit’s future, among the urgency of labor contracts and film bylaws. They stated that the present offer is not possible and able to make film deals now because of the uncertainty which exists and that unless new season deals were closed soon Fox Met might be “left out entirely” next year in the event the Loew-Warner deal fell through.

“There may be a lot of truth in what you say,” Judge Mack commented, “but I am not justified in proceeding against the judgment of the bondholders’ committee, which is asking for the postponement.”

It appears that our clients are being sold down the river,” remarked the attorneys.

Both George Sklar and Sam Rinzler were spectators at yesterday’s hearing.

FRANK BRUNER, who handles publicity at the Rivoli, is back in town after a short visit to the World’s Fair. BRUNER is continuing the re-opening of the house with “Rothchild” shortly.

ARE SHUL, promotion manager of the Literary Digest, says it’s good to be back in promotion again. Years ago, he was a branch manager for Fox in Detroit.

SAM WIESELSTAD has completed his work for Universal in London and will return today to New York. He is no longer connected with Universal.

LEON LEONIDOFF, producer of the Radio City Music Hall stage shows, arrived from Europe yesterday on the Mauretania.

FAY Wray and RALPH BELLMAY, who have been playing in “Woman in the Dark” at the Bijou Stage, leave today for the coast.

RICHARD and MRS. DIX were tenderly holding hands yesterday aboard the S.S. Santa Lucia before the couple sailed for the coast.

At SKEER, Universal’s Brazilian division, are in town on a sales, business and vacation trip will make indefinitely.

HARRY MARTIN, critic of the Memo- ry of The Motion Picture Herald, is visiting Times Square and its highlights the once over.

VERA MURRAY is operating the Washington, D.C. Fair. She is looking for new players and a young star for play the world theater for tryout of new plays.

ISABEL JEWELL is due in New York next Tuesday for a short vacation from M-G-M.

P. D. COCHRANE returns Monday from a two-week vacation.

HAL HOB is up at Lake Katonah for the hot season. He is still the man of the office for a few days on a short vacation.

Radio Gets Hepburn

Hollywood, July 6—Radio has signed Katharine Hepburn to a new two-year contract under which it will have her services exclusively. The agreement carries no options and calls for three pictures a year at a higher salary.

Para. Regional Closes

Paramount’s regional sales meeting closed yesterday at the Waldorf Astoria, with Divisional Sales Manager J. J. Unger presiding, assisted by Milt Kessell and William Erb, district managers.

Branch managers present were Clayton Eastman, Albany; Kenneth McCook, Buffalo, New York; H. R. Ern, New Jersey; H. Randal, Brooklyn; Myron Sattler, New York City; J. Halley, Philadelphia; J. W. Stevens, Boston, and Ed Ruff, Maine. Also present were salesmen, bookers and sales managers from the various offices.

Neuman in London

LONDON, July 6—Sol G. Neuman, managing director for Radio here, is back from New York and the company’s Chicago sales convention.
Cleveland to Go Off Dual Bills Sunday

(Continued from page 1) is being added as a result of the better films movement. The local Parent-Teacher Ass., and Rainbow Clubs also have called for the change.

After Sunday, the only dual houses left in the Greater Cleveland area, those opened after the signing of the agreement. Such houses will, of necessity, be operated by exhibitors new in the field as the agreement provides that houses opened at any later date by signers are also committed to single features.

Exhibitors Hail Move

The vast majority of exhibitors in the area are enthusiastic over the move. They plan to present Family Night programs over the week-ends, and build their programs to suit each neighborhood. They expect losses at first.

The feeling locally on single features is not entirely unanimous. There are some who feel that all of the theaters cannot stand the financial strain of the change of policy. Some doubt the agreement is 100 per cent binding in Ohio. In Pennsylvania, the belief that a test case will soon be made in court.

Distributors have been asked not to serve theaters playing dual bills. One exhibitor in putting forth a major campaign to continue to serve double feature houses when and as it seems fit. Independent distributors will serve all such houses.

Opens With Duals

The Temple Theatre, East 55th St., and Central Ave., closed for the past five years, was opened this week by Victor Scott with a double feature program. Warner had no exhibitor when the agreement was drafted, and consequently was not one of the signers of the agreement. It is possible that houses in the area, long closed, will open soon with a dual policy.

This is not the first time that an effort has been made to eliminate duals in Greater Cleveland. Last year the movement was all but successful. In order to make it successful, it had to have the support of every theatre owner in the city. As soon as the agreement was signed by every subsequent run exhibitor member of the association, M. B. Horvitz, chairman of the committee, went to New York and secured the co-operation of the Loew, Warner and RKO circuits.

When the single feature policy goes into effect next Sunday, Warner’s Lake will close, to remain closed until the middle of August.

Cleveland Flooded With Zone Plaights

(Continued from page 1) in the form of appeals to the local board’s rulings upholding the new schedules, it was learned today.

The local secretary of the Clearance and Grievance committee has been asked by John C. Flinn, executive secretary of Code Authority, to forward complete copies of all complaints and answers heard by the board to Code Authority for appeals committee hearing.

The clearance and zoning schedule in effect here was agreed to as part of a settlement of a suit brought by subsequent runs against first run houses in 1932. The agreement does not expire until Dec. 31, next.

John C. Flinn stated yesterday that the appeals on the Cleveland clearance and zoning rulings would be taken by the parties’ legal committee at a meeting on Tuesday. The committee will determine whether it is necessary to obtain a court order to make the changes contained in the new schedule effective.

Five Grievances to Los Angeles Board

LOS ANGELES, July 6 — Five complaints have been added to the grievances.

Robert F. Kilroe, operating the Rex, and Phoenix, charges Warner’s behaviour into an agreement with all major distribution companies on the third and fourth runs. He insists that with three changes a week they can’t play them all. He also charges playing pictures with stage shows at 5 cents.

H. L. Pink, operating the Bellflower, Bellflower, has lodged a complaint charging false advertising of his pictures before they are booked. His complaint is against Singer Pictures, Charleston, S. C.

American Theatres, Inc., operating the Alvarado in Westwood, Cal., has protested against Feldstein & Dietrich, operating the Alvarado. The latter company is represented by L. E. Pink, operating the Bellflower, Bellflower, has lodged a complaint charging false advertising of his pictures before they are booked. His complaint is against Singer Pictures, Charleston, S. C.

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No Code Hearings, States Rosenblatt

(Continued from page 1) administrator that while some recommendations for amendment are pending, they are purely "pro forma," relating to budgetary matters, and will not require public discussion.

Clearances Are Set Around Glen's Falls

ALBANY, July 6 — Clearances have been set for Glen’s Falls and the surrounding territory. The new schedule is to result as a result of a complaint of Frederick W. Mauser, State, Glen’s Falls, against the Paramount and Rialto, first run, and the Empire, second run.

The new schedule follows: Glen’s Falls — 45 days for first runs over second runs; 14 days for second runs over third runs; 14 days for first runs over Hudson Falls. Hudson Falls — 14 days over Fort Edward. Glen’s Falls — seven days for first runs over Schuylerville, Whitehall, Granville, Luzerne and Chestertown.

Proposed Kid Shows Stir N. O. Curiosity

NEW ORLEANS, July 6 — Films for children and parents are to be shown in the New Orleans Beaucage Theatre by the Louisiana Educational Ass’n. As this comes under the head of competition with established theaters there is some curiosity as to where the films will be obtained, if they are of an entertainment nature.

ITOA to Have Only Darrow’s Moral Support

(Continued from page 1) to independent legal action attempting to obtain changes in the code, Darrow said that he had not agreed to align himself with I. T. O. A. or any other industry faction.

"Statements that I would do so," Darrow said, "must have been the result of assumptions based on well known feelings in the matter. The independent exhibitors have, and will continue to have, my moral support in their fight against the motion picture code. Anything I can do to help them as a friendly advisor I will do gladly, but I have given up the practice of law and I will not take any active or official part in their opposition to it.

Darrow said he was leaving for Chicago today and that he might take a European trip in the fall, but was not decided yet on the latter move.

Mason to Go Ahead

Lowell B. Mason, former counsel for the Darrow Review Board, who, with H. A. Mason, had been a defendant, told 100 exhibitors at an I. T. O. A. luncheon meeting at the Astor Hotel yesterday, that he did not think the code would be given to independents without remuneration, indicated yesterday that he, himself, would go ahead with his plans for serving with I. T. O. A. and cooperating independent organizations in their code fight.

Mason left for Washington yesterday to wind up affairs of the review board, which was abolished by executive order July 1, saying that he would return Monday for further conferences with Brandt and Milton C. Weisman, I. T. O. A., attorney.

Questions were asked Darrow denial that he, Darrow, would lead the I. T. O. A. code fight. Weisman said that he had just talked to Darrow and he doesn’t think it would be seemly of him to step right out of the review board into a particular contest which figured in his official activities. However, he believes the I. T. O. A. fight against the code to be a good one.

Darrow, who has been critically ill until the day that he made his last appearance before the Supreme Court, is now recovering rapidly. He is already on the scene of action, and Henri Brunet left yesterday to make the preliminary arrangements.

Alec B. Francis Dead

HOLLYWOOD, July 6 — Alec B. Francis, 35, veteran actor, died this afternoon at the Phoenician Hotel following an operating error earlier in the day. His widow survives.
Short Subjects

“La Cucaracha”
(Radio-Technicolor Special)

HOLLYWOOD, July 6.—Revolutionary in its color rendition and expression, “La Cucaracha” comes to the screen not only as an entertaining semi-lecture revealing a bit of Mexican folk song and drama, but as perhaps the most attractive color shown on the screen to date.

Not once did the usual red, green or yellow primary colors fail to give the action to give jitters to the eye. Beautiful and smooth, revealing tints and tones heretofore deemed impossible via film and projection, the effect of harmony created is like a series of oil paintings done in the manner of the old masters.

All hands who worked toward the achievement of these color effects merit high praise from the industry. If their work is to be deemed commercially feasible, the industry should see a great deal more color film used in forthcoming productions.

Robert Edmond Jones, artist formerly employed in creating stage settings, is responsible for the effects, the grouping, the color harmony, and the dovetailing of the drama with primary or secondary colors as the mood demands.

Lloyd Corrigan directed with vigor, securing added emotional responses by shared use of dramatic movements and color relations in mass as well as individual action.

Shot by John Twin and Jack Wagner. Photography by Ray Rennaham blends light and color vibration for another attraction.

Performers enact their roles with vitality and humor—Steffi Duna, Don Alvarado and Paul Porcari bringing splendid talents to their roles.

“La Cucaracha,” Mexican folk song, also employed in “Viva Villa,” heightens the story and adds another technique to its challenging reenactment.

Both Jock Whitney and Pioneer Pictures should receive grateful decorations from an industry that has waited too long for such gorgeous color filming. Running time, 28 mins.

“Roamin’ Vandal”
(M-G-M)

Any audience should be highly amused at the antics of Patsy Kelly, Lilian Miles and Eddie Foy, Jr., in this short. As members of a medicine show traveling in the West they run into difficulties with various sheriffs because of Miss Kelly’s habit of pouncing people in the eye. The windup is a chase that is really funny. Running time, 20 mins.

“Paramount Pictorial”
(Paramount 3-10)

Appropriate in the timeliness of the opening that month is the proper type of glasses for serving liquor. This short is entertaining. Various types of glasses and their proper uses are seen, with the reel winding up showing Con Conrad, the song writer, and Del Campo, the radio singer, featuring Conrad’s works. Running time, 10 mins.

Looking ’Em Over

“Cross Streets”
(Inevitable-State Rights)

Trice, packed with implausible situations and not always happily cast, this Invincible production is decidedly mediocre. Some of the scenes in the cast may be pleasing but the whole film shows a lack of work. Among them are John Mack Brown, Claire Windsor of silent picture fame, Anita Louise, Matty Kemp, Kenneth Thomson, Niles Welch and Jofel Swickard.

Again it is the story of the brilliant young man who takes to drink over a blighted romance and turns his life into a failure. The young man in this instance is Brown, just being graduated from medical school. The girl of his heart jilts him and off he goes to the old bottle. When he causes a patient to die under the knife, he renounces medicine and becomes a bum.

He has a chance to redeem himself when through a bluff he has himself appointed in charge of the medical school at his Alma Mater. But at a dinner in his honor he messes up everything by revealing the truth about himself. To complicate matters he falls in love with the daughter of the woman who gave him the air. In the end he dies after being shot by the woman’s jealous husband.

Frank Strayer directed. Running time, 69 minutes.

NEA in Resolution
Hits Unclean Films

(Continued from page 1)

NEA to ‘other organizations, educational, patriotic and religious, in demanding a high type of moving-picture films for the boys and girls of America.

“No Circuit Closing
Up in Wilmington”
(Continued from page 1)

they have no immediate plans for closing. The protest over the boycott in Philadelphia.

The attitude of the Catholics in Wilmington is quite different. Here, in the present situation, the community does not seek to a general boycott. Herein the situation differs from Philadelphia. Titles of pictures which Catholics do not believe should be seen are given out.

Recently 200 letters were mailed by the Wilmington Catholic Archdiocese to various producers asking them to produce clean pictures.

According to the president of the L.M.P.T.O.A. of Delaware and the Eastern Shore of Maryland, independent territory area may be forced to close if Philadelphia adheres to the practice of blacking out pictures, but apparently Warners and Loew’s have no immediate plans for closing.

Catholic Bishop Calls
On Will Hays to Quit

FALL RIVER, July 6.—The resignation of Will Hays today by Bishop James E. Cassidy, apostolic administrator of the Fall River Catholic Diocese, was a result of the statement that the M. P. P. D. A. had been “false to the trust imposed on him” as a champion of clean films.

The prelate charged Hays with being “a co-beyer with the movie industry of the sacred rights of parents to protection of the morals of their children.”

Houston Protestants
Join in Film Drive

HOUSTON, July 6.—Protestant churches here have joined the Catholic drive against immoral pictures. The Methodist and Baptist pastors’ conferences announced the formation of the Catholic Legion of Decency.

Each Protestant body organized 15,000 plank drives to be distributed among church members, by which the signers pledge themselves “not to attend indecent and salacious moving picture shows.” Churches have distributed 20,000 pledge cards.
Hays Reports Studios Ban Many Scripts

Rejections in Addition to 260 by MPPDA

Hollywood, July 8.—Producers last year rejected many scripts of their own free will without pressure from the Hays office in their desire to keep within the provisions of the moral code for the industry is revealed by the M.P.P.D.A., in making public here a report on its activities for the past year. Scripts rejected by the producers themselves were additional to more than 260 turned down by the Hays organization. Of this number 160 were rejected here and the balance by the New York office. The report estimates the average number of basic changes in script treatments at 1,200 yearly, with the total of less important changes, such

(Continued on page 6)

Columbia Starting 2nd Meeting Today

CHICAGO, July 8.—Over 100 Columbia men, including a contingent from New York headquarters, are here for the company’s western sales convention, which opens Monday. The same procedure as that which prevailed at Atlantic City last week, will be observed here. Jack Cohn will open the meeting and then

(Continued on page 4)

Duals to Go Within Six Months—Roach

HOLLYWOOD, July 8.—Hal Roach predicts the end of duals within six months. He bases his prediction to a great extent on the growing tendency of the public to be fed up with double bills and the keeping of children too long at matinee sessions, causing worry in their parents.

5-Centers Socked

Toledo, O., July 8.—Twenty-four months’ protection against five-cent houses has been granted to first-run exhibitors here in a clearance and zoning schedule for 1931-35 proposed by the clearance and zoning board. Five-cent houses have been a thorn in the side of Toledo exhibition for several years.

Move to Cut Agents’ Pay To Salary in First Week

HOLLYWOOD, July 8.—Exhibitors who have often accused Hollywood agents as being at least partly responsible for著名的 artists’ salaries will be interested in a current movement to rationalize agents’ compensation. The aim is a week’s salary of any engagement secured. This is the system that applies to agents in other vocations. The present state labor laws enable picture agents to 10 per cent of a full year’s salary, but agents have seen the handwriting on the wall and have set up complete financial as well as managerial representation by handling personal affairs, such as income tax, investments, family budgets and in many instances legal affairs and publicity. The problem of exacting 10 per cent

(Continued on page 4)

Chicago Gets Catholic O.K. For 52 Films

CHICAGO, July 8.—In its first pamphlet of current pictures designating qualifications demanded by the Catholic League of Decency the Chicago council labels 52 pictures as "suitable for Catholic patronage." Forty-one are termed "offensive in spots because they are suggestive, vulgar, sophisticated or lacking in decency." Thirty-one are banned outright as being "immoral and indecent and entirely unfit for Catholic patronage."

The purpose of the bulletin is given by "The Chicago council of the League of Decency plans to give this service to pastors of parishes, heads of schools and Catholic institutions and the various publications which reach our

(Continued on page 6)

Clean Pictures In Counter-Campaign

BUFFALO, July 8.—A strong bid for kids trade this summer is being made at Shek’s Buffalo, which also is ostensibly spotting clean pictures in a quiet counter-campaign against the church movement.

"Baby, Take a Bow" will be followed by "The Circus Clown," both pictures which might not have been booked into the ace house in Western New York in other days. Stage acts and material are being closely scanned, too.

Portland Goes Into 12 Clearance Zones

PORTLAND, July 8.—Under the terms of the new clearance and zoning chart just made public the city is divided into 12 zones and four price classifications.

First runs charging 25 cents get 35

St. Louis Board Has Non-Compliance Case

ST. LOUIS, July 8.—Gaylord W. Jones, operator of the Riofio, Granite City, Ill., has been cited to appear before

(Continued on page 4)

Natan Amazed At Waste of Dual Billing

Cause of Overproduction Here, He Declares

The economic structure under which the American industry permits double features to 10 and 15 cents is not only responsible for overproduction in Hollywood but is also "stupid and wasteful," declared Bernard Natan of the Paley Natun Organization, France’s largest exhibitor, producer and distributor, as he sailed for Paris on the "He de France" Saturday morning.

Natan, whose views were expanded through Henri Diamant Berger, French producer and director, since he speaks little English, expressed himself as "amazed" that the industry here should allow the sale of its product on a basis where it was his opinion, makes it impossible to clear negative costs. Berger, incidentally, echoed Natan’s slur.

"I cannot comprehend such a policy," it was said for Natan. "Two features, plus a cartoon and a news

(Continued on page 4)

Vaudeville in Cincy Shrinks to One Spot

CINCINNATI, July 8.—Vaudeville is out at the Grand, downtown independent, and will be replaced with double features at 15-cent matinee rate for any seat. Night prices will be 15 and 20 cents for balcony and lower floor.

This is the first house here to go to duals as a regular policy, and leaves the KRO Grand the only downtown spot to play vaudeville.

F. & M. Plans More Middle West Units

ST. LOUIS, July 8.—With definite plans under way to expand in the middle west, F. & M. will make St. Louis its theatre stronghold.

Five houses in this city are now

(Continued on page 4)

Pins and Needles

Chicago, July 8.—Will hilarious patrons, equipped with rubber bands and pins for pinning shots, make Sally Rand’s bubble the object of their hilarity? Described as a bubble, Sally actually uses a balloon. The issue has Fair officials in the Italian Village concerned.
HAVING said little or nothing during his stay here, Bern-
ard Natan unloaded plenty Sat-
urday, embarked on the Ile de France for that dear Paris and left behind him an interesting chapter in the furiously discussed and entirely unsolved theatre situation.

His observation was that merchandise is being marketed at prices which do not allow the producer to come out; that they are deplorably low and that pandering to the double feature market is respon-
sible for overproduction and Hol-
lywood's unswerving allegiance to its years' old numerical stand-
ards. In short, the economic system prevailing here is wasteful and pedilcious.

There are many who will agree with Natan. What to do about doubles has been dissected and put together so often and at such length and length that one is tempt-
ping to revisit a bugaboo in hot or any other kind of weather.

What is curious about the situation, however, is the public sen-
timents expressed by the all high-
est in the industry and the reverse
practised by their own theatres.

The reason, like the argument, of course is blamed on the competi-
tion. Actually it is privately expressed by sales managers who, in many
instances, fail to ilie in their own point of view with that expressed at the heads of their organiza-
tions. It seems logical enough to turn to the representative com-
panies in the business for any moves in the elimination of doubles, if the ambition to actu-
ally cut them out is sincere. Why, it has been asked, should the
smaller fry in exhibition and distri-
bution both walk in where the major, vested interests haven't the courage to stride.
They ask, but they don't get any answer because there is none that will hold water. . . .

The latter day development on du-
als and their end fits into clear-
ance under the code. The
suggestion made at the M.P.T.O.A. convention in April by Morgan Walsh of San Francisco that zoning be set up with admissions as the first con-
sideration seems to be bearing
fruits, whether through his utter-
ances or because others else-
where, mysteriously enough, got the same idea about the same time. This explains how it is that houses showing doubles are shoved down the line in clear-
ance, their, let's assume, 25-admission being computed as 12½ students in Los Angeles. It is because they show two pictures instead of one . . .

The program destined to run into trouble, perhaps considerable
trouble. Several distributors —
they are important—who have op-
posed restrictions on doubles from the days of code formulation in
Washington until now are not inclined to sit back under clear-
ance schedules as they are piecing themselves together in many key
territories. Clearance, circuits delight as it has been small oper-
ators' despair for years, was
expected to be reduced, not in-
creased under the code. Is that
happening, questions are ask-
ing. Relying to their own
queries, they emphasize that it is
not. Talk of suits and appeals to
Campi consequently are risking the sultry ozone . . .

Now back to Natan. He be-
lieves producers would be better off concentrating on 12 big ones a year and envisages longer runs down the line as a direct result.

This brought to mind what Irving Thalberg told us at lunch in his bungalow on the Metro lot a few weeks ago. "The exhibitor has nothing at all to do with it. The people at Hollywood's and from that there can be no escape. What
difference can it make to the theatre operator if he changes
once a week or more often or
less? Don't you think, for ex-
ample, that Ed Bowes at the Capitol in New York would welcome the type of product that would fulfill his need and hold a given picture for three weeks? Show-
men want real attractions and
they'll run them as long as they
hold up. The trouble is they are not getting enough of that kind of picture." . . .

Thalberg, at the time and no
doubt at that time as well, saw the future of the business build-
ing on super attractions only.
That is why he proposes confining his activities to 10 or 12 a year and probably less. We asked him what about pictures to supply theatre changes. He replied there would not be so many if product was the right hand were furnished. We asked him what he saw in the crystal for Hollywood. He replied: "The button makers will continue to make buttons instead of pictures and the real builders of attractions, real pictures." Thalberg, incidentally, was the only major executive in Holly-
wood who assumed the stand that the answer was entirely cut out of
exhibition's province and one for production to grapple with. Any
other argument that theatres
wouldn't allow producers to make less pictures because of current
policies he regarded as an alibi advanced by Hollywood for the con-
stant production of junk attrac-
usions.

Elsewhere today much fuss may be made of the fuss Milton C. Weissman, for the New York I.T.O.A., endeavored to stir up Saturday morning. He plans suits, does Weissman, against this one and that and all
(Continued on page 6)

The Mayflower
61st STREET, (Central Park West)
New York City

CONVENIENT TO THE
FILM AND
THEATRICAL CENTER

1-2-3 Rooms. Full Hotel Service
FURNISHED OR UNFURNISHED
By the Year, Month or Day

Serving Pansies
Electric Refrigeration

JOHN W. HEATH, Manager

(Theatrical Express)

(Continued from previous page)
As REAL as Life Itself!

Made for that vast public which likes:
CLEAN HUMOR
HEALTHY LAUGHTER
WHOLESALE FUN
STURDY BOYHOOL
HOMELY PHILOSOPHY
GENIAL WIT and
A TOUCH OF PATHOS

SOL LESSER presents

JACKIE COOPER
(by special arrangement with M.G.M.)

"Peck's Bad Boy"

with

THOMAS MEIGHAN - JACKIE SEARL
DOROTHY PETERSON and O. P. HEGGIE

Story by
BERNARD SCHUBERT
and
MARGUERITE ROBERTS

NOW IN PRODUCTION

directed by
EDWARD F. CLINE

The Season's Greatest Heart Throb—You'll love it! Watch for it!
Natan Amazed
At Waste of Dual Billing

(Continued from page 1)

reel and often more, at 15 cents, and in some cases, at 10 cents, to me repre-
sents an unexplainable business method.
In the days of today, admission are amazing as well. I am convinced that overproduction in Holly-
wood is responsible for this situation, but increased prices have been made by the double feature market.
As a result of observations gathered here, Pathe Natan has come to the de
finite conclusion that the future lies in fewer pictures, better made.

In keeping with his decision, there-
fore, Natan is returning to Paris with the fixed determination of trimming his company’s current 31 features to 20 for the current season, but increasing the budget. He also declared he intended using the influence of his organization to spread this plan among other French producing companies.

“How much better it would be for each major company to concentrate on 12 big pictures a year. Where production now gets a few days’ run, it would run a week. Where it runs a week, it might run a month. This type of attraction not only would satisfy domestic demands, but the entire world as well,” he added.

May Influence French Industry

It is possible that Natan’s intention of influencing the French industry to veer more sharply from a quantity to a quality policy, will prove attractive enough to make Pathe Natan controls 250 theatres in France. Of this number, 82 are owned out-
right. The others are tied in on a “program” basis which provides with Pathe Natan to supply product and for which it gets a percentage of the gross without participation in actual own-
ship.

Natan and Berger visited Holly-
wood and will go on a film tour, but there signed Charles Boyer, who played the lead in “Caravan” in France, to return to productions here.

The French summer holidays in September for their opening of offices in the French Building in Rockefeller Center. American universities have been petitioning them for French pic-
tures, it was explained, as a means of furthering the instruction of French students. Pathe Natan expects to meet these requests, perhaps through a 17.5 millimeter machine.

Assuming there are 100,000 French-
born men and women here, as well as 500,000 French-Canadians across the line, the company anticipates going on for limited showings of its product through regular theatre channels beginning late this year or early next.

F. & M. Plans More
Middle West Units

(Continued from page 1)

under the circuit’s banner and addi-
tions are planned here. New acquisi-
tions will be made in the neighbor-
hood and subsequent run houses.

Harry C. Arthur and Marco Wolf are due here from New York about Thursday to set up operation plans for the Ambassador, Missouri and Grand Central.

Move to Cut Agents’ Pay
To Salaries in First Week

Chicago Zoning
To Get a New Hearing

Chicago, July 8—The local zoning
commissioner will be subjected to fire in a
meeting of the zoning and clearing of council
is held in which all exhibitors in the city and metropolitan
area have been invited.

The meeting is a result of com-
plaint against the present setup launched by B. & K.

B. & K. is asking for further pro-
tection beginning with the first week of
release. The circuit wants a “dead week” inserted between each release week following the downtown run period of nine weeks. This would be equivalent to an extra seven days’ pro-
tection for all theatres.

As what the attitude of theatres generally will be is not known yet.

Aaron Saperstein of Allied admitted that B. & K. could not have brought this before the council had it not been for the new

admission of Shirley’s salary to $1,000 weekly without the aid of an agent.

Portland Goes Into
12 Clearance Zones

(Continued from page 1)

days over second runs; 56 over third; 70 over the city break at 25 cents, the duties for which films are available for first run in each zone; 105 days over subsequent at 20 cents, and 161 over subsequent at 15 cents.

For first runs charging 40 cents to 25 cents the clearances in the same classifications are: 56, 77, 91, 126 and 182; for first runs at 60 cents to 75 cents, 63, 84, 108, 133 and 189; for 10 cents becomes available six months after the 15 per cent.

Of these with shows go into the
next lower clearance classification.

In the first zone are the Broadway, Music Box, Pantages, Paramount and
Universal Artists: top Blue, Mouse, Capitol, Hollywood, Liberty and
Oriental; third zone; Bluebird, Bob Hill and State.

Chicago Police Put
Stop to Giveaways

Chicago, July 8.—In order to
local exhibitors Harry M. Costello, lieutenant in charge of crime preven-
tion definitely places the taboo on giving away of merchandise or hold-
ing various forms of lottery in the-
ter. The order states that this is a violation of the city code.

Lieutenant Costello’s letter states that the action is taken as a result of complaints received from merchants.

In a few instances where exhibitors have a series of prizes to complete giving away away Lieut. Costello’s order indicated that he will grant them until July 15 to get rid of their
merchandise.

Charter Kentucky Firm

LOUISVILLE, July 8.—The Stone
Theatre, at Stone, Ky., has been in-
corporated with a capital stock of $1,000, by T. A. Obenshain, Allen
Obenshain and Dr. C. C. Browning.

Katherine Carrington and
Arthur Schwartz were married
Saturday in the home of Lawrence
Fettig in Great Neck, Miss Kan- de Schwartz is the composer of several musical revues and co-worker in such endeavors with Howard Dietz.

Gradwell Sears, now a Kentucky
college student, is back from the
warmer conventions and the coast.

Mignon C. Eberhart’s mystery
novel, “White Cockatoo,” has been
acquired by Warners.

Charles David, studio manager for
Pathe Natan in Paris, is due in from
Hollywood momentarily.

Diana Wynyard is off on that
English holiday.

Columbia Starting
2nd Meeting Today

(Continued from page 1)

turn over the program to Abe Monta-
gue, general sales manager.

Present from the prominent
Chicago—Phil Dunas, manager; C. W.
Phillips, G. St. Clair, T. Greenwood, F.
Flaherty, A. Blumstein, J. Kantman,
Thompson, exilogue.

Balti, major; J. F. Baker, R. M. Shriner, M. L. Mayer,
Joe Maxwell; Ashley, manager; A. P.
Alleson, C. B. Brydon, G. L. Donelson,
E. G. Stulz, manager; E. M. Cohen, R. F. Cloud, J. M. Mellen, G. E.

Indians—M. Solomon, manager; H.
Kasten, W. G. Craig, A. J. Gelman, E.
Hoffman.

Kansas City—Midwest Division Mgr.
Mac Robinson, manager; J. W. Dominick, manager; L. E. Rosner, Whitney, C. E. Be-

nyszyn, H. S. Sykes.

Los Angeles—Jeremy Safron, division manager; C. R. Baker, manager; H. Wai-

berg, S. Nathanson, H. M. Lents, M. New-

York—C. J. Ruby, manager; S.
Schafer, W. Mel, S. R. Chapman, I.

Pratt.

Baltimore—R. C. Hill; Mrs. Shalit,
H. Jacobs, J. Kopald, W. T. Hickey, M.
Everson, A. L. Aved.

Denver—H. L. Chapman, manager; L. C.
Hensler, I. W. Jener, R. Rosenberg,
Portland—J. R. Haskel, manager; E. C.
Tillman, W. T. Wither.

Salt Lake City—C. C. Hill, manager; C.
Scott, F. W. Talbot, C. Hawks.

San Francisco—L. C. Tillman, manager; C. F.
Harris, P. Weinstein, E. T. Roberts,
Anderson; L. W. Wallace, manager; L. V.
Lamb, W. K. Bedwell, S. J. Will, manager; J. Mot-
phet, E. Dunas, J. Bradford.

St. Louis Board Has
No-Compliance Case

(Continued from page 1)

fore the grievance board tomorrow on a charge of non-compliance. It will be asked to explain why his film sup-
ply should not be cut off.

But the other is requested to dis-
tinue giveaways.

Harry G. Swan, Washington The-
ater, complying, made the non-compliance charge.

Hays in Hollywood

Hollywood, July 8.—Will H. Hays
a stopover at Sullivan, Ind., behind
him, is due here today from the east.
**“Little Man” Hits $8,250, Minneapolis**

Minneapolis, July 8.—“Little Man, What Now?” ran up a fine $8,250 last week at the Minnesota. This is over par by $7,500.

“The Miss Marker” also was a big draw. Playing day and date at the Century here and the Paramount in St. Paul, it brought $4,500 at the former and $6,500 at the latter.

“The Thin Man” ran over average $1,000 for a total of $6,500 at the State and was held over.

Minneapolis’ six theatres, usually making a $25,000 total got $28,200, while St. Paul’s four generally grossing about $14,000 took $16,350.

*Estimated takings from July 4th week.*

**Pretty Bad**

John Chapman knows a fellow who knows of a picture so bad that even its trailer is dull.

**“Winters” Is a Big Holdover Draw in Hub**

Boston, July 8.—Fair business marked the holiday week, with "The Life of Vergie Winters" attracting general interest. Its second week, the $18,000 gross was $2,000 over par.

"Hollywood Party" did well at Loew’s State with an $18,000 gross, also up by $2,000. "Here Comes the Groom" took $13,000 at the Metropolitan, and "The Lady from Dubuque" grossed $18,000 at the Boston.

Total first run business was $102,000 and $7,000 (estimated takings for the week ending July 5). The estimated takings for the week ending July 5:

**“Let’s Take a Bow”**

Played: 6:00-7:00 p.m. Gross: $2,500.

**“FOG OVER FRISCO” (F. N.)**

Sang "PRINCIPLES FOR HENRY" (Fox) during Thursday evening showings. Average, $11,000.

**“Fog Comes the Groove”**

Played: 1:00-2:00 p.m. Gross: $1,500.

**“HE'S HER MAN” (Para.)**

Played: 1:00-2:00 p.m. Gross: $1,500.

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**“Singer” and “Fight Film Top Portland**

Portland, July 8.—Just a trifle better than average week, due in part to continued waterfront strike, increased attendance at dog carnival and the hot summer weather. Two sets of Baer-Camera fight pictures did considerable business in helping regular features to hold up. "Half a Singer" at Hamrick’s Music Box, plus the fight film, brought in $4,500, or $1,000 over normal.

"Registered Nurse" at the Broadway, with the fight films, secured $4,000 over normal of $5,500.

Total first run grosses were $22,600. Average is $2,200. Estimated takings for the week ending July 27:

**“REGISTERED NURSE” (F. N.)**

Bau-Camera Pictures

BROADWAY—(1,200), 25c-35c-40c, 6 days. Gross: $5,500. (Average, $916.67).

**“HALF A SINGER”**

Bau-Camera Pictures

BROADWAY—(1,200), 25c-35c-40c, 4 days. Gross: $2,000. (Average, $500).

**“GLAMOUR”** (Univ.)

Hamrick’s Music Box

BROADWAY—(2,000), 25c, 6 days. Gross: $6,500. (Average, $1,083.33).

**“CURTAIN AT EIGHT”**

Pantages—(1,500), 25c-35c. 7 days. Stage shows: Gross, $1,500. (Average, $214.29).

**“WINTER OF THE WANDERER”**

Hamrick’s Music Box

BROADWAY—(1,200), 25c, 6 days. Gross: $1,500. (Average, $250).

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**Reopen “Hitler” Picture**

**Buffalo, July 8.—**Pulled out of the Hollywood after one day, due to protests of the German consul and German societies. “Hitler’s Reign of Terror” has reopened in the Palace, lower Main street house which has discarded burlesque for the summer.
Chicago Gets Catholic O.K. For 52 Films

(Continued from page 1)

Catholic people. The same courtesy will be extended other groups which may wish for such a list.

It is hoped that a bureau of information will be set up in the office of the New World which will have a complete file of the films which may be purchased by them; when released, it will be the purpose of this bureau to give information to all who wish to ask for information on these pictures.

List of Approved Ones

Following are the pictures listed as approved for Catholic patronage:


"Dr. Jack Allen," "Stingaree," "Six Weeks," "Where the Wharf Boys Go," "The Bottoms," "Voice of America," "My Friend," "K. X," "Bent Over." The following have been "white" and are considered on the "list of no"


Those "Offensive in Spots"

The following are described as "offensive in spots because they are suggestive, vulgar, sophisticated or lacking in modesty."


The following are labeled obscene and held entirely unfit for Catholic patronage:


Holy Name Joins in Chicago Film Moves

CHICAGO, July 8—Pledge cards have been distributed in all Catholic churches to 100,000 members of the Holy Name Societies pledgeing them not to attend offensive films.

Cardinal Mundelein is sponsoring the campaign, active in the work with him are the Most Rev. B. J. Shell, senior auxiliary bishop, and Rev. F. G. Dineen, S.T., pastor of St. Ignatius Church.

It was announced that upon opening of the fall term the campaign will be carried on into parochial schools.

Catholic Editor Is Against Censorship

Declaring that the drive of the Catholic Church against indecent pictures is not for censorship purposes, Rev. Wilfrid Parsons, S.J., editor of America, a Catholic weekly, said:

"Quite the contrary. The responsibility does not belong to the state, and we are throwing it back where it belongs, on the producers.

"My general opinion is that those who know the value of a film have a wonderful way of giving entertainment.

"The one thing that burns me up is their habit of throwing all kinds of pictures into perfectly good movies, like Hervey Allen did in his book, "Anthony Adverse." That doesn't help.

"There's no shortage of good pictures, if people would only discriminate.

"Representatives from 25 Protestant denominations will meet next Friday and distribute pledge cards among members asking them not to see the following films:


K.C. Jewish Editor Against Film Curbs

(Continued from page 1)

rural. Having found it impossible the motion picture industry to get the blessing of the Holy Name Society, the clergy is now getting busy on the project of advising us on what we have wronged them by rejecting film "3000, from which they think that the ultimate success that they did on the drink evil."

Sell Swedish Patents

WASHINGTON, July 8—Swedish rights covering the Peterson & Poul-

Church's Ban Hits All Film In St. Louis

(Continued from page 1)

List of approved films is as follows: Features, 629; shorts, 490. Pictures reviewed during the year amounted to 380 features and 168 shorts. Written opinions were sent to studios in 1,073 cases involving features and 478 cases involving shorts.

Censor's Work Hit By Milwaukee Clubs

MILWAUKEE, July 8—Failure of the city censor board to prevent the showing of "crude, unwholesome and transgressive" films has been charged by a committee of club women before the Common Council finance committee here. At the same time the Holy Name Society is inaugurating a campaign to "root out all immoral and objectionable films." In Madison, ministers other than the Catholic clergy, have commended Catholics for their Legion of Decency.

Add to Seattle Censors

SEATTLE, July 8—An amendment to the city charter which increases the board of censors from five to nine has been passed by the council. Attached to the amendment was a paragraph which gave the board the right to see all theatrical advertising before publication and to inspect newspapers if it so desires. The latter part was vetoed by Mayor John F. Dore. A further hearing on this phase is scheduled for a later date.

Wants Censors on Sets

ST. LOUIS, July 8—Stationing of a censor on every set during the making of films to guarantee against anything objectionable is advocated by Rev. Theodore Graueber of Concordia Seminary, Clayton, Mo. He says he proposes to extend his Civic Union campaign against objectionable films to other cities.

Takes Over Trendle House

DETROIT, July 8—Lyle Wisper, owner and operator of the Piccadilly, and heavily interested in the Calvin and Mack Uptown, has acquired the Eastdown, a deluxe neighborhood theater in the city.

"The Eastdown is a former公开 house reorganized for Trendle when he assumed control of the Public properties in the city.

Para. Signs Neilan

HOLLYWOOD, July 8—Marshall Ne-
**Short Subjects**

**"Burn 'Em Up Barnes" (Mascot)**

If the first two episodes can serve as a criterion of what follows, this serial is to be highly recommended for both kids and adults. It contains all the stock thrill material, but done in an authentic and convincing manner against an automobile race track background.

The story concerns Jack Mulhall, king of dirt track drivers, and his efforts to educate Frankie Darro, younger brother of his pal, who had been killed taking newswires shots of Mulhall’s first race. Lola Lane, a garage owner and holder of the town school bus franchise, supplies the love interest when Mulhall quits the track after his pal’s death and becomes her partner. Edwin Maxwell and Jack Roherds are trying to buy some land from Miss Lane because, unknown to her, it is rich with oil. Red Two ends with Mulhall chasing two of Maxwell’s henchmen who have evidence that would clear him from the trumped up charge of murder. Running time, 15 mins. per episode.

**"Speaking of Relations" (Roach-M-G-M)**

**Hollywood, July 8—Irvin S. Cobb's first film hardly rates to the occasion on the comedy graph chart. It is slow and below par on comic situations and laughs.**

Cobb is a retired river steam boat captain, who has a tough time slipping away from Kathryn Clark Ward, his unmarried sister, for a fishing trip with his croony, Frank Darren, Benny Baker, a practical joke nephew, who moves up to make himself a nuisance and succeeds. While fishing, Benny frames Cobb with the game warden, which costs Cobb hiring to get even, the sister is pushed into the pond by mistake for a wind-up, Hal Roach directed. Running time, 18 mins.

**"Young Eagles" (Romance Product)**

This serial is a humdinger for kids and will surely go over with family audiences. The main theme is the adventures of a brace of Boy Scouts who win a fishing trip to South America. The plane is wrecked in the jungle and the boys raising escapes from the clutches of wild beasts ensues.

There’s plenty of action in this chapter play and the youngsters will want to come back for more each week. It’s clean and supports the tradition of the scout. Bobby Ford and Jim Adams, newcomers, are the adventurers. The regular chapter runs 28 minutes, but the following series runs about 20 minutes each.

**Borg Quits Post**

**Kansas City, July 8—Russell C. Borg has resigned as manager of Con- solidated Broadcasting, independent exchange. J. Erwin Dodson, for- merly National Screen Service repre- sentative, has been added to the Con- solidated sales staff.**

**MOTION PICTURE DAILY’s**

**HOLLYWOOD PREVIEW**

**"Notorious Sophie Lang" (Paramount)**

**Hollywood, July 8—A fast-moving crook farce presenting Gertrude Michael in her first big role in the title part. Aiding are Paul Cavanagh, Arthur Byron, Alison Skipworth, Leon Errol and several others contributing to a well-balanced cast which interprets a series of clever situations sufficient to hold the interest.**

The story concerns a costumed crony who vindicated, the average audience probably will not criticize on this score because of the farcical intent interest for clean-cut entertainment. The story centers around a battle of wits between two clever crooks, namely Miss Michael and Cavanagh, with plenty of snibbiness and comedy intermingled to keep the proceedings from becoming too serious.

It moves fast with surprises in every sequence. The big city background and upper social stratum allow artistic background, good photography and production values.

The screen is a credit to Anthony Veiller, plus expert direction of Ralph Murphy and competent assistance of the entire cast contribute toward the whole.

Designed solely for laughs with no intentions of goingserious, this film heads to please various types of audiences. Running time, 72 minutes.

**"Shoot Works"—"Winters" Is Denver Smash With $7,000**

**Denver, July 8—"Shoot the Works" overcame the competition of baseball and auto races and the Elitch Stock Co. last week. The take at the Denham was $7,000, up by $3,100, and the feature was held over for nine days.**

"Operator 13" had a fair $5,500 at the same house.

Total first run business was $21,750. Average is $2,500. Estimated takings for the week end.

**WHERE SINNERS MEET" (Radio)**

ALADDIN—(1-30c-35c-40c), 7 days. Gross: $2,750. (Average, $393).

**SHOOT THE WORKS" (Para.)**

DENHAM—(1-30c-35c-40c), 7 days. Gross: $7,000. (Average, $1,000).

**"STINGAREE" (Radio)**

DENVER—(2-35c-40c), 5c-35c-40c, 7 days. Gross: $6,200. (Average, $886).

**"WHIRLPOOL" (Col.)**

SISTERS UNDER THE SKIN" (Col.)

PARAMOUNT—(2-35c-40c), 5c-35c-40c, 7 days. Gross: $2,000. (Average, $286).

**Royalties Are Taxable**

**Albany, July 8—Income taxes on copyright royalties must be paid to the state by authors and playwrights, according to the Appellate Court which said on a test case of Elmer Rice. The court held unanimously that such taxes may be retroactively on copyright royalties.**

**Bomb Minneapolis House**

**MINNEAPOLIS, July 8—The Cozy Theater is a consulting engineering house, has been bombed. A woman in the next building was hurted from bed and glass showered nearby structures.**

**Miller's Father Ill**

**Chicago, July 8—Jack Miller has left for the east to visit his 80-year- old father who is ill. Nothing has been heard about his father's health at his home in Westville, N. Y.**

**Variety Club Chatter**

**Buffalo**

**Buffalo, July 8—Ted O'Shea, M-G-M manager, is quite the golfer among local club members. After recording a net 89 for a 63 net score to win first prize in the Cal Waterbury sweepstakes at Transit Valley, he came back next week for first leg on the Vincent R. McFaul Cup for low match score in the Variety Club Championship at Willard.**

**Cincinnati**

**Cincinnati, July 8—A buffet luncheon in and on the local club were served to members Monday evening, the purpose being a general get-together as well as to discuss plans for the picnic which the tent expects to hold this month. Several places are under consideration for the decision as to location has not yet been reached.**

**Harry Sachs, member of Tent No. 6, was among those present around the local club last week.**

**Barker Events boss, manager of the closed RKO Capitol, has been transferred to the RKO Paramount as assistant to Joe Gortz for the present. This is Bick's former stamping ground.**

**Washington**

**Washington, July 8—The weekly luncheons will be discontinued during August.**

"Kings for the Day" at the last luncheon were J. Williams Cleveland and Nat Stiefel, who presented Tenor James Melton, then appearing on the Earle Theatre program, for the vocal interludes. While the activities of the tent for August are undecided, it is expected the committee for other functions will be submitted. Canvasman A. Julian Blyawsky invited the invitation to the tent luncheon at his cottage on the Wicomico River in Maryland on Aug. 20.

**New Warner Team**

**Hollywood, July 8—Walters will pair Frank McHugh with Joe E. Brown in "Six Day Bike Rider." The picture is slated to go under way in the next ten days with Lloyd Bacon directing.**

**C. E. A. Talks Reel**

**London, July 8—The C. E. A. (exhibitors' association) should enter the newswell field on its own, according to opinions expressed by several provincial members.**
ARE WE CIVILIZED?

THE PRESS!
THE RADIO!
THE PUBLIC!
THE PULPIT!

LEADERS IN ALL WALKS OF LIFE
ACCLAIM THIS MIGHTY EPIC!

WALTER WINCHEL on national coast-to-coast radio hook-up said: "'ARE WE CIVILIZED' MAKES THE MOST STIRRING PLEA FOR PEACE, HEARD AND SEEN, YET."

If I were President of these United States I would endeavor to have a law passed compelling every man, woman and child to see 'ARE WE CIVILIZED.'
—Ed Wynn

I congratulate you and regard 'ARE WE CIVILIZED' as one of the most outstanding pictures I have ever seen."

May I recommend 'ARE WE CIVILIZED' to every father, mother, yes, to every teacher and to every pupil of our vast school system?"
—Maxwell Ross, Chairman, Allied Local School Boards, Brooklyn, N. Y.

Has great mass appeal... fine direction... the film is going to be eaten up in the small towns."—Chick Lewis, Showmen's Round Table.

Timely appeal to reason... it is skillfully made, powerfully acted by William Farnum and it features some stunning, spectacular scenes—New York Mirror.
Para. Awaits Moves Under Changed Law

Churches Here To Talk With Film Leaders

Hays Sees a Gain In Film Criticism

Loew’s Seeks Third of Shea Circuit Stock

Phil. Groups To Confer on Closing Plan

Says Columbia Not To Hamper Theatres

Walsh’s Para. Deal On Percentage Basis

For Code Approved Films

Report Code Boards Are Delaying Sales

J. J. Franklin Set For Hawaii Circuit

Critique

TEN CENTS

NEW YORK, TUESDAY, JULY 10, 1934

The Leading
Daily Newspaper
of the
Motion
Picture Industry

Vol. 36, No. 7

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Hollywood, July 9.—Hays association men
will have a new job of encouraging the support
of the Motion Picture Producers & Distributors of
America, Inc.

Certificate No. .........

Hollywood, July 9.—On and after July 15, when the strengthened
self-regulation formula of Hays member companies swings into
effect, the following certificate will be issued to producers whose
pictures meet and pass code requirements under Joseph I. Breen:

THIS IS TO CERTIFY

(name of Producer)

in the production of:

(title of picture) .........

has complied with the self-imposed regulations of the industry
as administered by the Production Code Administration of
the Motion Picture Producers & Distributors of America, Inc.,
to maintain right standards in the production of motion
pictures as a form of entertainment.

IN WITNESS WHEREOF, I, JOSEPH I. BREEN, Director of
the Production Code Administration of the Motion Picture
Producers & Distributors of America, Inc., have hereunto
set my hand and caused the seal of the Production Code
Administration to be hereunto affixed this ......... days of 193...

(SEAL)

Director, Production Code Administration.

This picture approved by the Production Code Administration
of the Motion Picture Producers and Distributors of
America, Inc.
MOTION PICTURE DAILY

Insiders’ Outlook

MR. NICHOLAS M. SENCHEN: M.G.M. Corp., New York City.
Dear Mr. Scheken:
Your studio previewed "Born to Be Kissed" in Hollywood over the weekend. While "MOTION PICTURE DAILY"'s coast representative thought of it, you will find elsewhere in this edition this morning. Probably you know a good deal about the story and the picture anyway.

In it, as the wires conveyed the story, Jean Harlow decides to play with wealth and fire, but her object is only matrimony. Lewis Stone loses fortune, standing and his life at his own hands. Next in line is Lionel Barrymore, but Frank Capra today beats his pater to the punch. Barrymore doesn't like the match, frames Miss Harlow with an unknown man, but Jean gets back into the hands of the man. It's all done with photographs and we aren't punning.

It is the opinion of this publication's reviewer that the picture "has its moments but its so-called thoughtful, tactful exposition at this time."

It is our opinion it would be worth your own time to see picture of "Born to Be Kissed" when it arrives from the studio, then weigh what elements the picture contains against the church campaign raging from coast to coast for a personal determination of a course to be pursued in this particular instance and at this particularly crucial time.

A question: Having dished out red meat, plenty peppery for some time now, what will Hollywood do under production administration as reinforced to meet the church claque? An answer and a fear combined in one: It stands in danger (1) of swinging its pendulum completely the other way (2) of turning out namby-pamby product lacking in spine and in strength. Confidential dope from Hollywood indicates studios are sidestepping money and all properties that seem loaded. The mistaken idea that everything that has to be sunshine is just as falacious as the theory that everything has to be muddled-up. There is a middle ground somewhere in the picture. This is what Hollywood and its production brains are now called upon to find.

Little doubt about anyone’s mind now about the future control of Fox Met. The Loew-Warner kid and all of the obstacles thrown in its path are virtually overcome. Which means that the deal will stay through momentarily. New twist is expectation George Sours will get Long Island under the new ownership and Frank and Ringer, otherwise known as Randolf, will stay where they are in Brooklyn. Just how the neighborhood first run situation will change is difficult to forecast at this time. A realignment seems inevitable.

Unconfirmed, but around the town with a limited circulation of Fox Met. Loew’s aside from an occasional, but never really serious tilt with RKO on circuit operation a la New York style, is definitely pleased over the talk of the latter’s expansion. Not because RKO has shown any signs, because annexed houses are regarded as competitive with Loew theaters. The rebuttal will take the obvious form of gobbling up houses on its own. Sidney Kent was reported the head man in a downtown meeting yesterday.

K.A.N.N.

Issues on Big Board Slump

Columbia Pictures
Consolidated Film Industries, Inc., N.Y., $2,385, 25-day, $450, $100, $100.
Eastman Kodak
86% 972.976.979.980 $200
Fox Film "A"
21% 250 250.250 $50
Lowe’s, Inc., n.d., N.Y., $200 200.360.450 $450
M.G.M. Ltd., N.Y., $200 200.300 300 $100
Paramount Publis, etc.
45% 1,040.1,050.1,060 1,070 $200
Pathé Exchange "A"
21 200 200 200 200 $200
Warners Bros.
31% 475.475.475.475 $100
Warners Bros., n.d.
20 20 20 20 20 $200

Technicolor Off 3/4 on Curb

Technicolor
35% 350 350 350 350 $200

Warner Bonds Drop Point

High Low Close Net Change Sales

General Theatre Equipment 6% 60% 60% 60% 60% $300
Loew’s 6% 60% 60% 60% 60% $200
Paramount Publis 5% 5% 5% 5% 5% $100
Warners Bros 6% 5% 5% 5% 5% $100

Purely Personal

MARIA GAMBERELLI is making a tour of mid-western cities following her engagement at Gramm’s Chinese. Her opening date is the RKO Palace, Chicago.

RICHARD BARTHELMES and Mrs. BARTHELMES expect to return to Hollywood next instead of taking their planned European cruise.

JOE LEE says now that he has gotten over his throat operation succeeds his doctor's guarded for high fidelity sound.

WINIFRED LAW, stage player, has been signed by Educational to do a comedy with TOM PATRICIA and BUSTER WEST at the Eastern Service Studio.

PATSY KELLY flies to New York at the end of the week. This will be her first vacation from Hollywood in a year.

SAM HAMER of the Capitol publicity staff is going to Lock Sheidelberg for his vacation.

CHARLES L. CLIFFORD has sold his original story, "Soldier Woman," to Paramount.

PESKY PHILLIPSON is now sojournin

g in the countryside adjacent to Port

Her MAN ZOHR and HERBERT J. YATES combined for lunch at the Tavern yesterday.

HAL HOUSE apparently did not vacate any seat. He was back on the job yesterday.

CHARLES MCGARVEY is now a beneficent.

A surprise is in store for him tomorrow at the Louis Nizer looked swell in the cream colored suit yesterday. NEL AGEN and CHARLES REAGAN are vacationing on the East coast today.

IVER LEE is vacationing via an auto tour.

ISABEL JEWEL, M-G-M player, arrives from Hollywood today.

ROGER FERRI has gone to the coast.

"Nell Gwyn" to be Previewed Tonight

"Nell Gwyn," produced by British and Dominions and to be released here by United Artists, will be previewed at the Astor Theatre at 9 P.M. tonight. Herbert Wilcox, who directed, is acting as host. Alma Neagle, last seen in this country in "Bitter Sweet," plays the title role with Cedric Hardwicke as Charles II.

The showing has assumed the proportions of the event of the week in the New York trade, the following being having furnished their tickets with assurances many of them proposed attending; Sidney Kent, David and Arthur Loew, James R. Grainger, Nicholas M. Schenck, Harry M. Goetz, Robert F. Sisk, Lee A. Owens, and J. E. M. Carbell, acting British consular general, will attend.

Researchers Delay Meeting

A meeting scheduled for yesterday at the M. P. Research Council to elect a successor to Mrs. August Belmont, who recently resigned as president, has been postponed indefinitely.

WASHINGTON, D.C. — The M-G-M President's Club held a drag ball at the Astor Theatre yesterday afternoon. The occasion was an affair for the benefit of the M-G-M President's Club.
GAUMONT BRITISH is definitely committed to the policy that exhibitors should be accorded the privilege of seeing all product before buying. We are selling pictures, not promises.

Another policy of outstanding importance to exhibitors is based on our firm conviction that pictures of the highest entertainment quality can be produced without resort to suggestive action or dialogue; that wit and humor, tense drama and convincing realism can be achieved without sacrifice of decency.

We are now prepared to screen any, or all of our "SELECT TWELVE" group, for exhibitors who are desirous of presenting clean pictures with one hundred per cent audience and box-office appeal.
Churches Here To Talk With Film Leaders

(Continued from page 1)

Holy Cross Church; Rev. Dr. Walter M. Howlett, representing the Greater New York Federation of Churches; Rev. Father E. G. Goldstein, representing the New York Board of Jewish Ministers and the Central Conference of American Rabbis; Rev. Dr. Rosenbloom, and former U. S. District Attorney Arthur W. Tuttle, acting as legal representative of the church federation.

Asserting that under Will Hay's leadership the industry had fallen low, Father McCaffrey demanded the resignation of the M. P. P. D. A. president.

Aims of the Legion of Decency were discussed. Those present agreed upon the necessity of a film cleanup, but it was decided that further details of the campaign are worked out it would be well to confer with all the principal producers and get their attitude toward the movement. It is expected that this meeting, if held, will take place within the next few days, as the conferences expect to hold another session next week.

To Appeal to Investors

"What we intend to do is talk directly to the men who have their money invested in the picture business," said Father McCaffrey yesterday. "These are the men who can say yes or no."

At the Hay's office last night no comment was forthcoming pending receipt of direct word of the proposed request. Hay's is on the coast.

Whether the committee's invitation will be accepted is not stated.

In the meantime plans are going ahead for a conference of national leaders of Protestantism called by Dr. Worth M. Toppen of the Federal Council of Churches of Christ in America. This conference will be held Friday.

The purpose of this gathering is to discuss a form of pledge to be given to church members and details of plans to bring the campaign into contact with the various social service organizations of the Protestant churches, women's organizations, young people's groups and the Y.W.C.A. and the Y.W.C.A.

Kansas Bishop Extends Decency Legion Scope

CONCORDIA, Kan., July 9.—All "immoral amusements and reading matter are included in the Legion of Decency call issued by Bishop Francis J. Tiet of the Concordia Catholic diocese, which embraces the large northwest Kansas area.

Bishop Tiet directed the parish priests of his diocese to consider it their solemn duty not only to protest against this diabolical destroyer of Church and nation, but also to abstain from all immoral and dangerous amusements.

The bishop asked the priests to obtain the cooperation of the parish organizations and student societies in the movement and urged that representative lay committees be formed "and ready at all times to cooperate with our pastors in the carrying on of the Legion of Decency work."

The pledge of the Legion of Decency, declared the bishop, "is positive evidence of our indignation and we propose to make abstinence from all evil motion pictures, and from immoral books, magazines, and plays as well. The patron of these pernicious agencies has a heavy responsibility. His money makes them possible. The directors of these pictures and advertisements recommended by Catholic organizations should be frequently interrupted.

In another diocese the committee was asked to report the number of pledges signed, the results of the campaign and the reactions of the local exhibitors.

Kansas City Won't Send Church Leaders Here

KANSAS CITY, July 9.—Local Protestant churches will not be represented at the conference in New York Friday called by the Federal Council of Churches to organize for a "clean" campaign. Recently the general secretary of the Kansas City Council of Churches, said the organization had no funds to send delegates, but the proposed meeting would be well attended.

The diocese was asked to report the number of pledges signed, the results of the campaign and the reactions of the local exhibitors.

Sees Remedy in Laundering The Good, Banning Bad

Declaring the screen is definitely not as degenerate as our drama, our art and our letters, but its demoralizing effects are more insidious because the screen is more intimately associated with the home life of American youth, an editorial, attributed to William Randolph Hearst and published in his newspapers throughout the country, declared yesterday, will come by approving good pictures and condemning the bad. The comment maintains "it is unwise for the churches to condemn all pictures."

Church Leaders Hail Hearst Film Editorial

CHICAGO, July 9.—Church leaders today praised an editorial in the Chicago Daily News"Herald and Examiner" in commendation of William Randolph Hearst's editorial declaring for clean films and condemning the corrupting influences yesterday.

Cardinal Mundelein commented as follows: "I am individually delighted to see Mr. Hearst's editorial on the fight being waged for clean pictures. Chinese leaders are to be commended for solidly backing the church's campaign to make pictures a wholesome source of entertainment and education."

Others who were quoted in a similar vein were the Rev. Timothy Rowan, editor of The New World, Catholic organ; the Rev. Dr. George Craig, Stewart, Episcopal bishop; the Rev. George W. Dixon, vice-president of the Chicago Federation of Churches; the Rev. Dr. Charles M. Comerford, bishop of Kansas City and Udine Utley, girl evangelist.

Last night pledge cards were distributed at 410 Catholic churches in a move to enroll 1,250,000 locally in the campaign of the Legion of Decency.

Four hundred delegates from Catholic universities attending the conference of the Sodality of Our Lady at the Palmer House here yesterday went on record to advance the church drive on clean films and pass a resolution calling attention to indecent publications and urging Catholics to send together to uproot them and support the Catholic literary revival.

Breen Not an NRA

Man—Rosenblatt

(Continued from page 1)

Man—Rosenblatt

(Continued from page 1)

 discerns has on uncial connection with the industry. The hearing, however, asserted that the NRA was involved in a proposed plan of censorship of motion picture exhibition.

Any such statement, he declared, is "absolutely incorrect."

This Hollywood district stated that the conference is finding an announcement of self regulation and censorship of motion pictures by the film industry "after his appointment as NRA code administrator." Rosenblatt continued. Mr. Breen has no connection whatever with the NRA.

Any reference in this, or other dispatches, to a 'producers code' is not to the code of fair competition for the motion picture industry, but rather to the code of ethics formulated by and for members of the motion picture industry, which has no connection with the NRA."

Hays Sees a Gain In Film Criticism

(Continued from page 1)

profitable use of the pictures. Product to be re-rated through the classification system will abundantly deserve this discriminating support. Its great scope and variety will include major and minor classics of literature, music, the historical romances, rare fantasy, human interest stories dealing with every-day life and pictures that will retain the great social trends of the day."

Will Rogers to Tour

Hollywood, July 9.—Following completion of "Judge Priest," Will Rogers will take his two sons, Will Jr. and Jimmy, for a two months' trip through Europe, leaving for there by way of Honolulu. Mrs. Rogers will go as far as China and return to the States to continue her work in stock in the east.

Reports $209,225 Loss

BOSTON, July 9.—The Little Moonlight Theatre Company, controlled by RKO through Greater N. Y. Vaudeville Theatres Corp., reports a loss of $209,225 for 1934, due to deductions in expenses and other charges.

Discovered by RKO, the company planned to offer two 50 cent pictures on its next product list.
A NEW AND SURPRISING

COLLEEN MOORE

in

The First Talking Picture of

The Great American Classic — By Nathaniel Hawthorne

THE SCARLET LETTER

With

HARDIE ALBRIGHT H. B. WALTHALL—WM. FARNUM
ALAN HALE — CORA SUE COLLINS — WM. KENT

THE grandeur, the sublimity, the heart-rending pathos, the romance and beauty of this immortal story make it the author's masterpiece. . . . During three generations readers throughout the world thrilled to the terrible ordeal of sweet and gentle Hester Prynne . . . bravely wearing the shameful stigma over an aching heart . . . rather than reveal the name of the man she loved . . . He—forced to agonizing silence . . . finding relief by searing his guilty breast with a livid, scarlet letter "A".

MAJESTIC GUARANTEES

12 for 1934-35 EXCHANGE EVERYWHERE

MAJESTIC PRODUCING CORPORATION

1270 SIXTH AVE.

NEW YORK CITY
Para. Awaits Changes in Law

(Continued from page 1)

Last of Paramount Foreign Men Depart

Last of the Paramount foreign con-
ingers, Paul Williams, who is assigned to their respective headquarters cities. John Cecil Graham, managing director in Great Britain, and W. J. Messerli, managing director of the company's Spanish unit, are aboard the Benrgaria due at Southampton Wednesday.

Paramount, aside from original de-
ials, has been 100 per cent silent on repub-
cation of jail or new stock, to deal with its London houses, large and all de luxe.

"Empress" for Criterion

Paramount plans to open the "The Scarlet Empress" at the Criterion at two-a-day within the next few weeks. "Cleopatra" also is slated for a show-
ing at the same spot.

Operators' Scales

WASHINGTON, July 9.—Statistical studies of operators' and stagehands' pay scales in Greater New York will be issued Saturday by Donald R. Wane-
lace and Daniel Bertrand of the Divi-
sion of Research and Planning of the Federation of Amusement Employ-
ees and Allied Workers. A declaration today by Division Ad-
ministrator Sol A. Rosenblatt, in charge of men have been assigned to Rosenblatt to serve as a fact-find-
ing agency, it was explained, and their back retirement cases will be made to the division administrator, who will base his con-
clusions thereon.

The investigation is the first step to bring about coordinating scales. The findings and adminis-
trator's recommendations are expected to be finally laid before a board to be appointed to set up wage scales.

Shorts Forcing Up

In Trio of Appeals

Forcing of shorts heightened the three appeals heard by Campi's com-
pany yesterday. On a Monday were W. Kay Johnston, Crisson Smith and Laurence Bolognino.

Appealing from a decision against it, the exhibitor, The Imperial theater, Hav-
en, asked that it be relieved of 80 per cent of the shorts purchased from Paramount. Ed Ayers, attorney, said the exhibitor, contended that he bought one-fifth of his 312 pictures from Paramount during the first 150 shorts with a dual policy he should therefore be entitled to buy only one-
fifth of the company's shorts.

B. Fishman and a number of other independent New York exhibitors attended the hearing.

The other cases were that of Harry L. Paves, Pequots, New Haven, against Lyric, State and Garden, same city, on clearance and zoning; W. J. Brown, Enterprises of Conn., against Capitol, Hartford, clearance and zoning; A. J. Vanni of Poli withdrew his appeal from a de-
cision of the New Haven board in a
case involving Jadimus Amusement Co.

Of the 100 appeals and 15 certifications on the docket, 16 decisions and a large number of recommendations by ap-
peal committees will be ready Thurs-
day. More than half of the appeals filed have been heard.

Three Cases Cleared

By Board in Detroit

Detroit, July 9.—Three cases have been disposed of by the grievance board.

Complaint of Joseph Simon, Del-
grove, has been dismissed. The Grange, charging overbuying, was dis-
missed.

Fred Chereet, DelUXE, Sag-
awich, Mich., was ordered to end re-
lates. Stanley J. Marx, State, Sag-
awich, was the complainant.

Report of I. J. Loew's Tedd 
eryfield Theatre, alleging improper advertising by Ben and Lou Cohen, Grand Victory, was dismissed, as the complaint
failed to appear.

The clearance and zoning board has

advised Detroit exhibitors it will shortly submit a clearance and zoning plan that will not subject further protests except that an ap-
peal may be made to Code Authority within five days of publication.

A notice filed by General Exhibitors to 
the effect that they were at liberty to submit schedules for the zoning plan for that city to July 16.

Report Code Boards

Are Delaying Sales

(Continued from page 1)

be held today at Campi headquarters, in an effort to push ahead the new 
schedules.

Tomorrow the finance committee meets on a new plan to allocate the producer and distributor assessment for the first half year.

Walter Keough and J. Robert Rubin met on legal matters and the production committee comprising W. Kay Johnston, Business, and Rubin also held a special con-
clave.

Results of all sessions will be in the form of recommendations to be pre-
sented Thursday.

Portland Alternates

On Boards Named

PORTLAND, July 9.—As alternates for the important matters of the clearance and zoning board are

Jack Luhn, manager Sealey-Dresser Co., of Portland, and lawyer.

He is about 55, and well versed in code matters pertaining to the grocery trade.

Walter R. May, manager of the Portland Chamber of Commerce. He was for some years a secretary for the various organizations, and was con-
ected with the Portland Oregovian.

Harvey Wells, member of the legis-
lateur for several terms, is in the gen-
eral insurance business, and also an officer in the Jainzen Amusement Co.

Seider Complains on

Valencia Clearance

Joseph Seider has filed a clearance and zoning complaint against Loew's Valencia, Jamaica, claiming that the mov-
ies were on the Longboard, Riviera, and Patchogue in Patchogue, and Regent and Bayshore, Bayshore, L.I., by Loew's.

The case comes up before the New York board July 18.

Milo Frank has been filed on the Port Jefferson zoning schedule as re-
cently promulgated by the board.

The Hasting, Hasting-on-Hud-
son, has filed a clearance complaint against the Strand, Yonkers, asking eliminations of the protection.

This case comes up July 16.

Milwaukee Still at

Work on Clearance

MILWAUKEE, July 9.—Milwaukee's
city counselors and zoning board con-
"race nights" at the Florence, Mecca and 

To Fill Berres' Post

Successor to Al Berres, who re-
cently resigned from the studio labor 
committee in Hollywood, will be named by Campi on Thursday.

Report Skouras as

Operator for Loew

(Continued from page 1)

Loew's western territory to be con-

Second Appeal Up on U. A. Cancellations

Second appeal on the U. A. 10 per cent cancellation issue has been filed with Campi, the Highland, Fort Thomas, Ky., and Park, Cincinnati, being the complaining exhibitors. In this instance the exhibitor want-
ed to cancel "Catherine the Great" and U. A. refused to do so. The issue is on the calendar for July 31.

No Need Endorsements

With the sending out of the first batch of new code assent forms today to producers, exhibitors and distributors of signs exhibitors will be necessary, it was pointed out by Campi yester-
day.

Suppose "Race Nights"

Hollywood, July 9.—The Man-
chester Theatre has filed a complaint with the grievance board against "race nights" at the Florence, Mecca and
"The Queen of Hearts" (Cromly)

With the nursery tale of "the queen of hearts who made some tarts a story, this is an entertaining short. Done in Cinemite and with musical dialogue, it opens with the kitten tearing the pastry and the queen requiring to the kitchen to make it. Soap powder gets into the dough and the kitten mistakes, and when the knife steals the tarts he becomes sick. The windup is a battle in the kitchen between the knife and the king's forces, with everyone rushing to get back into a deck of cards as the clock strikes 12.

Running time, 8 mins.

"Beau Boshful" (Universal)

An entertaining short featuring Herbert Cukor, Grady Sutton, and Sylvia Pickering. The story concerns the plight of two bashful sweethearts, Grady Sutton and Miss Pickering, who want to get married but lack the courage to take the necessary step. They are aided by Cukor, the father, in a roundabout way and all ends happily. Most of the laughs are packed in the last half after the young couple register at a hotel. Running time, 20 mins.

"Paris au Fil de L'eau" (J. C. Bernard)

An interesting travelogue done with the impressive camera angles and fine photography which characterized the Fox Magic Carpet series. The scenes are done from the deck of a boat on the Seine. They show bridges, statues, fishermen, varied types of life, the back of huge churches and other points of interest all photographed from the Louis de France. The running narrative was in French, but it is understood that it will be available for American distribution. Running time, 19 mins.

"Le Sud" (J. C. Bernard)

Some of the camera work in this is extraordinarily beautiful. Most of the scenes are laid in the Sahara south of Algiers, and the cameramen waited for light and shadow and cloud effects. The photography conveys a vivid impression of the vastness of the desert, the beauty of its shifting sand dunes, and the oddities of town life on oases. Native music accompanies some of the latter scenes. Very much worthwhile. Running time, 20 mins.

Kathleen Norris

Greenbloom Goes Upstate
Harold Greenbloom, booker and buyer for Public upstate New York houses, has moved his headquarters from the home office to Poughkeepsie.

Jury to Get Union's Books
The books of Local 306 were ordered turned over to the Kings County Grand Jury for investigation yesterday by County Judge Martin in Brooklyn. The jury is looking into the affairs of the union.

"Born to Be Kissed" (M-G-M)

Hollywood, July 9.—Convincing Franchot Tone, wealthy scion of Sir Lionel Barrymore, that her energy is potential and not kinetic seems easy for Jean Harlow, an erotic maid, but more difficulty will be experienced convincing audiences in the John Ernest and Anna Loos screen play directed by Jack Conway. Tempestuous Jean, motivation lily white, decides to play with wealth and fire but her object—marriage. Her first victim, Count Leo, goes broke, philosophically promises to marry her and then commits suicide. Next she tries owls Lionel, but his son, Franchot, pursues Jean, is halted by her dictum and they both fall in love. Astute Lionel, dissenting, frames Jean photographically with an unknown man, but she removes the camera, being snapped semi-nude with him. To save his own skin, Lionel sanctions the Franchot-Jean nuptials.

Half-scarlet Harlow runs an emotional gamut. Tone troupes well and is virile, too. Patsy Kelly, Jean's pal, offers good comedy relief. The production, visualizing attrition dramatically of a presumably innocent gold digger, is smoothly knit.

While the central character taxes one's credulity, the film is well paced and has its moments but its selling demands thoughtful, tactful exploitation at this time. Running time, 75 minutes.

"Looking 'Em Over"

"The Crime of Helen Stanley" (Columbia)

"The Crime of Helen Stanley" is slavish in its adherence to the formula set down for mystery films, it is moderately entertaining. It is the customary drag-'em-in-and-drag-'em-out affair. Everyone in sight with even the remotest reason for wishing Helen, a movie star, out of the way is placed under suspicion and, as usually happens in films of the type, the most innocent appearing turns out to be the guilty party. This production manages to be a more or less pleasing guess match and the identity of the killer is never for a moment given away.

The film produces a variety of motives why the star's enemies might want her disposed of, and she had plenty of enemies, for she wasn't exactly the type. The murder is to avenge the death of his brother, a director, driven to suicide by the actress. The murder is committed on the set while a film is in production. The studio background lends interest to the picture.

Ralph Bellamy is the police inspector in the case. Some of those at whom he flings his question marks are Shirley Grey, Bradley Page, Kane Richmond, Vincent Sherman, Clifford Jones, Arthur Rankin, Ford Bond and Lucien Frival. Gail Patrick plays the star. D. Ross Lederman directed. Running time, 58 minutes.

Technicians to Resume

Hollywood, July 9.—The executive committee of the Technicians' branch of the Academy met today to pass upon plans for resumption of the technical program which was suspended some months ago. S. J. Twinney is chairman of the latter group, W. D. Aubrey is chairman of the staff program, and programs committee in general charge of the branch meeting program.

Mrs. DeMille Recovering

Doves, N. J., July 9.—Mrs. Cecil DeMille of the Doves General Hospital, after her recent operation which was a success, was discharged yesterday. Mrs. DeMille has been discharged from the hospital.

Mrs. Uno Gets Pickwick

Greenwich, Conn., July 9.—Mrs. Uno has acquired the Pickwick from Haring & Blumenhal, making a total of three in her circuit. She also operates the Strand and Palace in Stamford.

"U" Sets 10 Films

In the Music Hall

(Continued from page 1)

10 pictures. The others will be shown in other Broadway first run houses. Last week in adding "Air," RKO the Music Hall showed Fox and Columbia as well as four from Univer-

ally a pleasant sort. This year has shown a 150 percent increase over last year.

The company yesterday also set its anticipated bookings for the near


"U" to Do "Crusoe"

Hollywood, July 9.—Universal has added "Robinson Crusoe" to the 1934-35 program. Henry Hull has been slated for the top spot.

Carr Continues Ill; Johnston Heads West

Hollywood, July 9.—Complications in the current condition of commitment is one thing Carr will convince him to the Cedars of Lebanon Hospital for another two weeks.

Monogram, in the meantime, has moved from General Service to Pathe.

W. Ray Johnston of Monogram had not heard of the setback in films in New York and had expected to leave the hospital today. Infection following an abdominal operation is delaying complete recovery. The Monogram president starts for the coast Thursday by auto on a combina- 

Several days ago, an advertisement in the New York Times read "W. Ray Johnston of Monogram, ill, has been operated on for influenza. W. Ray Johnston will be away from New York for two months.

Harry Frillman Dead

Columbus, July 9.—Harry Frillman, 63, well known Ohio theatre executive, died at his home in Columbus following a heart attack. Until recently he had been affiliated with J. Real Neth and had been manager of the Cameo. For 18 years he was stage manager and bass singer with the Al G. Field Minstrels. Burial was in Columbus.

Beecroft Death Shocks

Old timers in the industry yesterday were shocked to learn of the death of James Beecroft from a gun-shot wound in a rowboat off Harbor Island Park, Manhasset, last night after a day's fishing. He is survived by his widow and two children.

J. Beecroft was for some years New York advertising manager of Exhibitors' Herald, a forerunner of Motion Picture Herald.

Mrs. Rembusch Passes

Shelburne, Ind., July 9.—Mrs. Grace Rembusch, wife of Frank J. Rembusch, died here Friday from either a heart attack or a cerebral hemorrhage while asleep.
Says Columbia Not To Hamper Theaters
(Continued from page 1)

exhibitor must have, we are for the exhibitor,” he declared. “The same applies to studio features. Columbia will not attempt to restrict the exhibitor in the successful operation of his enterprise.”

From Nate Spingold came the good word Columbia had signed more contracts prior to the opening of the convention this year than it had four weeks after the close of the 1933 meeting.

Academy Groups Busy

Hollywood, July 9—Five Academy meetings are set for this week starting tomorrow when the Research Committee, directors, and the country chairman. Wednesday night the sound recording subcommittee will meet, film preservative subcommittee, Thursday noon, and silent camera subcommittee, Thursday evening. The uniform screen illumination subcommittee will see a series of tests at the Radio studio Friday night.

Mexico’s 17th Film Company Is Started
By JAMES LOCKHART

MEXICO CITY, July 9—Mexico’s list of producers has been increased to 177 by the establishment here of the Compania Impulsora Cinegrafica, American-Mexican capital is being projected, and leading automobile distributor, is the head. Sound films will be made for the Mexican market. Rodriguez Brothers’ sound system has been acquired and their studios have been taken over. Robert Quigley of Hollywood will be a combination director and scenarioist.

Trendle Complains

On Shift of House

DETROIT, July 9—George W. Trendle, head of United Detroit Theatres, says Lew Wisper has obtained control of the Eastown, Detroit neighborhood, by acquiring one-half of the bonds and serving an ouster notice.

Following Wisper’s move, Trendle filed charges with the grievance board alleging improper interference with operation of a lease. The case is to be heard next week.

Drop Adrienne Ames

HOLLYWOOD, July 9—Paramount has dropped its option on Adrienne Ames. She is negotiating with Radio where her husband, Bruce Cabot, is under contract.

Hollywood, July 9—Emanuel Cohen is on a week’s vacation, destination unknown.

Take Bloomfield House

Ralph & Roslyn have taken over the Royal in Bloomfield, N. J. from Warners and will run the house in conjunction with the Bellevue, Upper Montclair, the Baronnefield, and the Park, Caldwell, N. J.

Wright Loses His Suit

LOS ANGELES, July 9—Harold Wright, novelist, has lost his suit against Sol Lesser and Michael Rosenthal over the talking picture rights to “When a Man’s a Man.”

Form Temple Clubs

Shirley Temple Clubs have been formed in Providence, Kansas City and Chicago. The clubs are made up of mothers and daughters.

Dynamite’ Is Detroit Lead; Gets $19,500

DETROIT, July 9—Top honors on the week went to “Strictly Dynamite” and a stage show headed by Lupe Velez at the Fox. The take was up to $19,500, topping normal by $4,500. “Operator 11” was a disappointment, and a show headed by Block & Sally. Total first run business was $48,200. Average is $55,000. Estimated takings for the week ending July 5:

“MANY HAPPY RETURNS” (Para.) FISHER—(Par.) 7 days. Gross: $3,500. (Average: $500.)

“STRICKLY DYNAMITE” (Radio) FOX—(8,100) 35c-50c. 7 days. Stage: Lule Velez. Gross: $3,900. (Average: $550.)

“OPERATOR 11” (MG-M) MICHIGAN—(3,900) 15c-50c. 7 days. Stage: Block & Sally. Heading eight vaudeville acts. Gross: $1,200. (Average: $100.)

“GREAT FLIRTATION” (Para.) UNITED ARTISTS—(2,000) 25c-50c. 7 days. Gross: $800. (Average: $114.)

Samuelson Says Two Allied Groups Gain

Returning from special sessions of the Allied units of Western New York and Wisconsin, Sidney Samuelson, president of the national organization, says these individual organizations gaining in strength and making steady headway.

While Samuelson was away, he was sick seven days and lost 14 pounds.

Mexican’s 17th Film Company Is Started
By JAMES LOCKHART

MEXICO CITY, July 9—Mexicos list of producers has been increased to 177 by the establishment here of the Compania Impulsora Cinegrafica, American-Mexican capital is being projected, and leading automobile distributor, is the head. Sound films will be made for the Mexican market. Rodriguez Brothers’ sound system has been acquired and their studios have been taken over. Robert Quigley of Hollywood will be a combination director and scenarioist.

Hollywood, July 9—Cliff Lewis and Marjorie Decker marry Aug. 11, . Rufus King, author of “Conversation Piece,” in town. . . . George Sommes on a tour of Europe. . . . Pat O’Brien wondering what to do with the 400 books he bought at auction. . . . Grace Moore and her husband moving in northern California. . . . Columbia very proud of its new boothblack, candy, and hot-dog stand. . . . Pert Kelton back to Catalina for more sunburn. . . . Charles Rogers seeking a bunch of posies to Harry J. Brown as a greeting on Harry Joe’s first as associate producer at Warners. . . . Dick Powell catching up on his correspondence. . . . The Warren Williams hard to see the yachts take off in the annual Honolulu race. . . . Even the electricians chimed in with the production staff in applauding that new dance Fred Astaire and Ginger Rogers do in “Gay Divorce.” When the juicers unlay it must be good. . . . William Anthony McGuire threw a stag dinner the other night for Liam O’Flaherty, noted Irish scrivenir. Irene Dunne now has a Badminton court in her Beverly Hills yard. . . . Newlyweds still have, with the making daily tours of the lot, popping off blackboards with a kid’s slingshot—the quaint fellow. Bruce Cabot and wifey, Adrienne Ames, going in for golf right in their own back yard.

“Thin Man” Pulls $5,500, Oklahoma

OKLAHOMA CITY, July 9—“The Thin Man” was in the money here last week in spite of the heat. It reached $5,500, over $1,000 over its previous showing.

The only other draw in town was “The Merry Frinks” with a stage show at the Liberty before the take four days was $2,000.

Total first run business was $13,500. Average is $1,500.

Estimated takings for the week ending July 7:

“THIN MAN” (M-G-M)

CRETE-ERA—(17,000) 35c-50c-75c-1.50c-2.50c. 7 days. Gross: $5,000. (Average: $700.)

MIDWEST—(1,000) 25c-35c-50c-75c. 7 days. Gross: $1,000. (Average: $143.)

“COKEYED CAVALIERS” (Radio) CAPITOL—(11,000) 15c-25c-35c-50c. 7 days. Gross: $2,500. (Average: $357.)

“ALL MEN ARE ENEMIES” (Fox) LIBERTY—(1,900) 10c-15c-25c-35c. 4 days. Gross: $500. (Average: $125.)
Briefs Asked In ITOA Suit Against Campi

Court Reserves Decision Pending Their Study

Decision was reserved yesterday by Federal Judge Henry W. Goddard in the suit of the I. T. O. A. for a temporary injunction to prevent the distribution of a card and local clearance and zoning boards from refusing to hear complaints filed by members of the card organization. Milton C. Weisman represented the exhibitor organization and stated the members of the I. T. O. A. were ready to pay assessments under the code, but did not want to sign and thereby give up their constitutional rights. He said the two-year abstinence was living up to all provisions of the code.

Import Curb Lifted By Czecho-Slovakia

By JOACHIM K. RUTENBERG

BERLIN, July 10.—American companies are expected to return to Czecho-Slovakia after a two-year abstinence as a result of the removal of the 20,000-crown import license and the removal of quota restrictions.

The 20,000-crown tax—about $600—was levied against every American importation and the quota law required that in every seven pictures distributed by American companies, the seventh picture be of Czecho-Slovakian origin. The law was passed for the purpose of protecting native animation by native producers.

During the two-year absence of American distributors, agitation for loosening the restrictions has been quite strong.

No G. B.-U. A. Deal, States Silverstone

By BRUCE ALLAN

London, July 10.—Maurice Silverstone, recently elected to the general managership of United Artists in Europe, today declared he had no knowledge of reports current in New York that his company is negotiating to handle Gaumont British product in the States. Joseph M. Sebenek was on the continent today.

FWC Foreclosure Is Set Back on Coast

Los Angeles, July 10.—Although a foreclosure sale of Fox West Coast properties was tentatively slated to come up before Judge James in the U. S. District Court here today, the proceeding has been postponed.

Zanuck’s Idea to See Pope Finds Hays Office Chilly

If Darryl F. Zanuck contemplates discussing the Catholic Church movement aimed at objectionable films with the Pope, assuming he can arrange an audience, the step will be undertaken with no approval of the Hays office.

Officially striking the attitude that no cable seeking audience would be prepared to proceed along such lines, he has been received here and no definite decision has been reached. Consequently, it is being held that the Hays office yesterday implied definitely it was not willing.

Local Church Film Attack At Standstill

Local moves in the church clean film campaign were at a standstill yesterday. No invitation to a conference with producers was received at the Hays office.

At the conference, Michael J. Lavelle’s office it was stated that he and Rev. Joseph A. McCaffrey, members of the interdenominational committee appointed at a conference meeting, were out of town and would be away until tomorrow. Rev. Dr. Walter M. Howlett, Greater

Ontario Bars 7 Now Under Catholic Ban

Toronto, July 10.—The first reaction in Canada to the campaign against objectionable films in the United States was announced today by Chairman J. C. Boylen of the Ontario censor board that seven pictures in a list of 31 declared immoral by Catholics had been banned in the province.

Race Mixing Stirs Louisville Feeling

LOUISVILLE, July 10.—Some resentment has been voiced here of late by Negroes against the mixing of colored performers with white in musical and dance numbers.

This resentment does not extend to outstanding performers like the Mills Brothers and others, but applies to those scenes where it is implied the races are mixing on an equality basis.

Cleveland Dual End Stirs No Complaint

Cleveland, July 10.—The public appears to be reacting favorably to the single feature policy now in effect in

May Drop Plan

Philadelphia, July 10.—Film Row today heard the report that the plan for a concerted closing of Warner and M. P. T. O. of Eastern Pennsylvania member theaters will be dropped quietly.

Lew Payor and Charles Segal, representing the M. P. T. O., are expected to confer with Joseph Bernhard, general manager of Warner theaters, tomorrow in New York on the decision.

Several efforts to reach Joseph Bernhard last night proved unavailing. His office reported he was in a meeting and could not be reached.

K.C. Schedule Hits Doubles; May Tip Rates

KANSAS CITY, July 10.—The new clearance schedule for Kansas City, adopted by the local clearance and zoning board, is considered a lever to lift the present low level of first and subsequent run admission prices. By setting back availability on double bills at subsequent prices and by reducing the clearance for first runs maintaining this practice, the new plan is regarded.

Carter Barron Gets New Post in Loew’s

Carter Barron moves up the line in the shift of Loew district managers which takes M. Addison from Cleveland to Boston as reported in motion picture daily yesterday. Barron has been city manager in Washington. As district manager now, he will continue to handle that.

Cleveland Dual End Stirs No Complaint

Cleveland, July 10.—The public appears to be reacting favorably to the single feature policy now in effect in

Para.’s Three Trustees Stay Under New Act

Judge Coxen Holds Them After Hearing Counsel

Declaring he had no alternative after hearing counsel for various stockholders’ and bondholders’ groups, Judge Harold W. Coxen of U. S. District Court yesterday named Charles H. Hilles, Eugene W. Leake and Charles E. Richardson as permanent trustees under the new bankruptcy law.

These men have been in the status of temporary trustees since the recent application for permission to reorganize under the new bankruptcy law. Prior to that they had been appointed under the old bankruptcy laws. Their continuance in office is regarded as hastening the company’s reorganization.

At the opening of the hearing the question arose as to whether Richardson was to serve as permanent

Goldman Lines Up New Penn Circuit

PHILADELPHIA, July 10.—Formal announcement of the formation of William Goldman Theatres, Inc., a new independent circuit, to operate in Pennsylvania, New Jersey and Maryland, will be made tomorrow by William Goldman, former Stanley-Warner head.

The outfit is understood to have a

St. Louis Awaiting Next Warner Step

ST. LOUIS, July 10.—There is some unwarranted speculation here as to the next move of Warners now that transfer of the Ambassador, Missouri and Grand Central Theatres to F. M. management seems certain.

At present Warners have the Shubert and there are reports they will take over the Orpheum.

Chicago Allied Will Oppose B. & K. Move

CHICAGO, July 10.—Allied Theatres of Illinois will oppose the plan of B. & K. seeking an extra or “dead” week protection in the local zoning scheme, according to Aaron Saperstein. Allied feels, according to Saperstein, that B. & K. has all the

(Continued on page 6)

(Continued on page 7)
Hollywood, July 10.—Grant H. Stone, head of the organized Prismatic Prod., Inc., using the Cinecolor process, has thrown his hat into the Chinese film market arena, as his initial production effort. Dr. George Pocock, former technical advisor at Fox, has been made production chief in charge of the filming of a short series for distribution in the Orient. A deal for the handling of 20 color shorts for local distribution is likely to be closed within a week. Stone, who did all the color photography on "The Maiden Voyage of Valero III" the voyage to the Galapagos Islands of the Capt. G. Allan Ford in a name is the California Academy of Sciences, figures to have three Chinese shorts in work all the time, when actual production gets under way. Dr. Pocock is now making final arrangements for distribution. Robert Cary is the other chief member of the firm.

London Films Ready To Start New Project

London, July 10.—Plans to build a studio of four stages at Elstree have just been completed by London Films. The last fire at the Tricycle tracts of the lot has been acquired and all construction work is expected to be completed in about six months. First announcement of the proposed expansion of London Films was made in a story carried to Montreal Picture News from London several weeks ago.

Carter Barron Gets New Post in Loew's

(Continued from page 1)

city and take over Harmiss, Wilming- 
ton, Reading, Norfolk, Baltimore and 
Richmond. Harry Long, who has been 
handling this district, takes over the 
other offices in the city. Transfer of 
Addison to Boston brings W. A. ("Billy") Downs into New York on Charles Moskovitz's staff. He will handle theatres which have been under the aegis of George Schenck, now in the city. The Metropolitan Theater of the Lincoln space have also been opened in New York.

New N.C. Man West Title

Hollywood, July 10.—West's new 
picture, originally called "It Ain't No Sin" by Paramount, has been changed to "The Belle of New Or 
leans," and will be released under that title.

N.O. Hits Mae West Title

New Orleans, July 10.—Renaming of 
Mae West's latest picture, "It Ain't No Sin" as "The Belle of New Orleans," has been voted in in a conference of civic and political bodies here.

Trading Light On Big Board

Consolidated Film Industries, Inc.,
Eastman Kodak
Fox Film Co.
Loew's, Inc.
Paramount Pub 
Pathé Exchange
Pathé Exchange, Ltd.
RKO Theatres, Ltd.
Warner Bros.

Sentry Off 1-16 on Curb

Sentry Safety Control
Technicolor
Trans Lux

Pathe Bonds Gain ½

General Theatre Equipment 6% 54 59 44 44 44 44 44 44
Keith B. F. 6% 46 46 46 46 46 46 46 46
Paramount P. L. 6% 47 47 47 47 47 47 47 47
Pathé 7% "H" 54 54 54 54 54 54 54 54 54
Warner Bros. 6% 59 59 59 59 59 59 59 59

Vergesslich Joins

Vergesslich, head of Paramount, has signed with the studio to manage both New York and New Jersey theaters. He is formerly branch manager for Warners here.

Purely Personal

A LBERT EARLY, ROBINSON and his wife are in Kansas City, Mo., being members of the Star staff. He has written a play titled "The Week-End of a Pirate."

EMIL FOSTER, of the Universal exchange, is on his way to Europe, for an appearance on the Champlain to purchase continental stage shows.

DIANA WYNFORD and FRANK LAWTON have returned from the Aquaplu for England.

KING VIDOR arrives in town this week with a script of his "Our Daily Bread." JACQUES CHATELAIN, French film player, arrives today on the Champlain.

HOWARD S. CULMANN returns from Washington today. He was there for a day.

JACK PARRINGTON returns today from a brief vacation.

"Nell Gwyn" Preview Attracts Notables

More than 500 exhibitors, circuit buyers and representatives of the stage, screen and press attended last night's special preview of British & Dominion's "Nell Gwyn" at the Astor.

Among those in the audience were:


Following the preview, Herbert Willis entertained at a buffet in the grand ballroom of the Astor. Four hundred attended. There was dancing with music supplied by an eight piece orchestra.

"Affairs" Stir Portland

PORTLAND, July 10.—The brightest spot on the drab theatrical map here is the Music Box where "Affairs of a Gentleman," starring Fred Staniford, has been playing for $1,800 a week. It will close today. The schedules of the Astor. Four hundred attended. There was dancing with music supplied by an eight piece orchestra.

Fox Signs Swanson

HOLLYWOOD, July 10.—Gloria Swanson has been signed by Fox to appear in her first musical comedy, "Music in the Air," which will be directed by Erich Pommer. John Boles and Douglas Montgomery are co-starring with her.

219 for Germany

BERLIN, July 10.—During the 1934-35 season 117 German films will be shown in Britain. Some American features will be imported. Imports from other countries will total 34.

Robbed at Reopening

TORONTO, July 10.—Three months ago the Danforth Market had a fire. Saturday night it was re opened as the Century and was robbed of $350.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Vol. 36 No. 8

Wednesday, July 11, 1934

G. H. Stone at Work On Chinese Shorts

Await New York

Los Angeles, July 10.—Charles Skouras, one of the trustees of Fox West Coast, yesterday made no new developments in the reorganization of His firm but will undertake pending arrival here of financial and legal lights from New York.

Chase National representatives, bulwarked by lawyers, are expected next week on P. W. C. reorganization date.

FWC Foreclosure Is Set Back on Coast

(Continued from page 1)

has been delayed until later in the month. The delay is due to the mass of details which must be ironed out before the sale can take place.

A reorganization plan which will call for a new holding company to replace Wesco with S. R. Kent at the head of it will be submitted at the same time for court approval.

To Shoot "Cucuracha"

Radio will have a preview of its new color short, "La Cucuracha," at the Waldorf-Astoria tomorrow. This film was reviewed by Motion Picture Daily on July 7. It is the first film made in the new Technicolor process and was produced by John Hay Whet 

nery under the firm name of Pioneer Pictures, Inc.

New Group Elects

ATLANTA, July 10.—Ike Katz of Montgomery has been named head of the Georgia Federation. Florida—Florida, Alabama, Theatre Ass'n. Other officers are: W. L. Coart, Atlanta, treasurer; A. J. Benedum, New Orleans, secretary; Mrs. C. S. Kellams, Atlanta, secretary; J. S. Listor, Atlanta, manager; Dublin, manager; Remo Hauser, New York, treasurer; J. W. Atwood, New Orleans, vice-president.

France Bars U. S. Film

PARIS, July 10.—A temporary but complete ban was declared today by France on American raw sensitized film for screen cameras. The purpose is to insure employment to the French people by requiring American films to manufacture in France all film intended for sale in the country.

J. R. Grainger Feted

The six-week period which ended July 23 and September 1 has been designated the "J. R. Grainger Celebration." This period will mark the first anniversary of Grainger's association with Universal as general sales manager.

Vergesslich Joins

Herman Gluckman, president of Majestic and Capitol exchange, yesterday closed a deal for J. V. Vergesslich to manage both New York branches. He was formerly branch manager for Warners here.
"You were born to be kissed . . . ."

The bands are playing it! Every day it's plugged on the radio! A hit song telling the world gaily about a hit picture—

EXTRA! PREVIEW!

Hollywood Reporter says:

"'BORN TO BE KISSED' is bright and filled with laughs. Grand entertainment. Harlow at her best. Simply swell in addition to being luscious eyeful!"

Jean

HARLOW

"BORN TO BE KISSED"

with LIONEL BARRYMORE
FRANCHOT TONE • LEWIS STONE
JACK CONWAY, Director
Produced by Bernard H. Hyman

In the M-G-M Manner!
An eminent doctor ... branded “murderer” by a hasty world. A beautiful woman ... enmeshed in a hateful marriage. Both seek escape on a strange journey ... that leads to stranger adventures.

From the best-selling novel that thrilled America

Warner BAXTER in GRAND CANARY

with MADGE EVANS

Marjorie Rambeau • Zita Johann
Roger Imhof • H. B. Warner
Directed by IRVING CUMMINGS

From the novel by A. J. Cronin Screen play by Ernest Pascal

A JESSE L. LASKY PRODUCTION
Local Church Film Attack At Standstill

(Continued from page 1)

New York Federation of Churches, was also out of town. Cardinal Hayes' office confirmed the fact that he would issue a statement on the film situation, but said that it probably would not be forthcoming until later in the week.

HOLLYWOOD, July 10.—Will H. Hays refused to comment today on Rev. Joseph A. McCaffrey's suggestion that he resign his post as head of the M. P. A. D. A. Later, but through a spokesmen, the suggestion was called "absurd." In his formal statement, Hays referred to the clean film campaign and criticism directed at the industry as follows: "Some of it may be justified; some may be entirely unwarranted—all of it is understood, none of it is desired."

Hays and Joseph I. Breen will call a general meeting this week for a general discussion on administration of the code of morals and other means of combating the present reform movement.

Mrs. Roosevelt Lauds Self-Regulation Move

CHICAGO, July 10.—In her debut as a radio commentator in a broadcast from the World's Fair, Mrs. Franklin D. Roosevelt last night praised the self-regulatory measures of the industry as a right step in the campaign to improve the tone of screen entertainment.

Mrs. Roosevelt expressed herself as "entirely happy at the industry's appointment of Joseph I. Breen to pass on films on the ground that "the matter is the right step in the campaign and is very important to the whole country."

General Boycott in St. Louis Is Denied

St. Louis, July 10.—Archbishop Joseph J. Gerber, head of the other Catholic Church in this section, has not receded from his position that theatres that show any immoral pictures must suffer lack of patronage on those nights on which good pictures are shown, but he has not yet taken the position that there is a sin for a Catholic to attend a picture theatre at any time. Should such a drastic step be taken, it might feel it would be disastrous for local theatres since there are 340,000 Catholics in St. Louis and about 500,000 in the St. Louis archdiocese, which covers a large part of Missouri. Many leading Protestant and Jewish leaders locally have issued the film fighters for the Catholic Legion of Decency. It is estimated that 500,000 men, women and children in eastern Missouri have joined the fight and pledged themselves to stay away from proscribed pictures.

The continuing Catholic leaders are consolidating the legion movement. Through the Sunday Visitor, Quo Vadis, week other Catholic publications those in the St. Louis archdiocese are being kept informed of the situation throughout the country. The papers carry a list of the desirable pictures, those that have objectionable scenes and those that are considered suitable for Catholic patronage.

Better Films Group Seeks Church Tieup

East St. Louis, Ill., July 10.—Plans to enlist churches here in their work were made by the East St. Louis Better Films Council. Elsie Chanahan, president, has urged members to remember "your ticket as your ballot" in working for clean films.

Mrs. John E. Weese, vice-president, reported that the films recommended during the week. Reports of films are posted weekly in the Public Library, Community House, Notre Dame Academy, Belleville and other schools.

Urges Buffalo Diocese To Strengthen Legion

BUFFALO, July 10.—Bishop William Turner of the Catholic diocese of Buffa!o, in a letter to the rectors of parishes and 36 missions in his diocese, pledged his wholehearted cooperation to the Legion of Decency drive for clean films and asked all rectors to organize units of the League in their parishes.

Dean S. Whitney Hale of St. Paul's Episcopal Cathedral has endorsed the Catholic drive.

3,200 More Sign

ENGLEWOOD, N. J., July 10.—More than 3,200 persons have signed the pledge of the Legion of Decency at St. Cecilia R. C. Church, of which 2,000 are members of the parish and the remaining visitors to the Shrine. Father Albert H. Dolan is directing organization of the league in this city.

MPPDA Cold ToZanuck Idea To See Pope

(Continued from page 1)

would keep its hands free of any such potential entanglement.

According to Associated Press dispatches from Rome, Zanuck had made up his mind the film campaign was an issue he ought to discuss with the pope. For his campaign proclivities under the coun-

"Bondage" Is $94,500 Draw At Music Hall

"Of Human Bondage" stirred up the biggest gross in many weeks at the RKO Music Hall. In seven days the talking picture, despite of the heat and the out-of-town holiday attractions.

"The Thin Man," helped by Duke Ellington and his band, was not out standing at the Capitol with $39,800. "Kiss and Make Up," with Max Baer on the stage, held the Paramount to $31,000.

The Roxy had a good week, comparatively, at $29,000 on "Baby Take a Bow."

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Estimated takings:

Week Ending July 5:

- BLACK WIDOW (Col.)
  RIALTO—$2,200, 25c-50c.  6 days.  Gross: $8,930.

Week Ending July 5:

- OF HUMAN BONDAGE (Radio)
  RADIO CITY MUSIC HALL—$1,940, 25c-55c.  6 days.  Stage show: Gross: $9,580.

Week Ending July 5:

- MISS LITTLE MAN (M-G-M)

- MANY HAPPY RETURNS (Para.)

- NICE AND TAKE EUP (Para.)
  PARAMOUNT—$4,700, 25c-50c, 8 days.  Stage show and orchestra.  Gross: $1,750.

- BABY, TAKE A BOW (Fox)
  ROXIE—$2,600, 25c-55c.  7 days.  Stage show.  Gross: $11,400.

- DR. MONICA (Warner)
  MIDNIGHT ALIBI (Warner)

Week Ending July 6:

- LITTLE MAN, WHAT NOW? (Univ.)
  SISTERS UNDER THE SKIN (Col.)
  RKO CENTER—$2,300, 25c-55c.  7 days.  Gross: $17,970.

Week Ending July 8:

- CANNONEER KLIICK FIGHT (Warner)
  THE MAKING OF MRS. CANNONERI-KLICK FIGHT (Warner)
  MAYFAIR—$2,300, 35c-85c.  12 days.  Gross: $7,600.

"Winters" Is a Hit In Cities of Ohio

CINCINNATI, July 10.—The recent delay of the film arbiter in Columbus in passing "The Life of Verge Winters," which made the front page of most dailies, appears to have in 

trigued the curiosity of the public. The film moved through an estimated $11,000 at the RKO Albee last week, one of the biggest grosses recorded in the town in many moons. This rate a holdover.

Proportionately heavy grosses are expected in Cleveland and Columbus last week.

In Cleveland the picture has been held for a second week at the RKO Palace, while in Columbus it has been moved from the RKO Palace to the Majestic for another week.

Mid-Ocean Chartered

DOVER, Del., July 10—Mid-Ocean Motion Picture Corp., listing a capital of $100,000, has no par value, has been chartered to develop and distribute films. The incorporators are D. B. Hilliard, R. M. Hilliard and E. C. Shockley of Wilming-

Hollywood Personalities

Hollywood, July 10.—Freddie March wanted a portable dressing room at U. A. and spent $1,500 to equip it. Equipped with baths and other nautical gadgets. . . . Nat Pendleton, former ear scrawler, has hired a bodyguard. Says he's getting tired of showing so many tough guys he has been cast as a police man at Idyllwild. Now working on plans for a tennis court and, of course, a swimming pool. . . . Joe E. Brown now has his mint julep with dignity. He's a Kentucky Fugitive but still wants to star in his original, "Design for Loafing." . . . Monta Bell looking forward to a 10-week vacation in Yurrop in the Fall. . . . Adrian playing jokes on Kathleen Howard over the phone. . . . George Barbier gone showy. Now has a new Piero. . . . Buddy Schulberg will study Russian technique in Moscow...
K.C. Schedule Hits Doubles; May Tip Rates
(Continued from page 1) as encouraging adoption of single feature.

The new schedule provides clearances for theatres located within the corporate limits of Kansas City and suburban areas. It is in keeping with the showing of 1934-35 product, and provides:

Single feature first runs at 25 cents or less; 21 days over any first single feature suburban run charging 25 cents. First runs in this classification get the following clearance over other single feature suburbs: 20 days over second suburban run charging 25 cents; 35 days over other second suburban runs charging more than 25 cents: 45 days over second suburban run at 25 cents; 49 days over second suburban run charging more than 30 cents; 60 days over second suburban run charging 30 cents; 70 days over 25-cent houses; 90 days over 50-cent houses.

Single feature first runs charging 25 cents or less, and second runs, in addition, clearance of 30 days over subsequent running exhibiting such picture elsewhere.

Clearances for first runs showing one feature at multiples of 25 cents are provided as follows over single feature subsequent:

- First runs over first run charging 25 cents: 10 days over first run charging 25 cents; 14 days over second run charging 25 cents; 30 days over third run charging 25 cents; 60 days over fourth run charging 25 cents; 90 days over fifth run charging 25 cents; 150 days over 25-cent houses.

- First runs charging 25 cents: 10 days over first run charging 25 cents; 14 days over second run charging 25 cents; 30 days over third run charging 25 cents; 60 days over fourth run charging 25 cents; 90 days over fifth run charging 25 cents; 150 days over 25-cent houses.

- First runs showing one feature at multiples of 25 cents: 40 days over first run charging 25 cents; 56 days over second run charging 25 cents; 100 days over third run charging 25 cents; 150 days over fourth run charging 25 cents; 200 days over fifth run charging 25 cents; 250 days over fifth run charging 25 cents.

- First runs showing one feature at multiples of 50 cents: 70 days over first run charging 50 cents; 105 days over second run charging 50 cents; 200 days over third run charging 50 cents; 400 days over fourth run charging 50 cents.

More Clearance for Singles
First runs with singles charging more than 25 cents get an additional 60 days clearance over first run charging 25 cents or less, and 30 days over 25-cent suburban houses.

Dual first runs lose one-half the normal clearance over second run charging 25 cents or less, and dual runs on a double bill become available to exhibitors after the regular run of the first run charging 25 cents or less.

Clearance: first runs in the colored area are 14 days after regular first run. Clearance over the first run charging 25 cents or less, and over the subsequent run charging 25 cents or less, is governed by the clearance prescribed for other suburban runs.

Subsequent runs not having a fixed daily price are classified as charging six cents or five cents less than the regular price for the same single feature.
Para. Trustees Stay Under New Act

(Continued from page 1)

trustee. Arthur A. Ballantine of the firm of Root, Clark, Bingham, Ballantine & Wood was willing to serve.

Samuel Zirn, counsel for a group of bondholders, had met with a general criticism of Adolph Zukor, Ralph Kohn, Robert T. Swaine, Sir William Weisman, Frank Van derlip, and certain Chase National Bank officials who have had dealings with Paramount since the bankruptcy. Just prior to the time when review of Zirn's statements made at previous hearings, but Zirn claimed that in defense of his case he would treat the trustees as new names.

Two minor stockholders also voiced objections to the trustees.

Holds Trustees Qualified

Alfred A. Cook, representing the stockholders' protective committee which claims to have 48 per cent of the outstanding stock on deposit, stated the work of the temporary trustees was satisfactory and he felt they were the qualified candidates. He said they had efficiently performed their duties under guidance of able counsel. Cooke also said that within a short time his group will have more than 50 per cent of the outstanding stock.

Nathan Burkman, representing merchant creditors whose claims total $2,500,000, complimented the three trustees for their conscientious desire to do the best job which can be done on the rocks and is now emerging from its plight. He said:

"It is a far better three than I anticipated in following flimsy litigation. We know no three men better qualified for the posts and recommend their continuation, feeling secure that our interests will be protected.

"It would be an injustice to us to change the personnel at this time," he concluded.

Further Boost for Trustees

Malcolm Sumner, who represented bondholders whose holdings total $1,500,000, took a more personal touch with the work of the trustees than any other counsel save for those representing creditors, dealing directly with them on important issues. He said:

"This estate is extremely fortunate in having such men as Filkins, Lake and Richardson and I believe they are the greatest protection to bondholders of the estate.

"These creditors owe a deep debt or gratitude to these men who are willing to serve," he stated.

Before appointing the trustees to permanent posts, Cooke and Zirn indulged in some retarate which brought out a number of laughs.

At another point where Zirn wanted to impress the judges about the latter's knowledge of receiverships and bankruptcies, the court interrupted: "Yes, I also know about the receivings your bank has been connected with."

Zirn later brought out the point that at a previous hearing he had tried to submit papers and Judge Cox had refused to admit them into the record.

The judge answered: "I didn't have to look at the papers. I looked at you."

Further on Zirn apologized for taking up so much time with his objections, to which Cooke replied:

"You're not wasting my time. You're wasting your own."

When Zirn brought out the alleged salary of Zukor for 1929 amounting to $300,000, as said in his 100 times more than Coxe received a year, the judge immediately corrected Zirn and said this was not so.

After the hearing was declared closed Zirn persisted in an open discussion with Judge Cox on the merits of his objections until the judge finally rushed into his chambers and signed the order making official the new appointments.

Paramount Men Here

Barney Balaban of Chicago, N. I. Nathanson of Toronto and Martin Mullen and Sam Pinaniski of Boston, Paramount theatre partners all, are in New York. Their presence here at the same time is described as "routine."

Charter Is Sought by Western States

OKLAHOMA CITY, July 10.—Western States Theatres Co. has filed application for a charter in Oklahoma. The charter was withheld by R. A. Scroggs, secretary of state, until the original articles of incorporation for Lowenstein Theatr- es, Inc., are presented to the court which is being changed to Western States. Amendments of the new corporation report that in the background of its organization is the lawyer handling the negotiations. The attorneys are asked on behalf of a theatre seating 3,000 to cost $1,000,000. Foster McSwain, former owner of Ada theatres, is head of the new organization.

“Nell Gwyn”

(Continued from page 1)

Mexican and Dominican-United Artists) Act

Exactly as "Henry VIII" dipped into the private affairs of that ruler of Britain and as "Madame Du Barry" will tell much, if not all, of what went on in the court of one of France's many Louis, now comes "Nell Gwyn" to narrate considerable of what transpired in the personal life of Charles II, another of England's rulers.

Nell, with a doubtful paternity—actress, rowdy, and common—but possessd of that which was required to make Charles II forget affairs of state and the Duchess of Portsmouth, did her appointed task well enough. She knocked 17th century court decorum galley west, embarrassed the king much but entertained him more and maintained her hold by his wit and nature's endowment until the era ended with the king's death.

Anna Neagle, as Nell Gwyn, does a generally good job. Sir Cedric Hardwicke as the king, is suave and competent, while other roles, mostly secondary, are adequately filled. In production values, the picture stands up. In dialogue, it has a number of rough spots which become dubious in these days of church campaigning against the objectionable.

By and large, "Nell Gwyn" is a commendable addition to the cycle started by Charles Laughton as Henry. Running time, 75 minutes.

Fox Talent Resting For Summer Months

Hollywood, July 10.—Fox talent will be scattered during the rest of the summer in spite of the fact six pictures are scheduled at Movietone City.

Will Rogers is away. Winifred Hatton is scheduled for European vacations; Warner Baxter is on loan to Columbia for one picture and is slated for another at M-G-M; Frank Lloyd is at M-G-M to direct "Mutiny on the Bounty"; James Dunn is on loan to M-G-M for 25,000 and "The King of the Yukon". Stirling Sontag is at Arrowhead for six weeks; Norman Foster is in Tahiti; Alice Faye is in the East, and Lilian Harvey and Charles Boyer, who were scheduled for one each this summer, are no longer with the company.

In spite of the dearth of talent behind Spanish picture, two Charlie Chan and one featuring Pat Paterson are scheduled.

Radio, McCrea in Accord

Hollywood, July 10.—Radio has withdrawn its suit against Joel McCrea charging breach of contract. The actor, who was suspended for refusing to be loaned out to Universal, has been re-signed to a new long-term under which his first film will be "The Richest Girl in the World." He will play opposite Miriam Hopkins.

Mannix, Selwyn Coming

Hollywood, July 10.—E. J. Mannix and Edgar Selwyn were on their way here late yesterday. Mannix, former on a visit to his sick mother and the latter on business.

Shea Unit Changes Name

DOVER, Del., July 10.—Shea Theatres Corp. has changed its name to Nyrie Theatres Corp., Erie, N. Y.
PERMIT CANCELLATION OF
FILM ON MORAL GROUNDS

Fox Met. Deal
 Said Set At
$4,500,000

Warners and Loew's are understood
have reached an agreement late
night to tip the bid for Fox
metropolitan Playhouses from $4,000,-
0 to $4,500,000. It is believed that
change will be made for the bonds
of Loew's.

Judge for Warners, Loew's and
Fox Met. bondholders' committee
looked over details of the deal all
yesterday afternoon and until late last
night.

When the postponed hearing on the
injunction was heard (Continued on page 7)

Stay Is Refused in
Philadelphia Duels Suit

Philadelphia, July 11—U. S. Dis-
tract Judge George A. Welsh today
ruled in an application for a prelimi-
ary injunction asked by Harry Perl-
man, attorney for Producers Depar-
ment of the Hays Office, that the in-
junction would be unfair to
defendants.

In handing down the decision the
judge commented that the case in-
volves so many ramifications and cov-
ers so broad a territory that a pre-
liminary injunction would be unfair to
all parties.

It was indicated that the defendants
will appeal.

Y. S. Quiz May Part
A. T. & T. from Films

Washington, July 11.—Investiga-
tion of the A. T. & T. by the new
federal Communications Com-
mission. The result in the company's divo-
sion of all film connections, it is indi-
cated today as the commis-
sion organized for operation.

It was indicated that the investiga-
tion would begin almost immediately
(Continued on page 7)

anti-Sherman Move
Is Called “Illegal”

Attempts to have Harry Sherman,
said, and certain other officials of
the company described by members
(Continued on page 7)

Statement Outlining Plan
To Extend Cancellations

Official text of the Hays statement extending cancellation privileges
of pictures objected to publicly on moral grounds follows:

“Amplifying Will H. Hays' statement of two weeks ago, which con-
cerned the action taken to amend and strengthen the system of indus-
ty self-regulation established by the M. P. Producers and Distributors
of America, the following companies, members of that association,
an-nounced yesterday that each would grant to exhibitors the right to omit
the exhibition of any of their motion pictures released prior to July 15,
1934, against which there is a genuine protest on moral grounds:

Columbia Pictures Corp.,
Educational Film Exchanges, Inc.,
First National Pictures, Inc.

(Continued on page 6)

Zoning Delay
Holds Up New
Season Sales

With only 10 of the 31 clearance
and zoning boards filing new sched-
ules by July 1, distributors are at a
loss as to what to do about selling new
season's product, contending they can-
not go ahead with deals until new
schedules are set up for 1934-35.

Campi today will take some kind of
action on the new schedules and it is
possible a recommendation may be
made for an extension of the July 1
deadline.

Local boards throughout the coun-
try refuse to hear or file schedules be-
(Continued on page 7)

Assessment Changes
Under Campi Study

Changes in allocation of exhibitor
assessments for the second half of
1934 were discussed yesterday by the
code finance committee comprising
Nathan Yaminis, Harold S. Bareford
and W. C. Michel. The problem is
now being studied and worked out and
a plan will be presented to Campi for
approval shortly.

The first half year's assessment
(Continued on page 7)

New Theatres
Are Begun in
Many Places

Almost imperceptible in its mark-
buildings, but evident, nevertheless, is a
revival of theatre construction in scat-
tered sections of the nation.

Long dormant, plans to build new
houses where they are felt to be
needed or to embark on a replacement
campaign where existing theatres are
outmoded developed in a number of
cities and towns yesterday.

One sales manager expressed the
rejection of all yesterday when, ad-
vised of the facts, he said:

“There couldn't be any more definite
(Continued on page 7)

Bernhard Silent on
Closings in Phila.

Joseph Bernhard, general manager of
Warner Theatres, yesterday ref-
used to discuss reports from Phila-
adelphia that the announced plan of
closing his circuit's theatres unless
the church boycott was lifted was to
be abandoned.

“The statement I made on July 6 is
the last statement I wrote on the
matter,” he said. “I do not propose
making another one.”

(Continued on page 7)

Majors Voluntarily
Agree—Code Clause
Applies First

Pictures to which a “genuine
protest” has been made on moral
grounds and released prior to July
15, when the revision to the Production
Code Administration goes into op-
eration, may be cancelled by exhibi-
tors without obligation for their
contracted rental.

Ten major companies, all mem-
ers of the Hays organization, yester-
day voluntarily united on this
plan as a further indication to pro-
testing church organizations that
their intention in instituting outside
criticisms of objectionable pic-
tures was not empty gesture.

The sweeping cancellation privi-
leges were determined upon by Col-
umbia, Educational, First Na-

tional, Fox, M-G-M, Paramount,
RKO, United Artists, Universal and
 Warners, but provides that 10 per
cent cancellation clause in the NRA
code is to prevail first.

The code clause authorizes cancella-
tion of the right to show in every group
of ten where contracted rentals aver-
age $250 or less per picture in situa-
tions where the exhibitor is the one
who handles the product. He observed
that he not only has signed the code as-
sent form and paid his assessment but
where he has observed to the fall the
(Continued on page 6)

Mundus Raises Its
First Group to 27

Mundus Distributing Corp., newly
formed unit for distribution of foreign
pictures in association with United
Artists, has increased its first list to
27, according to Earl W. Kramer,
general manager. Releases start July
27.

It is understood all the films are
English, many of them by British &
Dominions. Among the producers and
directors represented are Alexander
Korda, Herbert Wilcox, and Rowland
V. Lee.

In the list are:

“Cash,” starring Robert Donat; “Blue
Dandelion,” with Joseph Schildkraut; “Men of
Tomorrow,” with Donat and Merle Oberon;
“The Private Life of Don Juan,” with
Douglas Fairbanks; “Night of the Garter,”
with Sydney Howard and Winifred Shotter;
(Continued on page 7)
**FURTHER underwriting their own promise of removing the objectionable elements in their product, the backbone companies of the industry yesterday went beyond original measures in granting to exhibitors, one and all, the privilege of canceling out pictures where public protest, made in good faith, has been raised against them. This step, taking effect today for to July 15, when the bulwarked Production Code Administration will make product released thereafter behave with more decorum, is one of the most significant in recent industry history, a forthright evidence that direct action is to prevail.

There are some governing restrictions. Naturally, there must be the entire business of distribution is to avoid being thrown out of order. The new cancellation privilege goes for code signers and those who have not signed the government code. It provides that the 10 per cent cancellation clause under the NRA code may be made to allow no document is first to be exhausted. It does not provide that cancellations will stop when exhibitors prerogatives under that clause have been exhausted, conceivably, any exhibitor may reject as many pictures as have been subject of protest locally on moral grounds.

What he may adjudge objectionable will carry no weight. The objections must have been voiced in his city or town by a church or civic group. Moreover, the objections must have been made in good faith. Where the latter question becomes involved or open to interpretation by either exhibitor or distributor, the machinery provides adjudication is to be thrown to the local grievance board under the NRA code. In the new additional regulation against chiseling exhibitors, it is provided that the moral ground issue is to be one which has developed at the expense of his own operations. Thus, an exhibitor in the Bronx cannot exercise the right now extended to him because a bona fide objection against a specific picture has been voiced in Brooklyn. Or in Manhattan. Or in Staten Island or in Queens.

It is essential to avoid misunderstandings and a beclouding of the situation to again point out that the government code cancellation clause is to be exhausted first. It is essential to repeat that there is no numerical limitation under the new cancellation setup once the government clause has been observed. Producers and distributors, beyond all question in deadly earnest in their endeavors to meet a worthwhile situation, nation-wide, in scope, this afternoon, was reported last night. Ruined was a new counter bid of $5,000,000 by John Dillon, of Hayden, Stone and Co., reputedly carrying with it as "must" a condition that the houses involved must franchise for Fox product. This would indicate Sid Kent himself has galvanized himself into action and made necessary a raised ante on the part of Messrs. Schenck and Warner. Intriguing, as well, is a plan held closely at RKO. It's interesting.

There, deals are reported hanging for about 18 or 19 theaters, each one of them in the dead center of zones which would be hit by the new circuit's provision. The offer is accepted. Now subsequent run houses, the dope is, Loew would keep its potential theater with few exceptions. In order to keep the original Loew theaters first run in their neighborhoods, as they now are. The RKO scheme, it is said, is held with containing each one of its proposed 18 or 19 additions first run, thereby giving the Loew annexations grace in the town. And what first run, you could ask? Merely because the theater spots lined up, generally speaking, are in zones where RKO does not now have a theater structure and potentially a lot of gory fun.

Two More Regionals To Be Held by Ross

Two more conventions are to be held by Ross Federal Service, Inc. under a new three-district plan worked out prior to the New York meet last week.

The next one will be held in Chicago, regional meetings attended by Walter T. Brown, Chicago district manager, and the following branch managers: Ralph W. Thayer, Cincin- nati; Bert Folley, Indianapolis; Howard Donaldson, Detroit; Charles Wagner, Milwaukee; Harry Schiffner, Des Moines; Henry G. Zeib, Omaha; Paul A. La Roche, Kansas City, and Dwight Mills, St. Louis.

The Regional, Harry A. Ross, president, and D. A. Ross, vice-president and manager of branch operations, will leave for the coast to hold further sessions there.

Southern Indies to Fight Big Circuits

**Atlantic, July 11.—One of the projects decided upon before the close of the recent convention of the F. C. A. Independent Theatre Owners Ass'n was the raising of a fund to fight invasion of circuits in this territory. Details of how this is to be accomplished were not divulged. Another convention is to be held here Aug. 8.**

**Universal Completes Two**


**Close Deal on "Ra-Mu"**

H. H. Rogers, Jr., has closed a deal with Capt. E. A. Salisbury for world distribution of his latest adventure picture, "Ra-Mu," which was made in the Marquesas and Samoan Islands.

**Plan Jewish Benefit**

Nathan Burkan yesterday headed a group of Jewish interests which met at the M. F. Club to discuss a benefit to be held Sept. 5.
COMING SOON
DAMES
FROM WARNERS
HOT WEATHER

he Champ, thanks his friends for the good things they're saying about his TAR SPANGLED BANNER for 1934-35!
Very pleasant to note that pictures like "The Thin Man" "Operator 13" "Viva Villa!" "Sadie McKee" "Manhattan Melodrama" "Men in White" etc. ... are being followed by two of the BIGGEST HITS EVER RELEASED in MID-SUMMER!

EXTRA! PREVIEW!

Hollywood Reporter says:
"BORN TO BE KISSED" is bright and filled with laughs. Grand entertainment. Harlow at her best. Simply swell in addition to being luscious eyeful!"
Block Booking
Not at Fault, Asserts Mayer

Refusers’ zeal is misdirected in attacking block booking; it should be concentrated on support of good pictures, declares Arthur L. Mayer in this current issue.

Here’s the way he puts it: “I believe that there is no exhibitor who has not great desire to be numbered among the socially useful members of his community and who does not thrive with pride when his pictures receive critical approbation for their artistic or educational merits.

"Indeed I think that most exhibitors would make heavy personal sacrifices to forego showing shabby, meaningless pictures."

The reason they do not do so is unrelated to any trade practices; it is because they do not realize how far both they and the public are being completely indifferent to pictures which failed to conform to the accepted canons of public entertainment.

"I see the block booking is real, instead of being wasted on false clues, could be thrown into campaigns for the support of meritorious and unusual pictures so that it would prove even more profitably to exhibit them, than the whole of block booking would rapidly sink into insignificance."

Mayer writes as an exhibitor. He is operator of the Raile and former advertising head of Paramount.

Can’t See All Films

With more than 25,000 miles of film in circulation daily, he points out, playing in 15,000 or more theatres and being distributed from 32 key cities, exhibitors from outlying districts would have to spend most of their time at exchanges looking at film if they were to stay in touch with each short on its individual merits. Some exhibitors play 200 or more pictures a week, he points out.

"Actually block booking is the only protection which most small exhibitors can get from being undersold on the first run of any desirable product," he writes.

During cancellations, he points out that the bulk of rejections are on the so-called high class features. In the St. Louis territory, he says, Warner secured only 149 play dates out of 230 contacts on “Alexander Hamilton”; no dates at all could be secured at first on “Disraeli.” On the other hand, “Scarface” played all its contracts.

In the Salt Lake City territory, he goes on, “the only way exhibitors can be compelled to play ‘Alice in Wonderland’ is by refusing to give them Mae West pictures until they do. On ‘Old Ironsides’ price adjustments were demanded and given in approximately 15 per cent of the contracts in order to get play dates.

“This compares rather disarmingly with ‘Tillie the Toiler,’ which played by every large exhibitor in the territory.

“The Pittsburgh exchange did not receive a single cancellation on ‘Publie Enemy, ‘I’m No Angel,’ or ‘So This Is Africa’; but ‘Berkeley Square’ was cancelled by 15 per cent of the exhibitors and ‘Voltaire’ by 25 per cent. ‘Cavalcade’ was cancelled by the majority of small towns, and larger cities insisted on a reduction in price.

“The demand for risque, gangster, or wild youth pictures exceeds that for artistic, educational, or classical products, he goes on. “Little men,” with the glamorous new star Hepburn, has scored a sensational success, and in the larger cities, “Henry VIII” has done exceedingly well. These exceptions, however, only emphasize what every exhibitor has learned to his cost: the highest ‘best element’ in the community cannot be relied upon to support in large towns a picture which they claim to have favor.

Local Church Moves Halted for Cardinal

There was a respite yesterday in the war on objectionable films. The Legion of Decency is awaiting publication of a statement on the picture situation by Cardinal Hayes in the Catholic News here tomorrow.

It will not proceed with the fight until it learns how the prelate feels about the question, with its future moves governed by suggestions that may be made in the statement.

Tomorrow the Federal Council of Churches of Christ in America will hold a meeting at its headquarters here to discuss further details of its campaign.

Federation Eyeing Drive

The Federation of the M. P. Industry is awaiting developments of the Catholic situation before it makes any new moves, Harry Thomas, pres- ident, stated yesterday.

Coast Conference Held


"This means that in any community in which there is genuine concentrated objection to the showing of a particular picture on moral grounds an exhibitor who has complained will be given the right to omit its exhibition without obligation for its rental.

"The reason for the limitation of this cancellation privilege to pictures generally released prior to July 15 is because that is the date upon which the new regulatory provisions of the association’s Production Code Administration will function with increased authority and the board of directors of the association will assume final responsibility for all future motion pictures distributed by members of the association.

"To clarify matters regarding the approval of the association’s Production Code Administration, a distinctive seal has been adopted and will be shown on the screen directly after the main title of all pictures. The seal, which every picture released after July 15 members of the association will bear, will be evidence of the industry’s pledge that every precaution has been taken to insure compliance with the production code of the M. P. Producers and Distributors of America."

Five Appeals Heard
By Campi Committee

Five appeals were heard yesterday by Campi’s special code committee, consisting of Harry K. Hecht, Ed McEvoy and Nathan Yanims. They were:

Westmont, Westmont, Ill., against the Tivoli, Downers Grove, Ill., on clearance and zoning.


E. B. McCurdy, Columbus, Baltimore, against Leon Zeller, Roy, same city, on reduced admissions.

Philip Sloane, Evangeline, New Iberia, La., against Palace, same city, on overbooking.

Westmont, Westmont, Ill., against the Tivoli, Downers Grove, Ill., on clearance and zoning.

Cincy Grievances Clear

CINCINNATI, July 11.—The grievance board now has disposed of all cases that were docketed. No further meet- ings will be held until unless additional cases are filed.

Dinner for Lewen Pizor

PHILADELPHIA, July 11.—A testimonial dinner by the M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware, of which Charles Segall is president, will be rendered to the retiring president, Lew- en Pizar, on Monday evening at the Bellevue Stratford. Three hundred guests are expected.

Film May Be Cancelled on
Moral Basis

(Continued from page 1)

stipulations under his contract for service.

The voluntary action which developed yesterday to cut all cancellations allowable under the code where the exhibitor, entitled to them, has not previously exercised his right. In the board of directors of the exhibitors has already consumed all rejections permitted under the government code, he asserts cancellations further under the new offer.

"This means," declared the official Hays office statement, "that in any community in which there is genuine concerted objection to the showing of a particular picture on moral grounds an exhibitor who has contracted to exhibit that picture will be given the right to omit its exhibition without obligation for its rental."

Must Choose Another Film

By "genuine concerted action" is meant not personal objections to a given film on the part of an exhibitor, but publicly expressed local objections from a church or church group. It is understood that in those instances where a picture is elected for cancella- tion by the exhibitor, the distributor is under no obligation in insisting that the exhibitor accept another feature by way of replacement.

"In the good faith of a particular case in point is involved, it is further understood the exhibitor and the distributor are to submit the decision to their local grievance board under the NRA code.

The purpose of limiting the offer to use of the 15 pictures with the strengthened Production Code Administration which becomes effective on July 11. After that date, the further entrenchment of the courts under Joseph I. Breen, Production Code Administrator, will be complete. After that no longer will be heard in Hollywood, but transferred to New York where the board of directors of the M. P. A. organization will be the final judges.

"Unannounced but part of the new system, nevertheless, is a system of cash fines for violations. These will be applied to the offending distributor and are to be $25,000 for each infrac- tion of the production code.

Mary Pickford to Be
Honored Guest at Fair

Hollywood, July 11.—Mary Pick- ford will leave here in time to reach Chicago on Saturday morning to be the guest of the World’s Fair management. It will be known as "Mary Pickford Day." Chicago she will go to New York to close a deal for publication of her series of writings on Holly- wood.

Flash Review

Ehren and Else— For neighbor- hoods . . . this will go nicely as a programmer . . .

This film will be reviewed in full in later issue of Motion Picture Daily.
**Fox Met. Deal Said Set At $4,500,000**

(Continued from page 1)

reduction sale is held before Feder-
...tions, counsel for Randorff and
kouns will ask the court for ac-
...use. The independent operators claim that
the nural of the circuits has been broken
town to the point where managers
are neglecting service.

Although John H. Amen, special assis-
tant to Attorney General Homer C.
Cummings, is expected to be on
the scene again today for the Depart-
ment of Justice, the NRA has taken a sud-
bifiable step. A group of operators has
looked over all angles for possible
code violations. Division Admin-
istrator Sol A. Rosenheim is keep-
ing the circuit owners in close touch with the
proceedings.

Lowe’s yesterday denied offers had
been made to Sam Rinzel and Lou-
risitch to operate their present hold-
ings under a Loew management deal,
and when the court approves the
bid, the same holds for George P. Skouras, who was said to be on
the line for the Long Island units.
However, both the Randorff and
kouns operators have groups of the-
sters involved and will continue to
fight the local court. Howard is hand-
ing the decision of Judge Mack.

On July 6, Motion Picture Daily
reported that a new bid of $4,500-
00 would be made by Loew’s and
Varner’s, but this was promptly de-

**Mundus Raises Its First Group to 27**

(Continued from page 2)

Over Night,” starring Donat; “Vegeta-
...z; “Scheirla” and Brigitte Helm; “That’s a
...s: “Girl from Maxwell” or “Chance of a
Night Time.” Ralph Linn and Miss Shriver almost a “Divorce”
Howard and Nelson Keys; “Country’s Opin-
...er: “The Four Sisters and Cyril Mundie
Plunder,” Tom Walls and Lynn; “General
John Regan,” John Educate and (“Educate
...roland Young and Oberon; “The Love Con-
...ers,” Owen Nared and les Shutter; “A Night Like This,” Wall
...s: “It’s a King,” Howard; “The
...s,” Dorothy Borschel and Milton
...s: “Pretty Mayfair Bushell and Miss Shutter,
Say It With Musie,” Percy Marmont
...nd: “Leap Year,” Walls; “The Ghost Walkers,”
...s and Lynn; “The Trouble Bubs,” Howard; “Girls
...s,” Howard and Jane Baxter, and
...s. Physical distribution will be handled
through United Artists, but a separate
sales staff has been at work since
July 9.

**Mundus, Gaumont Not Connected—Lee**

Mundus Distributing Corp., the
tively formed unit which will handle
british pictures in this country, has
denied connection with Gaumont
ath, according to a statement by
...e-vice-president of Gaumont British
picture Corp., of America.

Lee says both he and Mundus are
now concentrating on 12 features called
“The Eject Twelve” which are separate
from the company’s 1934-35 list and
are being screened in advance of sale.

**N’Orleans Is Agitated**

New Orleans, July 11.—This fair home of the Saucer, suh, is
worrying about its reputation. More, it’s agitated.

Somebody suggested that calling Mae West’s new opus “Belle
of New Orleans” would——ah——would convey the wrong impres-

sion. The suggestion, swallowed into a chorus, and now everybody
except Huey Long is talking—or telegraphing.

First it was the Association of Commerce, then it was the
Kiwians Club, now it’s the Federation of Women’s Clubs and the
Benton Bar Council. Mayor T. Sornes Wedemly has joined
those who are sending telegrams to Will H. Hays.

J. K. Byrne had the Kiwians Club pass a resolution saying the

title would give a false impression” of New Orleans. Frank
Martin of Kiwanian objected and said the title would be good adver-
tising for the city and would bring tourists to a liberal city with-
out blue laws, but he was greeted with raised eyebrows and just
a trace of paidn surprise.

Mrs. Isabel Giefers, president of the women’s federation; Mrs.
A. S. Tucker, president of the Better Films Council, and Mrs. Bet-
tina Gunczy, secretary of the National Board of Review, were
among those who wired Hays.

It’s the biggest disturbance since the last time the levee broke
and flooded St. Louis and Basin Streets.

**New Theatres Are Begun Many Places**

(Continued from page 1)

or encouraging indication of return-
good times.”

Here is what reached Motion Pic-
ture Daily yesterday:

**Detroit,** July 11.—Several new
Michigan theatres are planned.
Arthur J. Kiefer, Jr., plans an
Early, Kalamazoo shoween,
plans a new house in Coldwater,
Mich., and new houses will also be
erected in St. Joseph and Sturgis.

Howard Lane has opened his new
Alhambra in Hillsdale, a Butterfield
stronghold.

**Cincinnati,** July 11.—A new
theatre, the first to be erected in this
section for the past three or four
years, is nearing completion at Lockland, a
suburb, under direction of William and
Sallie Bennett. The house which will be
called the Dunbar, will cater to
colored patrons.

**Charlotte,** July 11.—H. F. Kincsey
is reported heading a concern which
will build a new theatre for the
City of the Imperial, which was destroyed
by fire in December, 1938. It is
understood the new house will cost $50,-
000.

**New Philadelphia, O., July 11**

First new theatre construction
reported in this area within the past
five years will be a house on East
High St., Paramount Theatres, Inc.,
will build it.

**Anti-Sherman Move Is Called “Illegal”**

(Continued from page 1)

of the organization as “illegal and
without effect.”

A group, described as “insurgents,”
last night met at Yorkville Casino to
decide on its course.

Since the session was not called by
the local self, no cognizance will be
taken of the suggestion of further rec-
ommendations decided upon.

**Pat Casey West Soon**

Pat Casey, a member of the code
studio labor committee, expects to
leave for the coast shortly. He has
been here several weeks and has just
recovered from a slight illness.

**Zoning Delay Holds Up New Season Sales**

(Continued from page 1)

ing filed now in accordance with a
letter sent out by Campi on May 23
giving exhibitors until July 1 to file.

As yet no schedule has been
filed for New York, although hearings
have been held on Long Island con-
ing and appealed. The Manhattan
board has yet to decide on a schedule
for the territory from 59th Street to
110th Street, from Central Park West
to the Hudson River.

**Philadelphia, July 11.—Until new
procedure can be obtained from
New York, the local clearance and zoning
board will not hear any more cases
of this nature. The board has been hav-
ing trouble with definition and desig-
nation of first run theatres in various
neighborhoods.”

**Assessment Changes Under Campi Study**

(Continued from page 1)

ended July 1, but since Campi has
sufficient funds on hand it is in no
hurry to send out new bills. All of
the first six months’ assessments are
not yet on band and with the accession
deadline being extended to Aug. 15,
hundreds of exhibitors are expected to
send in additional levies.

Seasoned observers know where
to locate visitors from all over the
world whose names mean news
Air-Cooled Restaurants — 1000 Beautifully
and Comfortably Furnished Rooms. All with
Bath, Circulating Ice Water, Oscillating Fans

**The Mayflower**

Washington’s Finest Hotel

Mr. R. L. Pollio, Manager
Introducing JOE MORRISON

“THE OLD-FASHIONED WAY”... A RIOT:

Fields-Morrison Steal The Picture

A Paramount Picture with W. C. FIELDS and BABY LeROY

Joe Morrison • Judith Allen • Jack Mulhall • directed by William Beaudine
Fixes July 20 Deadline for Fox Met. Deal

Court Grants New and Final Delay

Mr. Judge Julian W. Mack yesterday gave counsel for the Fox Metropolitan bondholders' committee and attorneys for Loew's and Warners their last adjournment to iron out all of their difficulties, allowing them until July 20 to present a final bid for the 87 houses.

The former bid of $4,000,000 was valued $850,000 yesterday and it is a low a question of how much the money should be applied over various properties that make up the group. If any of the theatres now included in the circuit are not delivered they are not to be included in the purchase price. It was still another point that a question involves contracts which

(Continued on page 12)

Fabian Gets Fox in Brooklyn on July 26

Having leased the Fox, Brooklyn, from the trustee, Simon Fabian takes the house July 26, when it will be opened until Sept. 1, according to Sidney Cohen, representing the trustee in the deal. It will continue to act for them in an advisory capacity after Fabian operates. Fabian, yesterday stated he had not decided on the new policy and also that he was not negotiating for any other theatres at this time.

FWC Appraisal Holds Up Foreclosure Sale

Los Angeles, July 12—Appraisal assets of Fox West Coast properties is now under way and not likely to be completed until early next month. Until this is finished, no bid can be submitted at the F.W.C. for submission to the foreclosure sale, tentatively slated for the end of the month, at which may not be held until late in August.

Deal Falls Through

Although the deal was practically settled, Warners and Rapf & Rudin have called off further negotiations for three of the latter's houses in New Jersey, R. & R. take the Warners' Royal in Bloomfield on Sept. 1.

Producers Clear Decks; Ready for a New Deal

No Check on "Legitimate Pleasure," Says Cardinal

Declaring "very notable progress" has been made by the Catholic Bishops' Committee in the campaign against objectionable pictures, Patrick Cardinal Hayes yesterday issued a pastoral letter in which he made it clear the Catholic Church does not contemplate "reform, restriction or suppression that would deprive the people of legitimate pleasure."

"What is to be condemned as reprehensible," continued the text, "is the glorification of crime, lust, and, in general, the serious violation of the law and of man in things sacred to home and society."

The pastoral letter is to be read from Catholic pulpits throughout the

(Continued on page 8)

IATSE Takes Over 306 to End Battles

In a direct move to quiet further internal disturbances, the I. A. T. S. E. has taken over operation and control of Local 306, exercising its emergency rights under the international constitution.

This is the second time the international has made such a move, the first taking place about a year and a half ago when insurgents forced suspension on Sam Kaplas.

George Browne, president of the I. A. T. S. E., personally supervised

(Continued on page 13)

Distributors Win Coast Zoning Suit

The U. S. Circuit Court of Appeals in San Francisco yesterday upheld an appeal by major distributors and the Los Angeles Film Board of Trade from the $35,000 judgment rendered against them in the action brought by Fae Robson, former operator of the Seville, Inglewood, Calif., according to a telegram to the Hays office. The

(Continued on page 13)

Eastern Code Board Starts Functioning

The eastern end of the reinforced Production Code Administration began to function yesterday under Vincent G. Hart, representative here of Joseph I. Breen with approval of "Hits of Today," a Mentone two-reel musical distributed by Universal.

The short was given a certificate with the Number 01. The ciphers are being used to designate pictures code-approved in the east whereas coast approval will be designated by numbers, but no ciphers.

Campi Names More To Coast Committees

Producer elections to the actors and writers' committees in Hollywood were named yesterday by Campi. These supplement selections by Division

(Continued on page 13)

Was, But Isn't

Hollywood, July 12—Columbia's studio theme song recently was "It All Duponts on You."

The song was, it isn't today!
Erpi Wins Pointer in Vocafilm Action

Judge Knox in the U. S. District Court for the Southern District of New York yesterday granted Erpi's motion for the dismissal of the $62,953.123 triple damages action brought by the Vocafilm Corp. because of the plaintiff's failure to supply a $250 bond, as had been previously directed by the court. The decision does not become effective for 30 days during which time Vocafilm will have an opportunity to make good the default.

Attorneys for Vocafilm informed the court that they had been unable to serve their petition either by correspondence or personal contact.

In another decision in the same court, Judge Knox directed the Tower Garden Amusement Corp. and others to show the profits made by each house since the installation of the Tower Garden. The ruling was in answer to specific interrogations asked by Erpi in the suit brought by the Tower Garden. The houses had objected to supplying this information.

The plaintiffs, headed by the Tower Garden Amusement Corp., comprise about 40 companies operating in Brooklyn, the Bronx and adjacent territories.

**Take Jersey Theatre**

Arthur Seigel and Max Cohen have acquired the Ritz, Lyndhurst, N. J., from Haring & Blumenthal, and plan to reopen the house in August. The independents also operate the Ramsey, Ramsey; Lyndhurst, Lyndhurst, N. J., and the Selwyn in New York.

**Miss Wynyard Sailing**


**Kinzler on Vacation**

Morris Kinzler left last night for Brant Lake, N. Y., for a week's vacation.

**To Show “Jane Eyre”**

Monogram will trade show “Jane Eyre” at 11 o'clock next Monday morning at the Criterion.

**Mundus Designates 7 Of Its Sales Force**

Seven sales representatives have been lined up by Mundus according to Earl W. Kramer, general manager.

The men and their respective territories are: Jack Groves, Denver and Salt Lake; O. M. Davis, Detroit; Harry Goldberg, Chicago; John Graham, Kansas City; Edward S. Lakes, Milwaukwe; Lionel Wesson, Omaha; and William R. Karsteter, St. Louis.

Additional representatives in other territories are on the way.

**Wilcox Sailing, But Returns in 6 Weeks**

Herbert Wilcox sails for England tomorrow on the Aquitania. He has completed a visit of five weeks in this country during which he arranged for the release of 23 British-made films in America through Mundus.

The director, who is also production head of British and Dominions, expects to return here in six weeks to complete further negotiations for an interchange of pictures between the United States and England.

**Dubinsky Home Bombed**

KANSAS CITY, July 12—Ed Dubinsky's son narrowly escaped injury when a bomb exploded early this morning in the home of the head of Dubinsky circuit.

Dubinsky definitely blames the opera house and the unions here, and at St. Joseph, Mo., with whom he has been at odds for several months. The Dubinsky group is non-union.

**Libel Appeal Heard**

LONDON, July 12.—The libel suit of Princess Irma Alexandrova Yousouffoff against M-G-M came up for rehearing today in the English courts by the producer. At the trial the Princess, who claimed she had been libelled in Raspoutine and the Empress, won an award of $125,000.

**Para. Meeting Set Back**

A special Paramount creditors' meeting slated to be held yesterday morning before Referee Davis was postponed until July 26.

**Eastman Up ½ on Big Board**

Consolidated Film Ind., pd. $1 to stock of record July 21.

**Technicolor Lone Curb Issue**

**Bond Market Up Slightly**

**Purely Personal**

**LOU GOLDBERG** is sitting on pins and needles. Tomorrow he goes to Denver for a two weeks' vacation and Warners and Fox are bidding for his book "The Unskilful Mrs. Jay." He has never been out of town before he troks west.

VICTOR PANDOLFI, Argentine actor, has been signed by FRANK Z. CLEVERLY, Mundus, independent producers, for the first of a series of pictures to be made by them in the United States.

JOE TOPILSKY, Los Angeles realtor long identified with deals involving the theatre, is in town. Recently an appendicitis operation, he will not go to Europe, as planned.

S. E. PIZA, manager of CARLOS GARDEN, Argentine tango singer, was limping these days. It's charley-horse from cavorting on the sands of the Atlantic Beach.

FRANK BRUNER left for Chicago yesterday to handle the publicity for Mary Pickford at the World's Fair in the "M-G-M Day" to be celebrated tomorrow.

GLEN CAlWELL, RKO film booker in Chicago, left for his home city yesterday following a vacation and business trip here.

RUPERT HUGHES' story, "The Old Nest," and JAMES HILTON'S novel, "Goodbye Mr. Chips," have been bought by Mrs. TOLULOPE HAMPSHIRE, RKO general sales manager.

ANNA MAY WONG is due in on the Aquitania today as her way to the coast to appear with George Raft in "Lighthouse Nights."

CHARLES MACDONALD, RKO theatre division manager, sailed for Colombia for a vacation in the West Indies yesterday.

Morton Van Praag, general sales manager of M-G-M, has been appointed a Kentucky colonel.

DOROTHY MACKALL is back from Europe. She went abroad in William R. DOLPHIL HAMPTON'S gang.

SAMUEL CUMMINS sails for Europe tomorrow on the Aquitania. He's after more foreign pictures.

NATE BLUMBERG won't be able to join his family, now vacationing on the coast, after all.

BEN COHEN of the Warner theatre department in Chicago is in town on vacation.

EMIL GOLDBERN back from Atlanta and the GFTA exhibitor convention.

CHARLES ROGERS arrives July 16 on the Santa Paula from the coast.

**FWC Loses Coast Case**

LOS ANGELES, July 12.—The grievance board today ruled in favor of JACOB KREISS against Fox on the West Coast. It was held the complainant should continue to get profit sharing in accordance with its agreement with Fox.

**May Join Frisco Strike**

SAN FRANCISCO, July 12.—The Theatre Federation of San Francisco, comprising over 3,000 members, has voted to participate in the general strike which will probably be called Monday.
ight in the middle of New York's blazing heat wave...

3rd WEEK FOR SHIRLEY TEMPLE at 6200-seat ROXY (N.Y.)

FIRST 3-week run at the world's largest theatre in nearly 3 years... and that was with "Bad Girl" (also FOX). Typical of the business this phenomenal FOX star is doing the country over. Watch for her next FOX picture.

"BABY TAKE A BOW"
with
SHIRLEY TEMPLE
JAMES DUNN
CLAIREE TREVOR
ALAN DINEHART

Produced by John Stone
Screen play by Philip Klein and E. E. Paramore, Jr.
Based on a play by James P. Judge
Directed by Harry Lachman
While $2.00 Criterion audiences applaud every show... "Variety Daily" adds to the parade of raves...

"Its wallop, sincerity, lavish production may be counted on to register solidly at the box office. Excellent performances... courageously honest screen play... ageously honest screen play... stirring effective direction... stirring music... superb camera work."

(Variety Daily)
THE CHORUS OF PRAISE!

THE WORLD MOVES ON

"THE LOVE STORY OF A CENTURY"

with

MADELEINE CARROLL
FRANCHOT TONE

Produced by Winfield Sheehan
Directed by John Ford
Story and screen play by Reginald Berkeley
Get a load o' this, monkey! I just heard I busted all records for th' last 14 months at th' world's premeer of my new show in Newport—with th' temprachoor a hunnerd an' ten in th' shade!... Boy!—am I terrific!

"HERE COME"

WITH THE UNITED STATES FLEET AND
STUART • FRANK McHUGH • DIRECTE
Lissen, you three-dollar-a-day admiral! It wuzn't 14 mont's—it wuz fifteen. An' it wuzn't no hunnerd an' ten—it wuz a hunnerd an' twenty. An' it wuzn't Newport—it wuz Norfolk. An' it ain't you that's terrific—it's ME!
No Check on “Legitimate” Fun—Hayes

(Continued from page 1)

Wants Hays, Pettijohn and Milliken to Resign Posts

The resignation of Will H. Hays, chairman of the Hays-Pettijohn-Milliken leadership of the National Association of Motion Picture Producers, has been threatened by the Committee 'against the destructive moral influences of evil motion pictures.'

A Committee of Prayer was made up of Their Excellencies the Archbishop of Cincinnati, the Bishop of Los Angeles, and the Bishop of Fort Wayne. Their actions have been very active, even confronting with representatives of the largest producers in the country.

Would Help Country

"It is most heartening to all who would have our beloved land stand the test of known and unseen trials that we may know of the strength of America's moral decency which until recently, neither stage nor screen would dare offend as openly and as flagrantly as at present."

"The moral forces of the Nation, hoping that the motion picture producers will respond to the practice of the wisdom of cleaning their own house, have been too patient, tolerant, and long suffering with offensive productions. Some years ago I sent to the National Motion Picture Congress a plea for censorship from within the industry. Many others, I am sure, interested in the motion picture as an invaluable educational, cultural, entertainment agency for good, have been pressing in vain against the ever growing degradation and perversion of the screen."

Holds No Drab View

"The Catholic Church takes no drab view of lawful pleasure. She is a mother who says: 'I love you, but limit your pend- en tial season to some few weeks of the year, even interrupting it with an outburst of gladness. She rejoices in seeing her children happy, smiling in the enjoyment of normal, reasonable and wholesome amusement. Gladly would she see high standards of quality and excellence."

"Reform, restriction and suppression that would deprive the people of legitimate pleasure are not in contemplation. Pleasure, if wholesome and restrained, is God-given and justly so—is the glorification of crime, lust, and, in general, the serious violation of the laws of God and man in things sacred to home and society."

"Public safety demands that we establish quarantine against epidemic disease and against contamination, and curb the supply of filth, contagion, infection and contamination: harm the physical well-being of our people. To be consistent, we should be equally concerned about the general moral tone of the Nation. A serious lowering of the moral standard of any community menaces the common good and weakens, if it does not destroy, the social cohesion that guarantees peace and prosperity."

"Civilization would not long endure if its moral foundation were not fortified by its spiritual and moral force. History records the inevitable ruin of nation after nation when moral laws were violated and spiritual life vanquished. Evil motion pictures picture our baneful influence undermine the moral foundation of the State."

Clean Films Public's Right

"Another serious consideration suggests the question why certain producers of motion pictures are permitted to counteract, to put it mildly, the influence of public and private schools which spend millions and millions annually for the education and the formation of character of the young. Dr. Campbell, our Superintendent of Schools, in his recent book said: "There is little doubt in my mind that much of the good that the schools are doing, especially in character training and the development of right social attitudes, is being undermined and even thwarted by sub-standard motion pictures.""

"The motion picture is more potent in impressionable and compelling effect (Continued on page 9)
No Check on "Legitimate" Fun—Hayes

(Continued from page 8)

in people of all classes as all our
other refining and educational aget,
Jaycees have signed a non-Radio
decency. The Jaycees have
agreement that there is an ex-ac
of the press, and that a "clean-up"
was necessary. The independents
told the producers they would.

"Were the mothers of America
that fur is the proper protection
in every depraved motion picture, they would shun the
the picture as they would void a horrid pest-house.
"Please read this letter at all the
the Catholic Legion of Decency, which already has
12. The Jaycees have signed a
protection for the children from the moral defile-
motion picture they are forbidden by the Jaycees to
by the Jaycees to show in the theater.

Transportation

The Jaycees have signed a non-Radio.

Virginia Houses Not Hit by the Movement

RICHMOND, Va., July 12.—While the
Catholic Legion of Decency has
in the last 18 months.

New Buffalo Group Opposes a Boycott

BUFFALO, July 12.—A Boycott
Committee, organized with Mrs. James F. Paine, president of the Buf-
fled. The committee will not have
in other parts of the state.

James E. Sand, executive
Exhibitors will be asked to cooperate.

"The Life of Virgie Winters"

"The KEY" (Warner Bros.— Hollywood—
25c, 25c, 7 days. Gross: $12.00.

"LET'S TRY AGAIN" (Radio
PANTAGES—4, 25c, 7 days. Gross:
$3.30. (Average, $3.20)

"Take Bow" Proves Sensation in K. C.

KANSAS CITY, July 12.—"Baby Take a Bow" proved a real sensation, zoom-
ing the Union's take to $6,000, almost
doubling average, and was held for
a second week. Hailed by the Star as
"the film of the year," the picture, as Catholics and had a heavy family
patronage. At the 25-cent gate and
with many children's admission,
cluded, the grosses clearly showed
an attendance record.

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ROMANCE in the RAIN
GET READY FOR A HIT!

The kind of a picture that spells big business for every type theatre!

A ROMANTIC COMEDY-DRAMA WITH MUSIC!

Youth! Pep! Rhythm! Laughs! Drama! Speed! and EXPLOITATION!

with

ROGER PRYOR·HEATHER ANGEL


A UNIVERSAL PICTURE
Fixes July 20 Deadline for Fox Met. Deal

(Continued from page 1)

bidders have with Skouras Theatres Corp. and Rich-Roy. J. Robert Rubin stated the Loew-Warner bid does not include the contracts, although it is possible Loew might want to have the theaters continue under different terms.

Charles Littlefield, representing Irving M. Rubenstein, has been asked for an extension of the receivership, which expires Aug. 18. Judge Mack granted two months.

During most of the hearing, the judge seemed to lean toward throwing out the Loew-Warner bid in favor of the2nd circuit receivership, or of other bids. With none forthcoming, Rubin asked for 10 days grace in which to work out the details of the problems.

Rubin pointed out the new bid was not for the bonds, but for leases and said he was not sure whether Judge Mack pointed out that if the bid is accepted, the sale may have to follow, which would not happen if the reorganization plan was accepted.

The judge declared he desired a bid for the bonds, a bid he has been hopeful for until now and which has not been made. He added the bidders were not interested in bids, and lawyers for the bidders, are those who originally started. He then declared that if no bid was tendered for the bonds he would reject the submit to the bondholders’ reorganization plan.

Saul Rogers, who stated he worked a year in getting the original Fox Met. circuit together, asked for more time on the ground that checking up on leases, contracts and other details required a lot of work.

Try to Reach Accord

A meeting was held earlier in the day in Judge Mack’s chambers between S. A. Telsey, counsel for Rich-Roy; Rubin and Morton G. Bogue, representing the bondholders’ committee, at which time an unsuccessful effort was made by Loew-Warner for the release of contracts with the committee.

Bogue later asked for a short adjournment, stating “we've struggled so long on the matter and feeling the responsibility of the committee, we think we should make one more attempt.”

Rubin said that he expected the plan to be amended anyway and all questionable matters may be overlooked.

Abe Tulin, counsel for a group of noteholders, objected to the adjournment as did Telsey, the latter declaring the extensions are hurting operation of the houses.

Louis Weisner, counsel for Central New York Theatres Corp., said he had claims totaling $243,000 against the mortgagors in the deal by the Fox Met. He said he had been working on a settlement for three months conditioned on the reorganization plan. If the plan is not accepted, he said he will file suit.

Asked whether the latest joint bid of $8,500,000 was conditioned on the basis of the contract, the Loew-Warner bid, Rubin stated the bid, Blumenthal made a bee line for Saul Rogers and later another dash for J. Robert Rubin.

July 20, Rubin yesterday stated it would not. He said it was not a matter of money but certain clauses in the bid which are holding it up.

Frederer Changes Name

Frederer Film Associates, Inc., through Harry G. Koch, attorney, has filed a certificate in the office of the Secretary of the State changing its corporate name to Associated Monarch Corp.

John R. Frederer, head of the concern, is said to be working on a new plan of distribution. The firm was renamed to fit in with the idea.

Takes Over in August

BUFFALO, July 12.—Operation of the Great Lakes, acquired by A. Charles Hayman of the Lafayette in a 10-year lease, will become effective in August following rededication Policy is determined.

The theatre, one of the city’s big ones, has been operated successively by Fox, Comerford, Loew’s and Shears.

Friedlander Dead

An attack of indigestion on the I. T. O. A. boat ride Wednesday proved fatal to Al Friedlander, a partner in the Nelson & Renner circuit of Brooklyn. The body was taken off the boat at Harr’s Island and later sent to New York.

Funeral services will be held today.

The exhibitor mentioned is not the man of the same name connected with First Division.

Nye Dobbs Dead at 53

PORTLAND, July 12.—Nye Dobbs, 53, recently treasurer for the Multnomah Theatres here, is dead at his home in this city. He was formerly booker for First National and auditor for the old Mutual Film Co.

Mrs. M. E. Ryan Dead

HOLLYWOOD, July 12.—Mrs. M. E. Ryan, 70, author of more than 60 books, many of which found their way into films in the silent days, is dead here after a long illness.

Indies in Milwaukee Form Organization

MILWAUKEE, July 12.—A temporary independent exhibitors’ association was organized here today at a meeting of representatives of the Milwaukee Coun-

The move after attending a session late Wednesday by a group of Local 306 dissidents. Browne told the union men that the meeting was illegal and ordered the group to disperse. At the same time, Browne told the men of the international’s plan.

Browne is reported to have asked Hughes, an employee of the Local M. P. Operators, to take active charge of the New York local for the I. A. T. S. E.

Supreme Court Justice James Dunn yesterday ordered District Attorney Geoghan to return forthwith with the books and other documents seized in a recent raid, declaring the seizure unconstitutional and an invasion of the rights of the union.

Wichita Clearance Due for Protests

KANSAS CITY, July 12.—In addition to appeals filed with Campi on new clearance schedules for Kansas City and St. Joseph, Mo., it appears likely that a protest will be lodged against the Wichita, Kan., schedule, W. P. Hus-ton of the Crawford and Kansas, Wichita, filed a protest with the local code office about appeal procedure.

The Dubinsky circuit is appealing the Joseph plan with ground of inadequate protection for first run over sequents in certain price classifications.

It is reported the remaining schedule adopted by the local clearance and zoning board, that for Atchison, Kan., also will be appealed. Roy Dumesnil, the town's sole independent, has signified his intention of doing so.

July 20 is the deadline for filing appeals with Campi on schedules adopted by the local board.

Present Zoning for Wisconsin Proposed

MILWAUKEE, July 12.—The same zoning bill now in vogue for the territory outside Milwaukee County is proposed by the clearance board for 1934-35.

Exhibitors have been informed they must file record of their house plans by Aug. 15 under a revised schedule adopted Wednesday. They have also been informed the council is against the contemplated plan for the state by July 23. The board will meet the following day to consider them.

Mrs. Oser Continues Fight on Union Funds

CHICAGO, July 12.—Mrs. Gladys Oser, widow of Fred Oser, "rebel" operator who was shot to death, has been granted a change of venue in an order of the Supreme Court tabled the case out of the hands of Judge William Lindsay. Mrs. Oser is carrying on the fight against an accounting of union funds. Her attorney charges prejudice on the part of all superiors who are members of the local.

Ralph O'Hara, who was tried for the crime, was acquitted by a jury on a self-defense plea.
Looking 'Em Over

"Whom the Gods Destroy" (Columbia)

In a Jannings-like role and his most important to date, Walter Connolly acquits himself with credit.

"Whom the Gods Destroy" tells the story of a leading theatrical producer, who, in a moment of panic when his transatlantic boat goes down, achieves rescue through the use of a woman's evening cloak and therewith is never successful in ridding himself of the coward's brand.

Eventually the courage to leave the Newfoundland village patriarch who befriended him gains that upper hand. Back in New York, Connolly, in the hearing of newspaper stories crediting him with heroism displayed as the liner went down must inevitably lead to his uncovering and his wife's and son's disgrace. Blocked by circumstance's twist, he thereafter walks in the back streets of his son's life, helps him find himself as a playwright and as a stage producer, but never revealing his identity.

As the picture closes, the wife, played by Doris Kenyon, is brought face to face with her husband, through the son, now grown but still unaware of the truth. Husband and wife agree that the boy must never be told the facts, as they find a latter-day happiness predicated on occasional visits in the future.

Connolly is the standout in point of performances. Others are adequate, but they never even approach the lead's histrionic rendition.

Off to a slow start for several reels, "Whom the Gods Destroy" later gains momentum and finishes on a touching, if sentimental note. Its swishick scenes, while overlong, are among the best in some time.

The picture is somewhat handicapped by dissolves and trick effects with which come along frequently enough to make one wish there were less of them. Generally, it is good, popular entertainment aimed at the tear ducts and true to its objective. Walter Lang directed. Running time, 71 minutes.

K A N N

"Fifteen Wives" (Invisible-State Rights)

The science of physics has been consulted in "Fifteen Wives" to supply a novel means of committing murder. For that reason chiefly this invincible production makes satisfactory entertainment for smaller houses. The story has many humorous touches besides.

A stranger married to 15 women, whom he uses for the purposes of blackmail when his fancy suits him, is found dead in a hotel room. Any one of a number of persons might have done the job. First to come under suspicion are three of his wives residing in the city where he has met his end. Then others are dropped into the picture. It turns out that the murderer (John Wray) is the husband of a woman whom the高等学校 stole.

Darnel clever is the method of murder. The bluebeard receives a hollow glass globe, similar to the sort used by crystal-gazers, as a gift from an unknown person. Sealed inside is a lethal gas. Vibrations of a certain timbre set up by the human voice are sufficient to shatter the globe and cause the gas to escape. In this case the voice of Ralf Harold, a performer billed as "The Electric Voice," coming over the radio, did the vibrations.

The cast includes Conway Tearle, who plays the inspector of police; Noel Francis, Raymond Hatton, Natalie Moorhead, Oscar Apfel, Margaret Dumont, Robert Frazer, Harry Bradley. Strayer directed. Running time, 67 minutes.

Herbel, Universal manager, said an increased matinee scale must follow a change such as proposed by B. & K. Ed Brunell, speaking for the I.T.O.A., attacked the plan because he said it allows no spot for 10-centers.

Judge Eugene Holland sat in place of Hugo Friend as impartial man.

Pittsburgh Hits at Giveaways and Cuts

PITTSBURGH, July 12.—Giveaways and cut rates have been hit in three recent decisions of the grievance board. Merchants' tickets at five and 10 cents issued by J. L. Bush, operator of the Arcade, Grafton, W. Va., were ordered stopped following a hearing on a complaint brought by G. E. Bronman, Opera House, Grafton. Two complaints against cut rates brought by W. Finkel, operator of the Arcade and Colonial, Pittsburgh, one against the Strand, and the other against the Liberty resulted in case and desist orders.

Treasurer Declines Post

LOS ANGELES, July 12—John Treas., president of the Riverside Cement Co., who with Tom Ray and Carl Bush had been appointed business men for the Pacific Coast, attacked the plan because he said it allows no spot for 10-centers.

Judge Eugene Holland sat in place of Hugo Friend as impartial man.

K. C. Test of 'Bank Nights' Up Next Week

For "Bank Nights," declares it is agreeable to a test to ascertain whether or not the plan violates the code.

The Better Business Bureau is investigating to see if lotteries are involved.

Mostly from Mrs. Baier

KANSAS CITY, July 12.—The old saw, "find the woman," has its application here, in that a majority of newspapers and magazines claim Mrs. A. Baier as the complainant. Mrs. Baier operates the Lindbergh, is secretary of the I. T. O. and has been given power of attorney by that body as complaint ficer, so keeps an eye peeled for violations. With the two exceptions, the grievance board has decided cases filed by Mrs. Baier in her favor. Of eight actions now awaiting disposition by the board, five were brought by vigilant Mrs. Baier.

Five-Cent Shows in Kansas City Socked

KANSAS CITY, July 12.—The grievance board today outlawed children's matinées five cents when it ordered Fox Midwest to discontinue "Breez' Club" on Saturdays. The board imposed an identical order against the "Big Brother Club" at the Gillham.

Bill Perry was ordered to cease merchants' free shows at Coffeyville, Kan. A few months ago Mrs. Law and Yoffie of Appleton City, Mo., against S. A. Meyers of Rockville, Mo., was dismissed when neither party appeared.

The board ordered the National, Ritz and Fox Vista, all Kansas City houses, to desist in spot dealing ahead of schedule.

Denver Board Finds "Bank Nights" Unfair

DENVER, July 12—The throwing out of cases against the Harry Huffman theatres for lack of evidence and the declaring "Bank Nights" to be "unfair to competing exhibitors" were highlights of the latest meeting of the Denver board.

In the Huffman case, in which eight theatres had filed, charging violation of the code in a weekly auto giveaway, the only evidence offered was one of the tickets. In spite of the fact that it is common knowledge how the giveaways were conducted, one of the theatre men complaining would admit he knew nothing about it.

Theatre involved were ordered to stop the practices by July 17. It is expected most of the managers will appeal.

The Victory withdrew from participation in all cases and complaints against the Huffman theatres. Giving of commissions for coffee卡通 was withdrawn when Huffman announced the practice had been stopped. A hearing was to be resumed, at least not for the present.

Randell on Appeals

Henry Randell, Brooklyn branch manager for Paramount, has been named to Camp's appeal commission. He is not a member of any of the local boards.
THE PRESS OF THE NATION IN ONE GIGANTIC VOICE SHOUTS ITS PRAISE!

N. Y. DAILY NEWS (Four Stars ★ ★ ★ ★)
"Yesterday's premiere audience at the Music Hall broke out in unrestrained applause. Radio Pictures has turned out in 'Of Human Bondage' a picture that is at once absorbing, intense and convincing ... deserved glory."

N. Y. AMERICAN
"Million throngs stormed Radio City Music Hall ... Leslie Howard has made an indelible impression on the minds of men and the hearts of women ... the film is a poignant portrait, sympathetically treated by Director John Cromwell ..."

BOSTON GLOBE
"Sensitive sympathetic, fine ... stands out as the most artistic picture in some months ... Once seen, 'Of Human Bondage' cannot be forgotten ..."

N. Y. TIMES
"... lifelike quality of the story ... cause the spectators to hang on every word uttered by the interesting group of characters ... Leslie Howard's portrait of Philip Carey excels any performance he has given before the screen ... Another enormously effective portrait is

N. Y. WORLD-TELEGRAM
"A dignified, sensitive, eminently satisfying screen treatment has been accorded 'Of Human Bondage.' W. Somerset Maugham's magnificent story ... a distinguished contribution to the cinema ... it has, as precious few films can claim to have, a true beauty ..."

MEMPHIS PRESS SCIMITAR
"I do not know how to tell you about 'Of Human Bondage' ... extravagant praise would be an offense to its delicacy, and anything less would be inadequate. Nothing so sensitive and so personally real has ever been put on the screen."

DETROIT NEWS
"RKO-Radio has filmed the story with a restraint and integrity rarely duplicated ... the results ... are astonishingly good. Well off the beaten path ... marked by two superb performances ... here is your dish ... audience gives thorough approval."

DETROIT EVENING TIMES
"Mr. Howard gives his most magnificent portrayal ... Miss Davis ... gives a remarkable performance ..."

BOSTON EVENING TRANSCRIPT
"... The story has been imaginatively transferred to the screen ... Not a conventional or stereotyped narrative ... it stirs the interest of the beholder."

BOSTON EVENING AMERICAN
"'Of Human Bondage' ... ranks in the topflight of the year's motion pictures ... flecked with traces of genius ... 'Of Human Bondage' has not a single false note ... It is one of the first pictures of this or any other year."

BOSTON POST
"SEASON'S BEST FILM ... one of the finest films of the new season, or any season ... definitely one of the films which should be seen by the legion of discriminating picturegoers."

SYRACUSE HERALD
"Hollywood has achieved something of an artistic triumph ..."

ROCHESTER DEMOCRAT AND CHRONICLE
tor have united to turn this gripping W. Somerset Maugham story into an excellent picture ... should have Detroit women beating a path to the door ..."

BOSTON DAILY RECORD
"... one of the screen masterpieces of the day ... a glorified adaptation ... this Radio picture, directed by John Cromwell, has power and charm ... Miss Davis is incredibly dazzling."

N. Y. EVENING JOURNAL
"... In transferring 'Of Human Bondage' to the screen, director John Cromwell and adapter Lester Cohen have done well ... yesterday noon’s Music Hall audience broke into enthusiastic applause ..."

N. Y. HERALD TRIBUNE
"... As a play, 'Of Human Bondage' is definitely superior to the average ... well written ... good play, made something more than that by Mr. Howard's perfect performance."

BOSTON HERALD
"... W. Somerset Maugham’s great novel ... comes to the screen ... so worthy that the reviewer ... can find little to criticize and very much to praise ... deserves in every way to rank as one of the finest productions of the year."

SYRACUSE POST-STANDARD
"... a remarkably fine piece of work has been done in bringing to life ... 'Of Human Bondage' ... a picture worth seeing ... the picture is not one you will forget in a hurry ..."

ROCHESTER EVENING JOURNAL & POST EXPRESS
"... A sensitive, stirring character portrayal by ... Leslie Howard, lifts to artistic heights ... 'Of Human Bondage' ..."

Just a few words from a few cities as all America unites in acclaiming

LESLIE HOWARD
in W. Somerset Maugham’s Great Novel

"OF HUMAN BONDAGE"

with

BETTE DAVIS

RKO-RADIO PICTURE

Frances Dee, Kay Johnson, Reginald Denny • Directed by John Cromwell

PRESENT IT WITH PRIDE ... ADVERTISE IT WITH CONFIDENCE!
National Advertising Campaign For The Daily Newspapers Of YOUR City Now Ready!
See your RKO Branch Manager about our cooperation in running these half page ads in your city.

[Enlarge this advertisement for lobby display purposes]
TO THE
LEGION OF DEGENCY
FEDERAL COUNCIL OF CHURCHES
NATIONAL JEWISH WELFARE ASS'N
AND THE EXHIBITORS OF AMERICA

MONOGRAM PICTURES
ANNOUNCES A SPECIAL
TRADE PREVIEW
OF CHARLOTTE BRONTE'S
IMMORTAL CLASSIC

"JANE EYRE"

FEATURING
VIRGINIA COLIN
BRUCE • CLIVE

MONDAY — JULY 16th — 11 A.M.
CRITERION THEATRE
44th STREET AND BROADWAY

DIRECTED BY
CHR. STY CABANNE

SUPERVISED BY
BEN VERSCHLEISER

ADAPTED BY ADELE COMANDINI

Will please in every theatre it screens. Virginia Bruce’s performance is all that is to be desired. The story develops at a rapid pace without a dull moment throughout. Fortunate, indeed, will be the theatre playing this picture, for it is destined to pile up terrific grosses. A highly pleasing adaptation.

BILLBOARD, July 14th
Darken Less
In Chicago
This Season

Cooling Systems Being
Installed Widely

CHICAGO, July 13.—Hot weather bugaboos responsible for wholesale theatre closings in years past, is making no headway with local exhibitors this year. A canvass of the situation reveals there will be fewer closings in Chicago this summer than at any time in the past five years. In fact, local exchange managers were all but "stumped" when asked to estimate the number of closed houses. They, "just
(Continued on page 4)

Stabilizing Moves
Again Fail in K. C.

KANSAS CITY, July 13.—The latest attempt to stabilize Kansas City's price and policy situation has met with failure, due to the refusal of five or six neighborhood exhibitors to sign an agreement eliminating 10-cent admissions and restricting double to one cent. Jay Means, I. T. O. president, head of a committee of independents attempting to put the agreement through, says he has "shelled"
(Continued on page 4)

Two K. C. Cases Hit
Kansas Free Shows

KANSAS CITY, July 13.—Free show hits in two complaints filed with the grievance board, which has eight cases awaiting determination. Other complaints have to do with children's clubs at reduced admission, double featuring ahead of the spot and redress.
F. E. Ritter, Fox Midwest booker, wants the board to act against William Perry, who run a drive to sign up a cooperation with the merchants at
(Continued on page 4)

Set to Begin Check
On Free Admissions

WASHINGTON, July 13.—With 503 questionnaires returned out of 510 sent out, James W. Baldwin, Campi executive, today was ready to begin tabulations to determine the extent of free admissions. Baldwin said that from a cursory glance at the returns he believes his practice is extremely widespread and that the tabulation will show a large number of free admissions weekly.

B. & K. Is Refused
Extended Clearance

CHICAGO, July 13.—B. & K.'s request for extended protection was denied this afternoon in an official decision by the clearance and zoning board. This means there will be no change in the releasing system. Despite city wide opposition the board's decision may be appealed to Code Authority.

Exhibition Active; New
Firms, Circuits Growing

DOVER, Del., July 13.—Midthio Theatres Corp., has beenchartered here to conduct and carry on business of theatrical proprietors etc., listing capital of $10,000. The incorporators are C. S. Peabody, L. H. Herman and Walter Lens of Wilmington.
Eastern Amusement Co. has also beenchartered with 1,000 shares, no par value. The incorporators are Y. F. Freeman, M. F. Gowther and W. B. Cokell of New York.

LINCUM, Neb., July 13.—Cornhusker Theatres, Inc., of Westland Theatres, Inc., at Colorado Springs, Colo., the operating company, have purchased the Rialto from Calvin Bard and the State from G. L. Hooper and George Moulton.
Bard has been active with the independent theatre owners who have been objecting to the code.

Albany, July 13.—Two amusement firms have just been chartered here. One is Institutional Cinema Service,
(Continued on page 4)

Theatres in Frisco
Delaying Bookings

SAN FRANCISCO, July 13.—All theatres are delaying film and stage bookings because of the prospect of a strike among theatre unions. Members have voted to take part in the general strike which is planned by the general strategy committee of the labor unions now in charge of the waterfront workers strike. All theatres are suffering as a result of the long drawn out labor battle.

New Saenger Setup
Hearing Is Delayed

Submission of a plan of reorganization of Saenger Theatres, scheduled for a hearing before Referee Davis yesterday, was postponed to an undetermined date.
The set back is a technical one made necessary by changes in legal documents under the new bankruptcy laws.

Another New Title
Hollywood, July 13.—New Orleans can relax. Paramount has given up that "Belle of New Orleans" title for Mac West's next opus. It will be "Belle of the Nineties."
Cincinnati Manhattan may now protest.

British Want
Quota Cut on
Native Films

By BRUCE ALLAN
LONDON, July 13.—The general council of the Cinematograph Exhibitors' Association has endorsed a recommendation of the general purposes committee that the president of the Board of Trade be asked to receive a deputation to urge abolition of the exhibitors' British quota, or its reduction to 10 per cent until he can insure that quota quickies are replaced by pictures of worth while exhibition quality.
This action followed a letter from the London branch to the council
(Continued on page 4)

"U" Musical Output
Is Being Increased

Hollywood, July 13.—Universal will add several pictures to the current cycle of musicals with three already nearing completion and two more to go into production within the next eight weeks. Those working are "Romance in the Rain," "Wake Up and Dream," and "Gift of Gab.
In addition to the two other features, as yet untitled, Warren Doane will produce a series of four musical shorts.

Protestants
Join for New
Film Pledges

Leaders from 25 Groups
Outline Program

Following a discussion by representatives of 25 churches and other organizations affiliated with the Federal Council of Churches in America yesterday, a form of pledge not to patronize objectionable pictures was agreed upon. Its form is very similar to the Legion of Decency pledge of the Catholic Church. Education and the pledge are to be mailed to 100,000 Protestant pastors in the early fall, it was stated, "as a part of the movement for a concerted attention to the motion picture problem on Sunday, Oct. 21.
The carrying out of the program, it was stated, will be through the cooperative action of the various national denominational agencies, and also by the city and state councils of churches. Promotion of the program will be handled by a special committee headed by Rev. Dr. Harold McAfee Robinson of Philadelphia, secretary of the Presbyterian Board of Christian Education. The executive officer will be Rev. Dr. Worthy M. Tipps, executive secretary of the Federal Council's Department of Social Relations, and Rev. Dr. Samuel McCreavey, Caver, 
(Continued on page 3)

Kuykendall Takes
Clean Film Stand

That the M. P. T. O. A. is "entirely in accord with any person or organization that condemns which is not clean and wholesome," was asserted by Ed Kuykendall, president, in a statement issued yesterday. Kuykendall at the same time denounced "wholesale condemnation of the industry," asserting that "condemning everything, whether it be good or bad, would not be fruitful"
(Continued on page 3)

Local 306 Records
Returned by Court

Justice Dunn, in the Brooklyn Supreme Court, yesterday ordered Local 306 District Attorney Geoghan to return the records seized 10 days ago from Local 306. He remarked upon the "laudable zeal in acting against the union involved in receiving complaints, but pointed out that constitutional guarantees had been violated by the seizure of the books.
**Motion Picture Daily**

**Hollywood Preview**

**The Barretts of Wimpole Street**

(M-G-M)

Hollywood, July 13.—As if in answer to present headlines comes this attraction, and attraction it is with the name values of Norma Shearer, Fredric March and Charles Laughton and rich romance spinning emotion's realms for soles, smiles and heart interest.

Briefly, the story pictures the Barrett household in London in 1845. Elizabeth (Miss Shearer), unable to walk, spins poetic verses which become the basis of a play by March. Their love drama, as his history records, blocked by her father (Laughton), is recreated and con

summat, with exquisite feeling for moderns.

Miss Shearer, as a lady of beauty and grace, evokes deep sympathy as a spiritual girl thwarted by nature and a cruel father, but inspired to health and happiness by the poet Browning.

March, in a fiery, romantic mood, strikes a popular chord as the poet unshakable in affection. Laughton, as the hateful father, gives a memorable performance.

Maureen O'Sullivan wins her acting spurs as Miss Shearer's younger sister, while Una O'Connor is an artistic delight as Miss Shearer's maid. Katherine Alexander, Ralph Forbes and particularly Marion Clayton render high-perfect support.

Sidney Franklin, plumbing uncharted regions of the heart, directs with deft feeling. The screen play by Ernest Vajda, Claudine West and Roland Gểuard is a model play for translation.

The production handles the sophisticated angle subtly with mass appeal dominant.

Irving Thalberg's second production in two years evidences unmistakably that the initials of his name are prophetic.

The film's box-office forecasts that domestic and romantic wholesomeness assure its smashing public reception. Running time, 105 minutes.

**"Hat, Coat and Glove"**

(Radio)

Hollywood, July 13.—"Hat, Coat and Glove" starts out to become a somewhat confusingly dramatic romance with an eternal triangle, but quickly shifts into a murder mystery with cleverly worked out courtroom situations carrying suspense and mystery to the end.

Ricardo Cortez, in the pivotal role of the story as the defending attorney and estranged husband of his wife, is pleasing and sympathetic, while Barbara Robbins, making her screen debut here, gives a creditable performance as the wife. Miss Robbins, who plays Miss Cortez, her younger lover, who is accused of murdering a girl, whose suicide indicates murder. The boy is entangled in so much circumstantial evidence based on a hat, a coat and a glove that Cortez presents in his wife's appeal to the promise that she will return to him. In fighting the case with manipulative skill he pleads with her own force, though through clever manipulation of defensive strategy he clears all and his wife returns to him convinced that their love is greater than any temporary affront. Much credit for originality and difference in building the courtroom mystery must go to Frances Farahog for his treat-

(Continued on page 3)

**Pathe Up One on Big Board**

First Mundus Sale Set

William Settos, exhibiting operator the Liberty in Springfield, O., has made the first purchase of a Mundus picture in his territory. Settos bought a group of the 27 features for immediate showing.

"Crusaders" for DeMille

Hollywood, July 13.—Cecil B. DeMille's next will be "The Crusaders," from the Harold Lamb novel. It will be done on the scale with four leading men and four leading women.

Twins Born to Crosbys

Hollywood, July 13.—Ring Crosby and his wife, the former Dixie Lee, today became parents of twin boys.
Protestants Join for New Film Pledges

(Continued from page 1)

general secretary of the Federal Coun-
sil, and the Protestant pledge was the result of a "sponse-
sonuous demand." Several organiza-
tions are already using pledges, he
said.

Dr. Caverly made plain the cam-
paign was not for the purpose of
morally influencing the productions
of a system to be put into effect by
the end of July by the Boston Legion
of Decency in its drive against objec-
tionable films.

Support of the Legion of Decency
campaign by people of all faiths is
urged here by Dr. Robert Clements,
president of the Chicago Church Fed-
eration. "We hope every church will
assist in this movement with vigor
and enthusiasm," he states.

Boston to Boycott
Producer for Month

Boston, July 13.—Boycott for
experiments, and the choicest of a picture
judged indecent is the main feature
of a system to be put into effect by
the end of July by the Boston Legion
of Decency in its drive against objec-
tionable films.

The aim of the league, according to
the Rev. Russell M. Sullivan, represen-
tative of Cardinal O'Connell, is
"prevention rather than censorship."

Presbyterians in Wash.
Vote to Join Film Drive

Seattle, July 13.—The Presbyteri-
ian Synod of Washington has gone
on record at its 45th conference here
as opposed to the industry. It de-
cides to boycott, and pledges to
join the drive to purge the screen.
Presbyterian congregations are being
urged not to patronize bad films.

Looking 'Em Over

"Dancing Man"
(Pyramid-State Rights)

This Pyramid production suffers primarily from incoherence in its
latter half. Everything considered, however, it is passable entertain-
ment for the neighborhood trade. It has a good cast, nice settings and
a yarn that holds the interest even if it does become a bit muddled
toward the end.

An aging man of wealth (Edmund Breese) has reason to suspect his
youthful wife (Natalie Moorhead) of having an affair with a gigolo
(Reginald Denny). His daughter by an earlier marriage (Judith Allen)
falls in love with the fellow without knowing it is the man her step-
mother is infatuated with. This causes a break between Miss Allen and
Denny, although the latter does not care for Miss Moorhead and plans
to turn over a new leaf by taking a job in South America.

Picking a party at Denny's studio apartment, Miss Moorhead is
found dead. From this point on the film develops into a complicated
murder mystery with all the customary trappings. Developments in this
portion of the film are not always clear, but suffice it to say that Denny
has nothing to do with the killing, although he is under suspicion. One
of Miss Moorhead's former husbands (Edwin Maxwell) with a weakness
for blackmailing is the guilty one.

Also in the cast are Robert Ellis and Huntley Gordon. Al Ray
directed. Running time, 65 minutes.
DARKEN LESS IN CHICAGO THIS SEASON

(Continued from page 1)

Inc., 200 non par value shares, with H. S. Silverman, Henry H. Silverman and Irving G. Morris as directors... the other is Surf Avenue Enterprises, Inc. Incorporators are David C. Goldman, Bernard R. Gogel and Florence S. Eystyne.

Downs, Del., July 13.—A. H. Woods, last of thesm have been chartered here for theatre enterprise... The incorporators are Emile Bonnot, F. F. Kane and J. A. Lauried of New York City.

NORFOLK, July 13.—James S. Hodges heads the new States Shows, Inc., just chartered with capitalization of $10,000 to operate theatres. Other officers are: George Peck, vice-president; Alice Howard, treasurer, and W. H. Starkey, secretary.

CINCINNATI, July 13.—Contracts have been awarded for rebuilding the Hippodrome, a unit of the Pranktel Amusement Enterprises, located at Newport, Ky., across the river from Cincinnati, which was destroyed by fire several months ago. It is planned to have the building ready in October.

NEW ORLEANS, July 13.—William Koll has opened a tent theatre in Houma in opposition to the Grand. The show is identical with the one in New Orleans... According to Koll, if it is successful similar ventures may be installed elsewhere.

STABILIZING MOVES AGAIN FAIL IN K. C.

(Continued from page 1)

of the plan but has not abandoned it entirely.

In the absence of a voluntary agreement it is felt that the new clearance schedule and contract stipulations for the new season will bring about the reforms sought.

Other exhibitors are chargers who charge 10 cents... They declare themselves willing to establish a minimum of 15 cents provided competitive houses in the same zone will set their scales on a higher level. No agreement apparently can be reached on that score.

TWO K. C. CASES HIT KANSAS FREE SHOWS

(Continued from page 1)

Coffeyville, Kan. Violation of the non-theatrical clauses of the code is alleged. Perry gets his film from the Silent Exchange Exchange Co. and American Distributors Corp. of Omaha, according to the complaint.

The second free show action has been brought by S. H. Wolff, exhibitor in Appleton City, Mo., who charges S. A. Myers, exhibitor of Rockville, Mo., with running free shows in Appleton City. The performances are staged by the merchants in the local park. Consolidated Film Distributors of Kansas City is cited as furnishing film.

Mrs. A. Baier of the Lindberg, authorized by the I. T. O. to file griev-

\[ Continued from page 1 \]

British Want Quota Cut on Native Films

(Continued from page 1)

strong resolutions from the Notts, Derby and West Lancashire branches. This is another angle of the agitation against cheap American quota pictures. In Scotland the first found public expression at the Blackpool convention.

At present British exhibitors are compelled to show 12½ per cent of British pictures. They are actually showing 23.7 per cent. This uses up about half the British product available.

American quota pictures—17½ per cent—have been introduced in England at a cost of $25,000 to $30,000, and it is estimated that half the British production as a result is worthless for exhibition purposes. The present move of the C. E. A. is another phase of the move to secure some kind of a quality guarantee.

PIKEVILLE BUYING CASE IS DISMISSED

CINCINNATI, July 13.—The grievance board has ruled that G. C. Scott, Pikeville, Ky., was not overbuying for the Lexington Board of seven with weekly changes. Complainant was Pikeville Amusement Co., operating the Weddington. Evidence showed that Scott was buying for the Lexington Board twice a week, and using double features one day every week to take care of the district. Complainants and defendants were not considered jeopardized when it was brought out that he had the privilege of buying other product on accounts open in his town, of which he had not availed himself.

The board decided it was without jurisdiction in the case. Pikeville Amusement Co., asking cancellations under a contract with Paramount, for the Forest and Nordland, neighborhood, on films termed objectionable by the Legion of Decency.

COMPLAINT AIMED AT NEW HOUSE DROPPED

OMAHA, July 13.—The complaint of Owen Frederick, operator of the Cal at Wood River, Neb., against John Lynane in an effort to prevent the latter from opening a theatre in Wood River and other complaints against the grievance board on the ground the board lacked authority.

The Red Cloud, Neb., has been ordered to end merchants' coupon tickets and cut rate prices. The complaint was filed by Gladys McAirle of Lebanon, Kan., just across the line from the Nebraska town.

OFF TO SOUTH SEAS

Hollywood, July 13.—M-G-M will start shooting background shots for "Mutiny on the Bounty" which Frank Lloyd will direct. He will also seek a native Polynesian for the feminine lead.

WARNER TITLE IS CHANGED

Warners have changed the title of "A Lady Surrenders" to "Desirable."
Myers Calls Cancellation "Red Herring"

Legion Lists Should Be Criterion, He Says

WASHINGTON, July 15.—Abram F. Myers, general counsel for Allied, overruled the previous cancellation of pictures to which public groups object a "red herring," and "so vague as to be meaningless.

"There are thousands of communities where there are no definite organizations, but where a large proportion of the population is governed in movie attendance by the lists of condemned pictures promulgated by national and state groups not represented in such communities," the state rent reads. "Had Mr. Hays desired to 

Continued on page 6

Samuelson May Quit Jersey Leadership

Because of the amount of work the presidency of the national Allied organization has piled on him, Sidney Samuelson has declined to run again as head of the New Jersey unit, which holds its election at the annual convention Aug. 22-24 in Atlantic City. Samuelson says he hasn't decided yet whether he will want to continue as New Jersey leader, but expects to come to a definite decision within the next few weeks.

In the event he refuses to be re-nominated, it is most likely Julis 

Continued on page 6

Ky. Exhibitors Plan Fight to Absorb Tax

FRANKFORT, July 15.—Kentucky exhibitors, faced with loss of business through adoption of the sales tax, which went into effect July 1, will make a determined fight to be permitted to absorb the impost themselves, instead of passing it on to the public. The law specifically provides that the tax must be paid by the purchaser and specifies penalties for anyone who attempts to pay the tax himself.

Fox's Counterclaims Overruled by Court

Counterclaims filed by William Fox against Fox Theatres Corp., when it was sued some time ago by the receivers for a sum totaling $2,066,082, have been thrown out by decision of the Appellate Division of the Supreme Court.

The court ruled that if the claims 

Continued on page 2

Various Para. Groups Near Understanding

Are Reported Closer on Reorganization Views

Various groups interested in Paramount's reorganization and emergence of the company from the bankruptcy courts were reported proceeding in closer understanding than has prevailed for some time on Saturday. This was not construed necessarily as indicating the company was as yet ready to move for final reorganization, but rather is indicative of a desire for as much cooperation as may be effected in view of conflicting points of view as against adoption of obstructionist tactics.

One source, close to the situation, summed it up in this fashion:

"I think it entirely fair to say that bondholders, debenture holders and common stockholders now lean toward a pretty well established conviction that there is no birthday cake to be 

Continued on page 4

No Para. Committee Meets Planned Now

No immediate meetings of Paramount's advisory committees are planned, it was said Saturday, the last session having been held on the coast during Paramount's annual sales convention.

The presence of N. L. Nathanson, Barney Balaban, Martin Mullin and Sam Pinanski does not have to do with theatre advisory sessions, it was asserted.

Cleveland Pleased By Week of Singles

CLEVELAND, July 15—Cleveland exhibitors are delighted with the first week's business under a single feature standard. Subsequent run houses, which anticipated a sudden drop in 

Continued on page 2

A Long Time

Cincinnati, July 15—A local exhibitor and branch manager were discussing the film and other codes. Said the exhibitor:

"Don't expect too much of any code. Think how long it is taking to put over the very simple one Moses presented."

Campi Orders Quick Action On Clearance

Campi has put its foot down on local clearance and zone boards, ordering members to immediately dispose of all pending protests on current and new schedules filed before July 1.

In this as a result of complaints of various distributors who claim that holding up of the schedules has retarded the sales season.

Of the 31 exchange centers, only 17 have been heard from. These key spots have sent in schedules for 35 cities in their territories.

While no time limit is given to the hearing of the pending protests, the order states that appeals must be made five days after decisions are handed down and schedules published. Boards will not hear complaints after July 1.

With the declaration that no further extension from the July 1 deadline will be granted, Campi faces many complaints from exhibitors whose 

Continued on page 6

FWC Files Protest On Coast Clearance

LOS ANGELES, July 15—After playing an important part in the promulgation of the local clearance and zone schedule, Fox West Coast has protested to Campi that it wants to continue schedules as they are now constituted, including duals.

Campi has heard the protest, but no action has been taken.

127 Houses in 22 Cities Report $1,173,017 Gross

One hundred and seventy-seven key city houses in 22 cities report a total gross of $1,173,017 for the theatre week ending July 15-22. This compares with $1,111,432 for 125 houses covering the previous seven-day period.

Boston, Chicago, Detroit, Indianapolis, Kansas City, Los Angeles, Minneapolis, Omaha, Philadelphia, San Francisco, St. Paul, Seattle and 

Continued on page 4

Foreign Film To Get Close Code Scrutiny

Imports, Eastern Output Must Get Hart O. K.

Foreign product, annexed by Hays distributor-members for this market, is to be submitted to the reinforced Production Code Administration which becomes operative at midnight tonight.

Vincent G. Hart, for several years handling the eastern administration of the production code, will be in charge, cloaked with powers identical with those conferrable upon Joseph I. Breen, Production Code Administrator, by resolution of the Hays board of directors on June 15, although Hart is answerable to Breen.

All eastern production, whether feature or shorts, will be submitted to Hart in script form prior to the cranking of a camera. Where, it is

Continued on page 6

Liberties Union in Move on Film Drive

Organizations fighting objectionable pictures were called upon in a statement issued yesterday after a meeting of the National Council of freedom from Censorship, unit of the American Civil Liberties Union, to clarify their attitude toward state and Federal censorship. These statements were sent to Cardinal Hayes, the Legion of Decency, the M. P. Research Bureau and the Catholic church.

"The council feels," the statement, "that the agitation against the movies has created a large measure of confusion in the public mind and that the organizations which have engendered the publicity owe it to 

Continued on page 6

Censors So Severe, Kansas Clergy Calm

KANSAS CITY, July 15.—The work of the Kansas censors has been so efficient that a church campaign against indecent films in Kansas does not appear to be necessary. Miss Hazel Myers, board chairman, says she has been informed by persons high in the church circle.

Miss Myers explained religious leaders in Kansas feel the censors can be depended upon to keep the sales free from offensiveness and for that reason the current agitation within the state is to be moderate. Bishop Tief of the Catholic
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INSIDERS' OUTLOOK

PARAMOUNT and Metro have two troublesome women on their hands. At Paramount is a gal named Mae West. At Metro, a more platinum blonde named Jean Harlow. Both producers are thinking hard what they're going to do about them.

Take either one or both, if you like, and imagine La West or La Harlow in a sweet and virginial "Little Women" type of role. It would be funny. Their producers recognize in these two players the public's association with well-defined characterizations. They argue tickets are bought on that basis, but it's a basis which church forces no like. What to do about them is major and tough to solve.

Friendly pressure from some sources influenced Charles E. Richardson to reconsider that peat-holm appointment to three Paramount trusteeships. He got it, of course, the other day. Ran the arguments which weaned him away from withdrawal: "The reorganization is proceeding nice-ly now. If you step out and a stranger to what has been transpiring comes in, the consequent delay is apt to be unfortunate. Richardson stayed..."

Pessimistic note on another- wise pleasant afternoon: The Clevelander ban on duels is rocky already. The boys there, nice and neighborly like, are sufficiently suspicious of each other to make trouble not so far removed. First reaction of the larger operators there was delight that duels had been massaged. The little fel- lows are throwing the squawks. Chief trouble: Trying to keep 90-odd exhibitors, especially Cleveland exhibitors, looking at the same problem through the same eyes..."

"Joan of Arc" may be made for next season by Radio with La Hepburn in the title spot, but again it may not be. One certain fact about it is that "Little Minister" will be her first, not the dramatic story of the Maid of Orleans. RKO asserts quite positively, church opinion, or fear of it, had nothing at all to do with the case. Thornton Wilder, author of "The Bridge of San Luis Rey," allowed treatment. So did several other producers, all seeking escape from the stormy waters that swirl around the French and English, as well as varying his- torical points of view on the sub- ject matter. The color splash in Radio's product book has got to do with the picture has been botted out and the space diverted to other matters. That may or may not be the determining factor, but there you have it..."

Two pictures made an ocean and a continent apart but dealing with the same central character, are directing the attention of producers toward a more care- ful plotting of story flights in their future. Along about July... Darryl Zanuck finished the new Colman, "Bulldog Drummond Strikes Back," in Hollywood, June 15. All told, Colman's British Interna- tional had completed "The Return of Bulldog Drummond" in Lon- don. In this market where Col- man's presence in any picture may mean a deal the 20th Cen- tury attraction naturally would lead over the other. Yet release of the British picture at about the same time, and perhaps day and date in certain markets then certainly would leave its mark. This is one reason why Mundis, new U. A. distributing subsidi- ary, made a deal for the British film with Lou Metzgar. All told, this is influencing producing cir- cles to exercise additional care in the purchase of stories built around the same central hero..."

He was objecting to his parts. His studio figured it was time to turn disciplinarian and flogged him to a smaller producer. No one was particularly excited about the loan except the director who got this player. Came the time the film was com- pleted and out it went to become one of the biggest draws of the season; to create new fans for the player; to deluge his contract studio with requests for this thespian in more or less the same type of roles. The player: Clark Gable. The discursing studio: M-G-M. The lucky director: Frank Capra. All told, Columbia. The attraction, and a real one: "It Happened One Night."

Are they smiling happily over at Universal? Last year, the Music Hall booked in four. This year, the new contract calls for 10. That case, interesting changes in the Greater New York film buy for next season. Upsets are on the way which won't make the situation between Loew's and RKO any friendlier. Walter Wanger, back from the Conti- nent, found his trip interesting and worthwhile. He takes this word of advice to Hollywood and its producers: "Travel and see the world before boring it."

AL CHRISTIE starts production today at the Eastern Service Studios on "Bless You," first of Educa- tion's new series of musical comedies.

Ed Kuykendall, president of the M.P.T.O.A., plans to leave for his home town on Wednesday.

HAROLD RUNGER is back from Sarat- evac on an NVA mission.

IATSE HOLDS COLEMAN

COLUMBUS, July 15.—At the annual convention of the L.T.S.E., held here in conjunction with the convention of the Ohio Federation of Labor, Harry E. Coleman was re-elected executive secretary. The following were named to the executive board: Larry Buck, Columbus, chairman; Russell Sheats, Toledo; R. W. Mills, Springfield; Gene Lauri, Cincinnati; W. W. Hoffbe, Dayton; Charles Schumacher, Dayton, and T. A. Can- niff, Steubenville. E. J. Tinney, Youngstown, was in charge of the session.

WILLIS M. BEALE DEAD

OMAHA, July 15.—Wills M. Beale, Warner hooker, is dead here. He had been suffering from a throat ailment that had kept him from work two months. He is survived by his wife.

Paramount Up 1/2 on Big Board

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Technicolor Gains 1/4 on Curb

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Trading Light in Bond Market

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CINCINNATI, July 15.—The Strand, downtown independent, after three years of running, has switched to single features, playing second runs for a full week. Prices of 15 cents for matinee and 15 and 20 cents, recently set, remain the same.

WEBB, RAY ARE IN TOWN

Harry Webb and Bernard B. Ray, producers of the Tom Tyler, Jack Perrin and Bud 'n Ben series, are in New York for about a week on state right deals.
It's cause for rejoicing when showmen get together and kick out dat ole debbil double bill. Educational steps up its production budget and the short subjects step out for finer entertainment all through the show.

Here's dog-gone good news for the exhibitors who are just going back to the ideal form of varied picture program... and for the wise ones who never left it...

**ERNEST TRUEX**

in

"**Dog-gone Babies**"

*From the play "Love and Babies"* by Herbert P. McCormack

*Adapted by William Watson and Art Jarrett*

*Produced by Al Christie*

**Tom Patricola** and **Buster West** will soon be on parade with "**Hi, Hi, Sailor**"; **Buster Keaton** with another to duplicate the hits he has made in "**The Gold Ghost**" and "**Allez Oop!**" and **Bing Crosby** singing the songs that made him famous in four short subject specials.
Various Para. Groups Near Understanding

(Continued from page 1)

cut up in huge slices and that, avoidance of the disease in early plans for a reorganization is to be desired from all angles.

Kuhn, Loeb & Co. now have assembled in rough form a wide array of statistics bearing on reorganization. In about 10 days, the expectation is that the group, seen principally through the eyes of the bondholders naturally, will get results for the stockholders. In the meantime, the stockholders' interests, formidable in that over 3,000,000 shares of Paramount common are outstanding, are being developed through an analysis being carried forward by Coverdale and Colpitts.

No formal presentation of any plan is viewed as possible until various groups reach a basis of understanding. This is the foundation for the anticipation that representatives of bondholders and stockholders must somehow, along the line get together and mutually arrive at a basis of understanding.

It is held that considerable depends on how far apart the preliminary plans drawn up by each group prove to be. Stumbling and jockeying for position are regarded as an inevitable development in negotiations leading to a rapprochement. These negotiations are apt to spread over a period of several months.

Omaha Houses Gain In Spite of Heat

OMAHA, July 15.—Extreme heat failed to hurt business last week. All houses were at par or above, and the Brandes reached $4,250, over normal by $430, on "Cockeyed Cavaliers" and "Let’s Try Again."

The world was $700 up at $4,300 on "He Was Her Man" and "Call It Luck."

Total first run business was $23,250. Average is $21,250.

Estimated takings:

Week Ending July 11:

"SHOOT THE WORKS" (Para.)

"COCKEYED CAVALIERS" (Radio)
"LETS TRY AGAIN" (Radio)
BRANDES—(1,500). 25c-3c-4c. 7 days. Gross: $4,250. (Average, $600)

"HE WAS HER MAN" (Warners)
"CALL IT LUCK" (Fox)
WORLD—(5,000). 25c-3c-4c. 6 days. Gross: $4,300. (Average, $700)

Chicago Palace Slashes

CHICAGO, July 15—RKO with last week’s program slashed prices at the Palace. The old scale of 35c-50c-75c has been dropped to 25c-35c-55c, the latter price including tax. There will be no change in policy.

St. Louis Boat Back

Sr. Louis, July 15—Showboat competition is right again this year. The Board of Public Service has again refused a permit for the boat to tie up at the foot of Pine St., but in previous years this has had no effect.

Last year the boat operated in the Missouri River near the St. Charles, Mo., bridge. The year before it was at Music's Ferry, both within convenient motoring distance.

127 Houses in 22 Cities

Report $1,173,017 Gross

(Continued from page 1)

Washington reported gains. These points represent a drop in the current compilation over the last: Denver, New York, Pittsburgh, Portland and Raleigh.

Comparative grosses for the latest available periods:

<table>
<thead>
<tr>
<th>Week Ending</th>
<th>No. Theatres</th>
<th>Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 11-15</td>
<td>127</td>
<td>$1,111,432</td>
</tr>
</tbody>
</table>

Comparative grosses compiled from day-to-day reports for 39 weeks show this:

<table>
<thead>
<tr>
<th>Week Ending</th>
<th>No. Theatres</th>
<th>Gross</th>
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</thead>
<tbody>
<tr>
<td>September 29-30, 1933</td>
<td>135</td>
<td>$1,342,710</td>
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<tr>
<td>October 6-7</td>
<td>143</td>
<td>$1,417,806</td>
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<tr>
<td>October 10-14</td>
<td>143</td>
<td>$1,581,308</td>
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<tr>
<td>October 20-21</td>
<td>143</td>
<td>$1,548,938</td>
</tr>
<tr>
<td>October 27-28</td>
<td>142</td>
<td>$1,599,422</td>
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<tr>
<td>November 3-4</td>
<td>142</td>
<td>$1,274,700</td>
</tr>
<tr>
<td>November 10-11</td>
<td>142</td>
<td>$1,379,500</td>
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<tr>
<td>November 17-18</td>
<td>142</td>
<td>$1,371,152</td>
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<tr>
<td>November 24-25</td>
<td>141</td>
<td>$1,412,750</td>
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<tr>
<td>December 1-2</td>
<td>139</td>
<td>$1,293,432</td>
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<tr>
<td>December 8-9</td>
<td>139</td>
<td>$1,583,852</td>
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<tr>
<td>December 15-16</td>
<td>139</td>
<td>$1,201,002</td>
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<tr>
<td>December 22-23</td>
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<tr>
<td>December 29-30</td>
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<td>$1,433,289</td>
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<tr>
<td>January 3-6, 1934</td>
<td>136</td>
<td>$1,714,824</td>
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<tr>
<td>January 12-13</td>
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<td>$1,435,649</td>
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<tr>
<td>January 19-20</td>
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<td>January 26-27</td>
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<td>$1,348,517</td>
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<tr>
<td>February 2-3</td>
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<td>February 9-10</td>
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<td>$1,270,340</td>
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<td>February 16-17</td>
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<tr>
<td>April 13-14</td>
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<tr>
<td>April 20-21</td>
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<td>May 3-4</td>
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<td>May 17-18</td>
<td>128</td>
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<td>May 24-25</td>
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<tr>
<td>May 31-June 1</td>
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<tr>
<td>June 7-8</td>
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<td>$1,123,724</td>
</tr>
<tr>
<td>June 14-15</td>
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<td>$1,111,437</td>
</tr>
<tr>
<td>June 21-22</td>
<td>127</td>
<td>$1,171,017</td>
</tr>
</tbody>
</table>

"Boy," Show, With $19,000 Tops Chicago

CHICAGO, July 15.—"Laughing Boy" and a stage show with Ted Cook’s band was the only program in the Loop to top average. It ran up to $19,000 at the Oriental, over par by $3,000.

"Storage" slipped sharply elsewhere, due to weak programs. Local opinion is that the fair is failing to draw. Others say the theaters are feeling the effects of the church crusade.

Total first run business was $11,000. Average is $12,700. Estimated takings:

Week Ending July 12:

"BABY TAKE THE "700"" (Fox)
CHICAGO—(3,000), 35c-50c-60c, 7 days. Stage: C. B. Winter. Girls, Ted Cook band.

"LAUGHING BOY" (M-G-M)
ORIENTAL—(3,940), 25c-35c, 7 days. Stage: Rowley Follett with Beatrice Girls, Ted Cook band.

Gross: $19,000.
(Average, $2,700)

Week Ending July 10:

"OPERATOR 13" (M-G-M)
UNION ART—(2,900). 25c-30c-4c, 7 days, 3rd week. Gross: $10,000.
(Average, $1,400)

Week Ending July 12:

"I GIVE MY LOVE" (Univ.)
PALLACE—(1,910), 25c-30c-4c, 7 days. Stage: Billy Bus, Jack Waltham, Jeanie Lang. Maria Mitchell.

Gross: $1,000.
(Average, $122)

Week Ending July 13:

"SHE LEARNED ABOUT TAINTS" (Fox)
MCVICKERS—(2,400), 30c-40c-4c, 7 days. Gross: $5,600.
(Average, $1,300)

Week Ending July 12:

"SHOOT THE WORKS" (Para.)
ROOSEVELT—(1,991). 25c-35c-50c, 7 days, 2nd week. Gross: $7,000.
(Average, $1,000)

Week Ending July 11:

"SISTERS UNDER THE SKY" (Col.)
STATE-LAKE—(2,770), 25c-35c-4c, 7 days, 1st week. Gross: $15,300.
(Average, $15)
Noted for
UNIFORMITY

REVOLUTIONARY new qualities made Eastman Super-Sensitive “Pan” a byword almost overnight. But only day-in and day-out delivery of those qualities over a long period could give this film lasting fame in the motion-picture world. Uniformity... the quality that has always characterized Eastman films... has made Eastman Super-Sensitive Panchromatic Negative the brilliant leader it is today. Eastman Kodak Company. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative
really afford relief from the forced showing of current salacious pictures he would have, after the late cancellation of all pictures condemned by the Legion of Decency or other identified groups.

The most that exhibitors will get out of the present plan will be an argument with the exchange managers which has been long overdue, and an appeal to the producer-controlled grievance boards set up under the motion picture code.

The opening paragraph of the statement reads: "It was to be expected that Mr. Haas, having lost his appeal to the courts, would turn to the exchanges and seek a retraction of the charges now being made against him without reforming in any important particular the policies and practices of his employers, the motion picture producers."

It continues: "As a matter of fact, the protest announced by Mr. Haas is merely temporary in character; it does not apply to pictures released later than the date given in the announcement; and its calculated vagueness casts the burden upon the exhibitors to find in many communities the organizing of concerted objection to a given picture in order to gain the cancellation privilege and then leaves it to the boards and courts to determine whether there is sufficient opposition to justify the exercise of that privilege."

**Saenger Offers Cut To 50 Days in N. O.**

New Orleans, July 15.—Offer of Saenger Theatres to reduce its clearance from 60 days to 50 days, with the clearance plan submitted by major exchanges were the two principal developments of an open hearing held by the clearance and zoning board.

The major exchanges offered the following clearance based on time expiring upon the following dates: engagements: Second run, 45 days; first subsequent run, 95 days; third subsequent run, 110 days; 10-cent houses and premium houses, 270 days. The board went into executive session to consider the recommendation of the decision. The board has included, besides New Orleans theatres, houses in Gretna, Westwego and similar suburbs in one zone, designated as A. This is done in order to clarify the premium menace which is being worked on.

**Samuelson May Quit Jersey Leadership**

(Continued from page 1)

Charnow, now vice-president, will be named.

Leaders of eastern units will meet again this week to determine whether Late rental units have been invited to attend the Jersey convention.

**Foreign Film To Get Close Code Scrutiny**

(Continued from page 1)

his opinion, story, treatment or dialogue do not conform to the tenets of the code, Hart will move for changes. He will also review complete product and issue certificates and authorize the use of the agreed upon seal where product passes his inspection.

Where foreign pictures are concerned, it will obviously be difficult and time-consuming for him to judge character and quality by the present existing censorship of motion pictures in the several states where such censorship now exists by law.

"In the absence of any constructive contribution by these self-appointed organizations," the statement concludes, "we fear they are inevitably laying the foundation for a form of censorship either governmental or religious, not only of the movies, but of the stage, the radio, and books, magazines, and the press."

**Liberties Union in Move on Film Drive**

(Continued from page 1)

community to clear up any possible uncertainty as to the aims and purpose of its activities.

"To that end we believe these organizations using the boycott and publicity should state immediately and without delay that they favor the present existing censorship of motion pictures in the several states where such censorship now exists by law.

"In the absence of any constructive contribution by these self-appointed organizations," the statement concludes, "we fear they are inevitably laying the foundation for a form of censorship either governmental or religious, not only of the movies, but of the stage, the radio, and books, magazines, and the press."

**Censors So Severe, Kansas Clergy Calm**

(Continued from page 1)

Of Concordia already has issued a call for a Legion of Decency pledges, while Bishop Johannes of the large Leavenworth diocese has announced he will shortly join in the campaign. There are estimated to be 120,000 Catholics in the state.

While the Kansas board is known as one of the most severe in the country, he present situation has apparently had no effect on its decisions. The defenders of the state's morals, have ordered numerous cuts and revisions.

**Omaha Catholic Paper Printing Film Lists**

 Omaha, July 15.—The True Voice, publication of the Omaha Catholic diocese, is now making it a definite policy to print each week a list of objectionable and non-objectible films as selected by the local standards committee, advocating the boycotting of films until they are cleaned up. The paper is also encouraging a local daily to publish a list of objectionable and non-objectible films for their readers. The paper also publishes a list of the Legion of Decency clean film drive is expected at the convention of the Walker League, which started here today, it was stated by Rev. Lawrence Acker, pastor of the First Lutheran Church.

**MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW**

"Their Big Moment"

(Radio)

Hollywood, July 15.—"Their Big Moment" will disappoint some who expect to see Slim Summerville and Zasu Pitts parade continuously through six reels of comedy situations. However, this is redeemed ten fold by clever and different treatment of interpolating melodrama and music. The formula, however, might seem for this team, results in pleasing entertainment for any type of audience.

Starting out with a serious note, it drops to the ridiculous antics of William Gaxton, the great magician, employing Miss Pitts and Summerville as his assistants. Their actions backstage while playing big-time vaudeville are hilarious until they are inveigled into giving a demonstration of their tricks and psychic powers in the home of a wealthy widow desiring to receive a message from her late husband. Miss Pitts becomes a dumb sewer who forgets her lines and by doing so uncovers a plot to kill the widow for her money. This makes the trio into a possible sore point for producers as several talented players as Kay Johnson, Bruce Cabot, Ralph Morgan, Julie Haydon, Huntly Gordon and Tamara Geva, plus clever treatment, dialogue and direction, a pleasing bill of entertainment is made possible. Running time, 70 minutes.

"Happy Landings"

(Monogram)

Hollywood, July 15.—This is a thoroughly entertaining independent production timed for action and speed, suspense and romance, all centering around air pilots.

The story deals with Ray Walker and Hyrum Hoover, as flying lieutenants, both in love with Jacqueline Wells, daughter of the commanding officer of their squadron. Through the medium of a gang of crooks, Walker is forced unwillingly to fly two bank robbers across the border. The remainder of the picture goes speedily from one episode to another following Walker's attempts at capturing the final apprehension of the crooks, all including an automobile chase below the border and an airplane duel at sea. All ends favorably to Hoover steps aside for Walker in the favor of Miss Wells.

The cast contributes to the picture, including Walker, Hoover, Miss Wells, William Farnam, as the colonel, and Noah Beery, as Miss Wells' father. R. N. Bradbury directed.

It's a good independent program picture. Running time, 70 minutes.

**Campi Orders Quick Action on Clearance**

(Continued from page 1)

protests reached code boards July 2. It so happens July 1 fell on a Sunday and no mail was delivered.

After boards complete hearings on Kansas City, St, Joseph, Wichita and Kansas City, there will adjourn until Nov. 1, unless called upon by Campi soonier.

On and after Nov. 1, protests and new schedules will be filed for the 1935-36 season.

Although New York was regarded as a center over which protests tests on the present schedules, very few complaints were filed. A few houses were made as a result, but no new schedule is on record. Several changes were made in New Jersey. One New York case came up last week, but it was left for further consideration, and one Long Island case, Joseph Seider against Loew's Val rica, comes up Wednesday.

Exchange centers and surrounding cities which have already sent in schedules are:

Miami, St. Petersburg, Cambridge and Wellesley, Mass.: Buffalo, Cleveland, Toledo, Detroit, Windsor, Littleton, Colorado, Indianapolis, Louisville, Fort Wayne, New Castle, Ind.; Richmond, Ind.; Chicago, Kan; Los Angeles, New Haven, Hartford, Bridgeport, Western Connecticut, Omaha, Portland, Ore.; Salt Lake City and Provo, Utah; Butte, Mont.; San Jose, St. Louis, Olympia, Everett, Wenatchee, Washington; Memphis.

This does not indicate the final list. Several cities have schedules filed before July 1, which have not been submitted.

**Rosenblatt West Soon**

Washington, July 15.—Division Administrator Sol A. Rosenblatt plans to leave on his second coast trip within the next two weeks. He was in New York last week and will be making another of the codes under his supervision.

**Politicians in Now**

Buffalo, July 15.—The County Board of Supervisors has joined the "purge the movies" drive with approval of a resolution by Supervisor Harry J. Dixon, Democrat of Buffalo's second ward, expressing his dissent and detachment from present day movies of a vulgar and lewd char acter.

Pa. Passes "Dr. Monica"**

Pittsburgh, July 15.—The Pennsylvania censors have finally passed "Dr. Monica," eliminating only 90 seconds of running time, it is reported. However, they insisted on a couple of other changes which have been made.
For the week ending July 12...
Du Pont Film Manufacturing Corporation

35 West 45th Street
New York City

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

The Du Pont trade mark has never been placed on an inferior product.
Various Para. Groups Near Understanding Are Reported Closer on Reorganization Views

Various groups interested in Paramount's reorganization and emergence of the company from the bankruptcy courts were reported proceeding in closer understanding than has prevailed for some time on Saturday.

This was construed not necessarily as indicating the company was as yet ready to move for final reorganization, but rather is indicative of a desire for as much cooperation as may be effected in view of conflicting points of view as against adoption of obstructionist tactics.

One source, close to the situation, summed it up in this fashion: "I think it entirely fair to say that bondholders, debenture holders and common stockholders now lean toward a pretty well established conviction that there is no birthday cake to be had."

No Para. Committee Meets Planned Now

No immediate meetings of Paramount's theatre advisory committees were planned, it was said Saturday, the last session having been held on the coast during Paramount's annual sales convention.

The presence of N. L. Nathanson, Barney Balahan, Martin Muffin and Sam Pinanski does not have to do with theatre advisory sessions, it was asserted.

Campi Orders Quick Action On Clearance

Campi has put its foot down on local clearance and zoning boards, ordering members to immediately dispose of all pending protests on current and new schedules filed before July 1.

It was said as a result of complaints of various distributors who claim that holding up of the schedules has retarded the sales season.

Of the 31 exchange centers, only 17 have been heard from. These key spots have sent in schedules for 35 cities in their territories.

While no time limit is given to the hearing of the sending protests, the order states that appeals must be made five days after decisions are handed down and schedules published. Board will not hear complaints filed after July 1.

With the declaration that no further extension from the July 1 deadline will be granted, Campi faces many complaints from exhibitors whose

FWC Files Protest On Coast Clearance

Los Angeles, July 15—After playing an important part in the promulgation of the local clearance and zoning schedule, Fox West Coast has protested to Campi that it wants to continue schedules as they are now constituted, including duals.

Campi has heard the protest, but no action has been taken.

127 Houses in 22 Cities Report $1,173,017 Gross

One hundred and twenty-seven key city houses in 22 cities report a total gross of $1,173,017 for the theatre week ending July 21-22.

Boston, Chicago, Cleveland, Detroit, Indianapolis, Kansas City, Los Angeles, Minneapolis, Omaha, Philadelphia, San Francisco, St. Paul, Seattle and

Foreign Film To Get Close Code Scrutiny

Foreign product, annexed by Hays distributor-members for the market, is to be submitted to the reinforced Production Code Administration which becomes operative at midnight tonight.

Vincent G. Hart, for several years handling the east coast administration of the production code, will be in charge, cloaked with powers identical with those conferred upon Joseph I. Breznick, Production Code Administrator, by resolution of the Hays board of directors on June 13, although Hart is answerable to Breznick.

All eastern production, whether feature or shorts, will be submitted to Hart in script form, prior to the cranking of a camera. Where it is

Liberties Union in Move on Film Drive

Organizations fighting objectionable pictures were called upon in a statement issued yesterday after a meeting of the National Council on Free Speech and Expression, one of the American Civil Liberties Union, to clarify their attitude toward state legislation from Censorship, unit of the American Civil Liberties Union, to clarify their attitude toward state legislation from Censorship, unit of the American Civil Liberties Union, to clarify their attitude toward state legislation from

"The council feels," says the statement, "that the agitation against the movies has created a large measure of confusion in the public mind and that the organizations which have engaged the public censure it to the

Censors So Severe, Kansas Clergy Calm

Kansas City, July 15—The work of the Kansas censors has been so efficient that a church campaign against indecent films in Kansas does not appear to be necessary. Miss Hazel Myers, board chairman, says she has been informed by persons high in church circles.

Miss Myers explained religious leaders in Kansas feel the censors can be depended upon to keep the states free from the element of indecency and that the people within the state are to be moderate.

Bishop Tief of the Catholic diocese
Insiders' Outlook

PARAMOUNT and Metro have two troublesome women on their hands. At Paramount, it's a gal named Mae West. At Metro, a more platinum blonde named Jean Harlow. Both producers are thinking hard what they can do to amuse them in the light of the church movement. Take either one or both, if you like, and imagine La West or La Harlow in a sweet and virginal "Little Women" type of role. It would be funny. Their producers recognize in these two players the public's association with well-defined characteristics. They argue tickets are bought on that basis, but it's a basis which church forces no like. What to do about them is major and tough to solve.

Friendly pressure from several sources influenced Charles E. M. Bronfman to reconsider the permanent appointment of one of three Paramount trusteeships. He got it, of course, the other day. Kans the arguments which weaned him away from withdrawal, "The reorganization is proceeding nicely now. If you step out and a stranger to what has been transpiring comes in, the consequent delay is apt to be unfortunate."

...Pessimistic note on an otherwise pleasant afternoon: The Cleveland ban on deals is recklessly already. The boys there, nice and neighborly like, are sufficiently suspicious of each other to make trouble not so far removed. First reaction of the larger operators there was delight that duels had been massacred. The little fellows are throwing the squawks. Chief trouble: Trying to get exhibitors, especially Cleveland exhibitors, looking at the same problem through the same eyes.

..."Joan of Arc" may be made for next season by Radio with La Hepburn in the title spot, but again it may not be. One certain fact about it is that "The Little Minister" will be her first, not the dramatic story of the Maid of Orleans. RKO asserts quite positively a church opinion, or fear of it, had nothing at all to do with the case. Thornton Wilder, author of "The Bridge of San Luis Rey," did same treatment. So did several others, each seeking escape from the stormy waters that swirl around the French and English, as well as varying historical points of view on the subject matter. The color splash in Radio's product book having to do with the picture has been botted out and the space divers to other matters. That may or not be the determining factor, but there you have it.

Two pictures, made an ocean and a continent apart but dealing with the same central character, are directing the attention of producers toward a more careful viewing story as it may be in the future. Along about the time Darryl Zanuck finished the new Colman, "Bulldog Drummond" and a "Beggar of Hollywood" that John Maxwell's British International had completed "The Return of Bulldog Drummond" in London. In this market where Colman is proving in any case something, the 20th Century attraction naturally would load over the other. Yet release of the British picture at or about the same time, and perhaps a few, and date in competitive theatres, certainly would leave its mark. This is one reason why Munnus, new U. A. distributing subsidiary, made a deal for the British film with Lou Metzger. All of this is influencing producing circles to exercise additional care in the purchase of stores built around the same central hero.

He was objecting to his parts. His studio figured it was time to turn disciplinarian and driven him to a smaller producer. No one was particularly excited about the loan except the director who got this player. Came the time when the film was completed and and out it went to become one of the biggest draws of the season; to create new fans for the old one. It was at the contract studio with requests for this thenspan in more of the same type of roles. The player: Clark Gable. The disciplining studio: M-G-M. the meddlesome figure: Frank Capra. The fortunate studio: Columbia. The attraction, and a Real One: "It Happened One Night".

Are they smiling happily over at Universal? Last year, the Music Hall booked in four. This year, the new contract calls for 10....Watch for interesting changes in the Greater New York film buy for next season. Upsets are on the way which won't make the situation between Loew's and RKO any friendlier. Walter Wanger, back from the Continent, found his trip interesting and worthwhile. He takes this view of the industry and its producers: "Travel and see the world before it's bungled."

Cleveland Pleased

By Week of Singles (Continued from page 1)

attitude due to the shortened program, express satisfaction because of the varied program.

The report from a neighborhood house was on the ground that the feature shown was not held content with the program or the house. In that case, the opinion was expressed, business could have improved by playing another feature with it; provided it was suitable.

Fox's Counterclaims Overruled by Court (Continued from page 1)

were allowed to prevail he would be in the position of the I.A.T.S.E., who allowed the first counterclaim to stand and sustains his ruling in dismissing two other claims.

Harry Sherman Resigns

Harry Sherman has resigned as president of Local 906, and Harland Henderson, third vice-president of the I.A.T.S.E., has been placed in charge. Whether or not other officers of the local will hold their posts was not announced. The future status could not be determined. An election to pick a successor to Sherman is planned in the near future.

Cincy Strand to Singles

CINCINNATI, July 15.—The Strand, downtown, has after the weeks of double featuring has switched to single features, playing second runs for a full week. Prices of 15 cents in matinee and 15 and 20 cents evenings, recently set, remain the same.

Webb, Ray Are in Town

Harry Webb and Bernard B. Ray, producers of the Tom Tyler, Jack Perrin and Bud 'n' Ben series, are in New York for about a week on state right deals.

Purely Personal

A L CHRISTIE starts production today at the Eastern Service Studios on "Bless You," first of Education's new series of musical comedies.

Ed KUENEDALL, president of the M.P.T.O.A., plans to leave for his home town on Wednesday.

Harold ROUNER is back from Sara- ace on an XVA mission.

IATSE Holds Coleman

COLUMBUS, July 15.—At the annual convention of the I.A.T.S.E. held here in conjunction with the convention of the Ohio Federation of Labor, Harry E. Coleman was re-elected executive secretary. The following were named to the executive board: Larry Back, Columbus; chairman; Russell Sheats, Toledo; R. Mills Springfield; Gene Laugh, Cincinnati; W. W. Hofscheidt, Dayton; Charles Schumacher, Canton; and T. A. C. Of Holmden, N. Y. E. J. Timney, Youngstown, was in charge of the session.

Willis M. Beale Dead

OMAHA, July 15.—Willis M. Beale, Warner booker, is dead here. He had been suffering from a throat ailment that had kept him from work two months. He is survived by his wife.
It's cause for rejoicing when showmen get together and kick out dat ole debbil double bill. Educational steps up its production budget and the short subjects step out for finer entertainment all through the show.

Here's dog-gone good news for the exhibitors who are just going back to the ideal form of varied picture program... and for the wise ones who never left it...

ERNEST TRUEX

in

"Dog-gone Babies"

From the play "Love and Babies" by Herbert P. McCormack
Adapted by William Watson and Art Jarrett
Produced by Al Christie

Tom Patricola and Buster West will soon be on parade with "Hi, Hi, Sailor"; Buster Keaton with another to duplicate the hits he has made in "The Gold Ghost" and "Allez Oop!"; and Bing Crosby singing the songs that made him famous in four short subject specials.
Various Para. Groups Near Understanding

(Continued from page 1)

cut up in large pieces and that, avoidance of disturbances in advancing plans for reorganization is to be desired from all angles.

Kuhn, Loeb & Co. now have assembled in rough form a wide array of statistics bearing on reorganization. In about 10 days, the expectation is their plan, seen principally through the eyes of the bondholders naturally, will be ready for discussion. In the meantime, the stockholders' interests, formidable in that over 3,000,000 shares of Paramount common are outstanding, are being developed through an analysis being carried forward by Coverdale and Colpitts.

No formal press release of any plan is viewed as possible until various groups reach a basis of understanding. This is the foundation for the anticipation that representatives of bondholders and stockholders must move where along the line get together and mutually arrive at a basis of understanding.

It is held that considerable depends on how far any preliminary plans drawn up by each group prove to be. Skirishing and jockeying for position are regarded as an inevitable development in negotiations leading to a rapprochement. These negotiations are apt to spread over a period of several months.

Omaha Houses Gain
In Spite of Heat

OMAHA, July 15.—Extreme heat failed to hurt business last week. All houses were at par or above, and the Brandeis reached $4,250, over normal by $450, on "Cockeyed Cavaliers" and "Let's Try Again."

The world was $700 up at $4,300 on "He Was Her Man" and "Call It Luck."

Total first run business was $23,250. Average was $2,125.00.

Estimated takings:

HE END OF JULY 12:
"SHOOT THE WORKS" (Par.)

"COCKEYED CAVALIERS" (Radio)
"LETS TRY AGAIN" (Radio)
BRANDT—15c-25c-30c, 7 days. Gross: $4,290. (Average, $612.86).

"HE WAS HER MAN" (Warners)
CALL IT LUCK" (Fox)
WORLD—12.50c-15c-20c, 7 days. Gross: $4,300. (Average, $614.29).

Chicago Palace Slashes
CHICAGO, July 15—RKO with last week's program slashed prices at the Palace. The old scale of 35c-50c-75c became 25c-35c-55c, the latter price including tax. There will be no change in policy.

St. Louis Boat Buck
SR. LOUIS, July 15—Showboat competition is in sight again this year. The Board of Public Service has again refused a permit for the boat to tie up at the foot of Pine St., but in previous years this has had no effect. Last year the boat operated in the Missouri River near the St. Charles, Mo., bridge. The year before it was at Music's Ferry, both within convenient motoring distance.

127 Houses in 22 Cities
Report $1,173,017 Gross

Washington reported gains. These points report a drop in the current compilation over the last: Denver, New York, Pittsburgh, Portland and Providence.

Comparative grosses for the latest available periods:

<table>
<thead>
<tr>
<th>Week Ending</th>
<th>No. Theatres</th>
<th>Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 21-25</td>
<td>127</td>
<td>$1,173,017</td>
</tr>
<tr>
<td>June 11-15</td>
<td>127</td>
<td>$1,114,432</td>
</tr>
</tbody>
</table>

"Boy," Show, With $19,000
Tops Chicago

CHICAGO, July 15,—"Laughing Boy" and a stage show with Ted Cook's band was the only program in the Loop to top average. It ran up to $19,000 at the Oriental, over par by $3,000.

Average slipped sharply elsewhere, due to weak programs. Local opinion is that the fair is failing to draw. Others say the theaters are feeling the effects of the church crusade.

Total first run business was $10,000. Average was $127,500.

Estimated takings:

WEEK ENDING JULY 12:
"BABY TAKE A BOW" (F. N.)

"ORPHEUM" (3.940), 35c-50c, 7 days. Stage: Bowery Folies with Bert Trost, Girls. Ted Cook band. Gross: $19,000. (Average, $2,714.29).

WEEK ENDING JULY 10:
"OPERATOR 13" (M-G-M)
UNION ARTISTE—35c-50c-75c, 7 days, 3rd week. Gross: $18,500. (Average, $2,642.86).

WEEK ENDING JULY 12:
"I GIVE MY LOVE" (Univ.)
PALACE—35c-50c-75c, 7 days. Stage: Billy House, Jack Whiting, Jeanie Lang, Marcus Gambarelli. Gross: $8,000. (Average, $1,142.86).

WEEK ENDING JULY 13:
"SHE LEARNT ABOUT SAILORS" (Fox)
MCVICKERS—(2,364), 35c-50c-75c, 7 days. Gross: $18,500. (Average, $2,642.86).

WEEK ENDING JULY 12:
"SHOOT THE WORKS" (Para.)
ROOSEVELT—(1,390), 35c-50c-75c, 7 days, 2nd Loop week. Gross: $7,000. (Average, $1,000).

WEEK ENDING JULY 11:
"SISTERS UNDER THE SKIN" (Col.)
STAGE-LAKE—(1,900), 35c-50c-75c, 7 days, Stage: W. L. Rounds. Gross: $11,500. (Average, $1,642.86).

Providence Slump
Gains, Takes Fall

PROVIDENCE, July 15.—Business continued in its slump last week, with only one house going over par, the RKO Victory. "The Man from Utah" and "Chloe" made it up the dual bill. The take was $1,150.

Heat in the early part of the week almost emptied the houses. Managers say the religious campaign also is a factor.

Total first run business was $18,850. Average is $3,350.

Estimated takings for the week ending JULY 12:
"MOSCA" (F. N.)
"THE MERRY TRINKS" (F. N.)
MAJESTIC—(2,600), 35c-50c, 7 days.
Gross: $7,000. (Average, $1,000).

"LAUGHING BOY" (M-G-M)
LARK—(2,200), 35c-50c-75c, 7 days.
Bill Robinson on stage. Gross: $7,500. (Average, $1,071.43).

"SHOOT THE WORKS" (Para.)
"MONEY MEANS NOTHING" (Metro-Goldwyn)
PARAMOUNT—(2,400), 35c-50c, 7 days.
Gross: $6,300. (Average, $900).

"OF HUMAN BONDAGE" (Radio)
PORTLAND—(2,100), 35c-50c, 4 days.
Gross: $3,150. (Average, $787.50).

"THE MAN FROM UTAH" (Monogram)
RKO ALLEGE—(2,300), 35c-50c, 4 days.
Gross: $4,850. (Average, $1,212.50).

"CHLOE" (Pinnacle)
RKO VICTORY—(1,800), 35c-50c, 4 days.
Gross: $4,000. (Average, $1,000).
REVOLUTIONARY new qualities made Eastman Super-Sensitive “Pan” a byword almost overnight. But only day-in and day-out delivery of those qualities over a long period could give this film lasting fame in the motion-picture world. Uniformity... the quality that has always characterized Eastman films... has made Eastman Super-Sensitive Panchromatic Negative the brilliant leader it is today. Eastman Kodak Company. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative
Myers Calls Cancellation “Red Herring”

(Continued from page 1)

really afford relief from the forced showing of current salacious pictures he wishes to set aside. The cancellation of all pictures condemned by the Legion of Decency or other identified groups is not sufficient.

“Most the exhibitors will get out of the present plan will be an argument with the exchange managers which they under the old system win, with possibly, an appeal to the producer-controlled grievance boards set up under the motion picture code.

The opening paragraph of the statement reads: “It was to be expected that Will Hays, having broached down upon the theatres a nationwide boycott, his failure to enforce the rules of production, would take some action designed to meet this long-stated threat of the charges now being made against him without reforming in any important particular the policies and practices of his employers, the motion picture producers.”

It continues: “As a matter of fact, the plan announced by Mr. Hays is merely temporary in character; it does not apply to pictures released later than the day of the issued of the announcement; and its calculated vagueness casts the burden upon the exhibitors to find a way of organizing ‘concerted objection’ to a given picture in order to gain the cancellation privilege and then leaves it to the exhibitors to determine whether there is sufficient opposition to justify the exercise of that privilege.

Saenger Offers Cut To 50 Days in N. O.

New Orleans, July 15.—Offer of Saenger Theatres to reduce its clearance from 60 to 50 days, an economy plan submitted by major exchanges were the two principal developments of an open hearing held by the clearance and zoning board.

The major exchanges offered the following clearance based on time expired, and the clearance plan submitted by major exchanges were the two principal developments of an open hearing held by the clearance and zoning board.

The board has included, besides New Orleans theatres, horses in Greta, Westwego and similar suburbs in one zone, designated as A. This is done in order to clarify the problem. The board will proceed to the general consideration of the cases.

Samuelson May Quit Jersey Leadership

(Continued from page 1)

Charnow, now vice-president, will be named, Leaders of eastern units will meet again shortly, the date to be set by Walter B. Patty, who is in charge of the region. The session will be held the latter part of the month. All members of eastern units have been invited to attend the Jersey convention.

Campbell Orders Quick Action on Clearance

(Continued from page 1)

protests reached code boards July 2. It so happens that July 1 fell on a Sunday, and no mail was delivered.

After boards complete hearings on protests of groups which will adjourn until Nov. 1, unless called upon by Campbell sooner.

On and after Nov. 1, protests and new schedules can be filed for the 1935-36 season.

Although New York was regarded as the key to the whole matter, tests on the present schedules, few complaints were filed. A few complaints were made as a result, but no new schedule is on record.

Several changes were made in New Jersey. The New York case came up, and was held for further consideration, and one Long Island case, Jose Sedeck against Loew’s Victoria, comes up Wednesday.

Exchange centers and surrounding cities which have already sent in their reports are:

Miami, St. Petersburg, Cambridge and Wellesley, Mass.; Buffalo, Cleveland, Toledo, Texas, Denver, Littleton, Colo.; Indianapolis, Louisville, Fort Wayne, New Castle, Ind.; Richmond, Ind.; Kansas City, St. Jose, and Westfield, Mass.; Chelmsford, Kan.; Los Angeles, N. Haven, Hartford, Bridgport, Western Connecticut, Omaha, Portland, Oreg.; Salt Lake City and Provo, Utah; Butte, Mont.; San Jose, St. Louis, Olympia, Everett, Wenatchee, Washington; Memphis.

This does not indicate the final list. Several cities have scheduled to file by July 1, which have not been submitted.

Rosenblatt West Soo

Washington, July 15.—Division Administrator Sol A. Rosenblatt plans to leave on his second coast trip within the next two weeks. He was in Washington last week, but was held for further consideration, and one Long Island case, Jose Sedeck against Loew’s Victoria, comes up Wednesday.

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MOTION PICTURE DAILY
Monday, July 16, 1934

Pickford to Buy Play

KANSAS CITY, July 15—Passing through here on her way to take part in the "Mary Pickford Day" at the World's Fair, Mary Pickford declared she planned to give the Broadway producers the once-over, choosing one for her next picture. She said she planned to continue her writing for "Gone With the Wind" during the coming month. She termed as "very indefinite" reports she is to close for the publication of a series of articles on Hollywood.

To Get More Hitler Film

Samuel Clemens, of Jewel Prod, left for London Saturday aboard the "NSDAP" to bring back tales of the Berlin and Munich uprisings against the Hitler government, claimed to have been there ten times to spot S. S.子der; the chips will be made part of "Hitler's Reign of Terror," now being shown in this country by Cummins.

Friedman in New Post

Pittsburgh, July 15—Max Friedman, chief booker for Warners here, was put in charge today of the entire New York office, where he will be in charge of buying as well as bookings. He has taken up his new duties.

Harry Feinstein, Warner short booker in the local office, gets Frieden man's post. Feinstein's successor has not yet been named.

“Scandal,” “Nurse”

Only Buffalo Draw

BUFFALO, July 15—“Private Scandal” and “Registered Nurse” were the Century films that continued to draw good business. The latter was $1,000. Heat toward the end of the week offset a big week-end draw on Showboat, which was $6,000. Total take was $31,100. Estimated takings for the week ending July 29:

"THE CIRCUS CLOWN" (F. N.)
BUFFALO—(250). $4,000; 30c-55c, 7 days.

"PRIVATE SCANDAL" (Para.)
BUFFALO—(250). $6,000; 25c, 7 days.

"REGISTERED NURSE" (Warner)
BUFFALO—(250). $4,000; 25c, 7 days.

"SHOOT THE WORKS" (Para.)
BUFFALO—(250). $4,000; 25c, 7 days.

"LET'S BE RITZY" (Uni.)
BUFFALO—(250). $5,000; 25c, 7 days.

LASKYVILLE—(250). $4,000; 25c, 7 days.

Col. Pushing New Season's Production

HOLLYWOOD, July 15—Clearing its decks of the last of the present season's product, Col. is in the midst of activity on its production program for 1934-35.

"One Night of Love," the first for the new year, completed, the studio is now at work on "Broadway Bill," "The Girl From Jones Street," "That's Gratitude," "Spring 310," "Sure Fire," "$25 an Hour," "Eight Bells," and "Laskyville." The release dates are in the midst of a tumultuous period, according to Col."
Broadway Standouts

DU PONT
REG. U.S. PAT. OFF

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
Strike Closes All Houses in San Francisco

Loss in Receipts Will Be $50,000 Daily

SAN FRANCISCO, July 16.—All local theatres were dark today in the general strike which holds this city in its grip when projectionists, musicians and stagehands joined the walk-out. Losses are estimated at $70,000. Loss in receipts is expected to approximate $30,000 daily, with more than 3,000 employees affected.

It is understood no attempt will be made to operate theatres with non-union help, though the strike has been called off.

Chicago Expecting Few Cancellations

Chicago, July 16.—Exchange managers here expect few cancellations on moral grounds as a result of the new privilege granted by major producers to enable exhibitors to avoid playing films against which there is an organized protest.

Some chiseling is predicted, but the feeling prevails that cancellations will be few on money-makers, even though objections are filed.

Para. Audit Shows $15,500,000 Cash

Paramount's cash position now stands at $15,500,000, it was revealed yesterday by audits recently completed for the trustees for the debtor corporation. Unofficial estimates recently placed the company's cash on hand anywhere from $10,000,000 to $15,000,000.

Allied Owners' Corp., one of the larger Paramount Publicx creditors, (Continued on page 8)

Kuykendall to Fight Non-Theatre Prizes

Unfair competition from non-theatrical as well as industry sources will be combated by Kuykendall, with practice committee, Ed Kuykendall, committee chairman, stated yesterday in appealing to exhibitors to report local instances of unfair practice of any description to his committee.

Kuykendall's statement points out (Continued on page 4)

No Release Lapse Seen Due to Church Campaign

Laemmle Asks Avoidance of Idea Clean Films Won't Hit

Exhibitors can get by with clean pictures, but one of the troubles is that the theatre men take them for granted they cannot, as organized in a statement issued yesterday. His remarks later are to appear in Universal Weekly as one of his series of "Straight-from-the-Shoulder" talks. "Don't let the church drive you down," warned Laemmle.

"Don't take it for granted that clean pictures won't get by. Universal in its long career has made 1000 feature pictures which live up to today's strictest requirements for decency. We have shipped very seldom—and you made no more money when we shipped them than when we didn't.

"By what seems a strange coincidence Universal was the company to receive the first 'seal of purity.' There was a time when this would have been harmful to any picture, but let's live in the conditions of today and quit talking about yesterday. "It has become a custom in the picture business to rewrite'" (Continued on page 7)

Denver Houses Rebel Against Code Rulings

DENVER, July 16.—Thirty-six of 40 houses in the metropolitan area here have signed a manifesto pledging not to recognize Campi or the local code boards "unless and until radical and fundamental changes are made," giving the complaining exhibitors local "self-government" in their affairs.

The rebellion against Campi and the local boards was brought to a head by a recent decision of the grievance board prohibiting bank nights, cash nights and country store nights (Continued on page 4)

Pay Report May Be Issued This Week

WASHINGTON, July 16.—The much-heralded salary report may be made public before the end of the current week, it was said today by Division (Continued on page 4)

Cleveland Boycott Hits Neighborhoods

CLEVELAND, July 16—The drive for better pictures has not, so far, hurt downtown theatres, but neighborhood houses, especially those located in (Continued on page 7)

No Hyams Deal

Deal whereby Paramount (British) would acquire the H. and E. Hyams, operated in London suburbs by Phil Hyams and Major Gale, is reported off.

London, July 16.—Phil Hyams, back from the States, again denies a deal had been talked with Paramount and repeated what he said in New York that his trip was a vacation only.

Six-Week Supply Ready Before Code Clamps Began July 15

With many releases for the next six weeks "in the house," previously approved under the production code prior to July 15, and production in Hollywood during the only "slightly subnormal" for this time of the year, major distributors yesterday were conflicting theatres faced no break in the flow of product because of the church campaign and studio precaution against material which they found objectionable. It is pretty much an open secret that some pictures under or over the finish line by last Saturday midnight when "test" in Paramount's Chicago, San Francisco and New York offices were made, has been turned back to rewriting or re-shooting of certain (Continued on page 7)

Production Slows Further on Coast

HOLLYWOOD, July 16—Evidence that producers are continuing to slow down by careful preparation few pictures to conform with demands of the reform movement is manifested in last week's supply of pictures. The Chicago field has only 32 features and seven shorts in work as against 33 and 12 for the preceding week.

The same indication of care applies to number of pictures in the final (Continued on page 7)

Say Omaha Closing Due to Film Drive

OMAHA, July 16—Church campaigns against objectionable pictures which have delayed release of the West picture, "Madame Du Barry" and "The Girl from Missouri" ("Born to Be Kissed") is given as the reason for decision to darken the Paramount Wednesday. Ominous rumblings may have something to do with it, but the house officially sticks to its story that it is a death of top notch attractions which precipitated the move.

This will mark the first time the house, Omaha's elite theatre, will close since its opening. The 1,400 people will be added to unemployment ranks. Manager Davidson stays one week beyond the shutdown to clean up detail.
Three Majors
To Keep Dual Ban in Pacts

Clauses in Warner, M-G-M and Paramount contracts barring double featuring of the product of these companies have been retained in the new season contract forms, but will not be enforced in areas where there is no opposition to the dual policy, it was learned yesterday.

In Chicago, Cleveland and other cities where the dual policy has been strong, the clauses will be rigidly enforced. So far as could be learned the contracts of these three companies, the only ones containing anti-dual featuring provisions, the clauses are carriers from other positions, having been included in the companies' contracts for several seasons past.

Trem Carr Improved

Hollywood, July 16—Condition of Trem Carr, who has been confined to the Cedars of Lebanon Hospital for a month following a major operation, is so improved he will be able to leave the hospital this week.

Hans Schwartz, Fox director, underwrote an operation for appendicitis at the Cedars of Lebanon. Dr. Maurus Kahn performed the operation.

Canal Film on Tap

Hollywood, July 16—Warners are making elaborate plans for early filming of a yarn dealing with the building of the Panama Canal. The two major characterizations will be Major George G. Goethals, the engineer, and Dr. William C. Gorgas, who tentatively is lined up for one of the roles.

Not Bankrupt—Keaton

Paris, July 16—That he was bankrupt was denied here today by Buster Keaton. He termed the report that he was frozen out by his creditors as "absolutely untrue." He said he had given his attorney no authority to take such action.
Announcing... for 1934-1935

A MERGER

of two of the biggest amusement enterprises in America—

WARNER BROS.

and

RUDY VALLEE
While it dismissed a complaint against Harry Huffman, circuit officer, based on a week's vacation given away at one of his theatres.

The complaint against Huffman was dismissed for lack of evidence. A ticket used to bring your local activities and the only evidence submitted, and, while the methods used in the giveaway stunt, are not allowable knowledge in Denver, none of the complainants at the hearing would testify.

Local exhibitors claim the grievance board has no jurisdiction under the code to pass on giveaways and lotteries until 15 per cent of affiliated and unaffiliated exhibitors agree writing that such practices should be stopped.

The manifesto signed by the 36 exhibitors was addressed to Code Authority at New York. Its text follows:

"We the undersigned, being the managers and officers of the following, per cent of the theatres in the metropolitan area of Denver, and 75 per cent of our so-called local grievance board, agree that we no longer recognize you or your grievance board, unless and until radical and fundamental reforms are made by the empty promises given us to the effect that our affairs would be a matter of legitimate business, and not government, and are in some measure compiled with.

"To Continue as We See Fit"".

"As American citizens, we are not dependent upon you or any of your so-called local authorities for our right to carry on our business, and we intend to continue as we see fit, without any further oppression, interference or domination.

"We are aware of having the so-called code of the theatre thrown as a weapon of discrimination, scheming and oppression, resulting from your views and policies of others who have invested money, taken no risks and rendered no service to the public interests in the legitimate business.

"Some of us are at present aggrieved by a ridiculous ruling of your so-called grievance board in flat contradiction to the terms and intentions of the code.

"We are prepared to review your travesties of justice as that involved in the enjoyment of July 9, 1934.

"The travesty of justice which allows a board to attempt to forbid certain practices in the absence of a vote of exhibitors passing upon such methods, is suggestive of the methods of the OGPU in Russia, but is repugnant to every principle of American justice and fair dealing. The rules and regulations in the code, and in your instructions and regulations to local boards were wholly founded and ignored.

"Other meddlesome and oppressive practices and inquisitions into our business, are made under code authority, have convinced us that we shall no longer be active engaged in lawful business, and shake off all un-American, arbitrary and ridiculous dictates.

"Those of us who have signed the code in question are not changing our status one way or another, by signing this statement and without any change in the code.

"Those of us who have not signed the code, wish it distinctly understood that, by giving you this notice, we have not forfeited the right to speak for ourselves, or to agree on any policy, or the code for fair motion picture industry, in Denver, or in any part of the state, or country, and that we still reserve to ourselves in any manner or form, or are giving you this notice so that, to see fit to bring your local activities and those of your local grievance board into line with reason, fair dealing and sound principles, we shall then consider what measure of recognition or participation we are of liberty to give you.

"Unless and until that is done, we shall

"Knits to You!"

Hollywood, July 16—When Mary Boland knits, she knits; and it can't be called by any other name. A Paramount guide showing a visitor through the sets, reached the "Knit to Happiness" set and pointed out Miss Boland busy on a sweater over the scenes. "She's a real knitter too," whispered the guide.

"Knits to you," explained Miss Boland.

Barck 10-Cent Case Going Up to Campi

CLEVELAND, July 16—Campi is to be asked to decide the demand of S. H. Barck, Market Square Theatre, that he be allowed to show films at 10 cents and the ground up run in his zone and follows houses charging 20 cents and 15 cents. Barck claims he cannot perform his 15-cent contract without going out of business. The complaint was directed against all houses charging 15 cents which have signed his 10-cent policy and also all distributors. Barck wanted this opposition declared an unfair trade practice. He cited in his complaint that 10-cent scales are allowed outside of Clevelend.

Screeno Complaints Upheld in Chicago

CHICAGO, July 6.—A dozen complaints against theatres in connection with Screeno, have been upheld by the local grievance board which had previously branded the stunt as a lottery. Screeno exhibitors have indicated they will take the matter up with Code Authority. He contends that Screeno is a genuine gift and not just a fraction.

Screeno is the old game variously known under the name of Lotto, Keeno, Como, Bunco, etc. In theatres patrons are given a card to punch while numbers are flashed on a dial face clock operated from the projection room.

Claim Chicago Rule Favoring Giveaways

CHICAGO, July 16.—According to Ed Brummell, one of the leaders of the Independent Theatre Owners' Assn, a report has been obtained from the corporation counsel's office, saying giveaways to all patrons of a theatre are not in violation of the city ordinance.

Brummell retained Charles Bellows, former assistant state attorney, to prepare a brief for the matter in behalf of the Screeno membership. Bellows' reports that Luey, Harry Costello has agreed not to interfere with giveaways in general and men and women entering theatres are recipients of giveaways of equal value.

Pay Report May Be Issued This Week

(Continued from page 1)

Bank Nights Ruled Out in Los Angeles

LOS ANGELES, July 16.—Bank nights have been ruled out here by the grievance board. The complaint was brought by the Mission Amusement Co., owners of the Ventura and Rivoli theatres.

The board's order is effective in seven days.

Protests scheduled for tomorrow involve theatres in Oxnard, Garfield, Long Beach, Alhambra, Bremerton, Coronado, Yosmite and Los Angeles.

Honor Pizzar at Dinner

PHILADELPHIA, July 16.—Two hundred film men joined tonight to honor Lewbird, retiring president of the M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware, at the Bellevue-Stratford dinner, Louis Nizer was master of ceremonies and Ed Kuykendall, president of the national M.P.T.O., was in attendance.

Appeals Body To Hear Only Specific Cases

WASHINGTON, July 16.—Complaints of a general nature against the film and other codes will receive no consideration from the Industrial Appeals Board of the National Recovery Administration, which begins operations August 1, it is indicated today.

With appointment of Mgr. John Augustine Ryan, professor of social ethics at the Catholic University of Washington, the personnel of the appeals board, which succeeds the National Recovery Review Board headed by Clarence Darrow, has been completed. The other members of the board will be Amos J. Peaseke, former chief of the NRA Appeals Division, who will serve as chairman, and John S. Clement, president of a Philadelphia floor covering concern.

The new group will receive from administrative officials such complaints against the NRA as they cannot themselves correct. Likewise, should any action of a code authority be alleged to bear unjustly upon a business organization, failing reeers by the code authorities; the case will be laid before the appeals board with the deputy administrator in charge to be forwarded to the board. The cases will be handled in the same manner as those of the Federal Trade Commission, except that those of the recently abolished National Compliance Board.

Cases of complaints by small businesses the new board may recommend the granting of relief by exemptions, exceptions or modifications of codes.

Committee to Study Operator Salaries

WASHINGTON, July 16.—Withdrawal of Donald K. Wallace and Daniel Bertrand of the Research and Planning Division of the National Recovery Administration from their investigation of operators' and stagehands' pay in New York, because of the length of time which promises to be necessary for its completion, has suggested the appointment of a special committee to carry on the work was announced today by Administrator Sol A. Rosenblatt.

The committee, of which L. E. Thompson of KKO will be chairman, will be composed of Charles Moscovich, of Loew's, Charles L. O'Reilly, Harry Brandt, George Brown, president of the American Federation of Musicians, and Joseph Blatt of the Empire State Operators' Union.

If any member of any of the NRA boards is not at the disposal of the committee, if requested, Rosenblatt said.

Capital Zoning Settled

WASHINGTON, July 16.—Clearance and zoning for the coming season were settled by the local board at its final session today.
From the immortal adventure romance by.
ROBERT LOUIS STEVENSON
Whose "Dr. Jekyll and Mr. Hyde" is long remembered by film audiences.
Directed by VICTOR FLEMING
Produced by HUNT STROMBERG

Wallace Beery
Jackie Cooper
in
TREASURE ISLAND
with Lionel Barrymore
Otto Kruger, Lewis Stone, "Chic" Sale

Two million copies of Robert Louis Stevenson's beloved classic have quickened the heart-beat of men, women and children through the years. A vast audience awaits Wallace Beery, Jackie Cooper invoking again the tear-dimmed sentiment of their previous triumph in "The Champ." Clear the decks for a mighty entertainment!
No Shortage Seen Due to Film Drives

(Continued from page 3)

Laemmle Asks Avoidance of Idea Clean Films Idea

(Continued from page 1)

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Shortage

(Continued)

Laemmle,

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the

Woman," "Girl in Danger," "Beyond the Law," and "Blind

Dude," are either cutting or in the "lab." They have yet to get their
code endorsement.

Columbia says it is set until the

Metro-Goldwyn-Mayer

According to Felix F. Feist, general

sales manager, M-G-M is in the clear until August 31 with "Paris

Interlude," "Student Tour," "Treasure Island," and "Peter Wals," which
will be retitled "The Street Called Straight," and "Chained." The latter is
the first of a series of serials that says changes, if any, to meet code
requirements, can and will be made as the picture is shooting.

Paramount

"The Old-Fashioned Way" and "Elaine and Edie" will be released in
this company's 1933-34 program. Its officials state "Ladies Should Listen," "She

Loves Me Not," etc., will be released very soon. The company is
planning a 

Rabbi Goldstein Says

Jews Will Help Drive

National Council of Jewish Women, headed by Mrs. E. Goldstein
as the representative of the Central Confer-

ence of American Rabbis, has pledged the cooperation of Jewish groups
with the National Council of Jewish Women in the Protestant
campaign for improved pictures.

His formal statement asked that the Jewish community would
support and establish a permanent committee, on which the clergy
and the public would be represented with the producers, to take over the moral
supervision of the films now performed by the Hays office.

"Let's not become fanatic about it. Let's adjust ourselves to today's con-
ditions and give the public the kind of entertainment they consume without moral
indigestion.

Let's get back of this class of pro-
duction. Vultures of the various vested
guts and guts that made the picture busi-
ness a factor in the world's entertain-
ment business.

We'll all be happier for it.

The church as a whole is very
decent. It has its fanatics and its nuts,
but so have we.

Let's show the right thinking ele-
ments of the church that we are as
strong as they are and that by en-
list ing, let's prove that we never have
to descend to the gutter to find profit-
able material.

Protestants' Pledges Out

in Few Days

(Continued from page 1)

the Catholic parishes, are suffering greatly.

A. E. Patak, owner of the Lyceum,
which plays to a 60 per cent Catholic
crowd, which has already dropped out
of business since the drive got under
way. Not only do his former patrons stay away, but pictures not
approved by the church, but they are
boycotting the theater entire,
entirely, presumably because of some
of the pictures they are not on the
approved list. They are not supporting
the "approved" pictures.

Wisconsin Clergymen Join in Film Moves

MILWAUKEE, July 16—Rev. John
Frederick Fedders, pastor of Lake
Park Lutheran church, and a leader in
local and national church circles,
has urged Lutheran young people
to join the crusade of the churches
for clean films.

He declared that the crusade of
the Legion of Decency is a "belated
pamphlet" which ought to have been
under taken years ago with churches,
and a "patriotic" thing for the young people's or-
organizations, co-operating.

Bishop J. Ralph Magee, in charge of
the St. Paul area of the Methodist
church, which embraces four states,
including Wisconsin, is preparing to
order his district superintendents to
act in active part in the campaign.

Dr. Robert B. Stansell, superintend-
tent of the Milwaukee district,
made his position clear following a cabinet con-
ference with Bishop Magee at Fond
du Lac, Wis.

Philadelphia Unions

Ask Boycott Change

PHILADELPHIA, July 16—A demand that no objectionable pictures be pro-
tected has been made by the Musicians' Protective Ass'n, the Central Labor
Union of Philadelphia.

The association asks that "only ob-
eroceptional pictures be boycotted, and no objection to the idea that the boy-
cotting of the theater has the effect of throwing people out of work by
laying in this respect, it is the association's
demands that the boycott be confined to
"the restricting of lewd and repu-
slive pictures."
No Shortage Seen Due to Film Drives

(Continued from page 7)

"Cock-Eyed Cavaliers," and "His Greatest Gamble." "Hat, Coat and Glove" and "Down to Their Last Yacht!"

An RKO official believes no difficulty is in view with the latter two under the code, aside from perhaps minor changes. "Adventure Girl," a Van Beuren feature with Joan Lowell, is ready.

Now shooting and expected for August delivery are "The Fountain," "The Age of Innocence," and "The Gay Divorce," for which a new title is sought. The pictures have to pass through the code formula before releasing.

United Artists

Al Lichtman says his company is set to September with "Bulldog Drummond's Return," "The Rogue," "The Fiend," "The Cellini," "The Last Gentleman," "The Count of Monte Cristo," and "Our Daily Bread." In addition, two English pictures are ready. These are "Queen's Affairs," and "Neill Gwyn." Neither has been submitted for code inspection yet.

Universal

"One More Summer," "Romance in the Rain," and "The Human Side" will finish Universal's current schedule, aside from "Inn of Limbo," which is now in work. Practically ready is "There's Always Tomorrow," which is one of next year's. The first three are set for August release. They have not been submitted for code inspection as yet, so far as New York executives knew yesterday. No difficulty, however, is expected.

Warners

The following pictures are in New York and are scheduled according to a Warner spokesman: "Side Streets," "Midnight Alibi," "Here Lies Where I Was," "Mr. Sweeney," "Man With Two Faces," "Housewife." In the offing are "Dames," "Dragon Murder Case," "British Agent," "Madame Du Barry," and "Kansas City Princess.

There are half a dozen more. We are in swell shape," the company spokesman declared, but failed to give the additional titles or to designate whether or not code requirements on them have been met.

John D. Clark, general sales manager at Fox, could not be reached, despite efforts made to do so. Charles E. McCarthy, publicity director, likewise could not be reached at his office.

"Vergie" Cleveland Hit in Spite of Ban

Cleveland, July 16—"The Life of Vergie Winters," on the Catholic banned list, did better in its second week at the RKO Palace than it did in its first and was moved into Keith's 105th St. for a continuation of the run. Sadie McKeen," also proscribed, packed them in in a neighborhood house, while "Personality Kid," an approved feature, starred. Neither of these were in Catholic neighborhoods, however.

"Born to Be Kissed" Gets New Monicker

"Born to Be Kissed" hits the Marvel Theatre Aug. 3, almost two months behind its original release date, as "The Girl from Missouri.

Its first delay was occasioned by remarks under Production Code Administration. Company officials declare the picture is innocuous and that the story, which may be construed as torrid is Jean Harlow herself.

Newsreels Guarding Against Criticisms

KANSAS CITY, July 16—That even newsreels are watching their step dur- ing their current release, as seen in the fact that none of the news- reels covered the funeral of John Laxia, shown in Kansas City political light, can be explained that while, once this would have been considered a proper subject, news events of this calibre are definitely out.

"Scarlet Letter" Is First to Be Passed

Hollywood, July 16—"The Scarlet Letter," produced by Majestic, is the first independent picture to pass the reinforced Production Code Administration.

The producer is not a Hays association member.

Estimate 5,000,000 Have Signed Pledges

DETROIT, July 16—In the Michigan Catholic, official organ of the Detroit diocese, it is stated the Catholic crusade for unsecured title has seen in 55 dioceses with a total population of 11,000,000 Catholics.

Just how many have signed the pledge is not possible to determine, but one bishop expressed the opinion that already 5,000,000 Catholics have been mustered in. It was stated that action in other dioceses is expected daily.

The story went on to say that some bishops have written personal letters to theatre managers pointing out the exact nature of the crusade, stating that the unsecured title is due to rivalry between with anyone's legitimate business, but emphasizing their determination to do everything in their power for the protection of their people.

Producers Worried, States Will Rogers

BOSTON, July 16—Passing through here, Will Rogers asserted producers were trying to stir up spread agitation against objectionable pictures and expressed the opinion that "the less water is a lot of good.

Lutherans Join Fight

CHICAGO, July 16—Delegates to the convention of Associated Lutheran Charities, meeting here at the Morris- ion Hotel and representing 3,000 Lutheran churches, went on record in favor of the crusade against films.

Para. Audit Shows $15,500,000 Cash

(Continued from page 1)

and a group of general creditors represented by Nathan Dubow, president, and including Erpi, have been author- ized to intervene in the Paramount re- organization proceedings. Orders were issued by United States Federal Judge B. C. Cooke over the week-end which permit the creditors to intervene upon appli- cation under the new bankruptcy law for debtor corporations. Paramount Publicx bondholders obtained an inter- vention order from the Federal court that the stockholders' committee headed by Duncan A. Holmes is expected to make a similar appeal to distribute future deposits of more than 50 per cent of the Paramount Publicx stock outstanding.

Saenger Files Under New Bankruptcy Act

NEW ORLEANS, July 16—Reorgani- zation of the Saenger interests under the new bankruptcy law is sought in a petition filed in Federal court by three unsecured creditors, the Blum Real Estate Co., Item Publishing Co., and the Baldwin Hardware Co. E. V. Richards, who has been trustee, under the old bankruptcy law, has been named temporary trustee under the new.

A hearing is scheduled for Aug. 6.

Frisko Para. Bonds Get Federal Permit

WASHINGTON, July 16—The San Francisco Paramount Corp. has been granted a permit by the Federal Trade Commission to issue $1,652,000 first mortgage bonds which are to be issued to the Granada Realty Co.'s Bondholders' Protective Committee for the transfer of a real estate title.

This property in San Francisco is the successor of the Paramount Theatre Building.

The San Francisco Paramount Corp. was a successor to the Granada Realty Corp.

Among the officers of the San Fran- cisco Paramount Corp. are W. R. Co- kell, president, J. D. Van Wagoner, secretary, and M. F. Gouthorpe, treasurer, all of New York.

Para. Exploitation Truck to Make Tour

Paramount's new line-up will be ex- ploded via a traveling theatre set mounted on a truck and equipped with projection equipment allowing showing of trailers day and night.

Every city and town of 5,000 and over along the route will have one or more engagements of the truck, which will be renewed from time to time to keep pace with the new product re- leased. The truck has left Hollywood for Seattle where it will start on the tour which will include Salt Lake City, Denver, Kansas City and Chicago and then go on to San Francisco, New York and the rest of the post- England States, the truck goes south along the Atlantic seaboard, returning to the coast via the southern route.

Form Foundation Corp.


Strike Closes All Houses in San Francisco

(Continued from page 1)

to reopen the theatres until the situa- tion has smoothed itself out. No more advertising is being carried in any of the city's newspapers. The houses went dark with the last per- formance scheduled for last night.

The strike, settlement of which hinges on reception by employers of the demands being made by the long- term employees, has completely paralyzed the city. Transportation has been crippled and business has been severely hit.

Sixty unions, with a total membership of some 67,000 workers, are in- volved already in the strike, with the number of strikers expected to exceed 100,000 by tomorrow morn- ing.

Frisko Strike Will Not Affect Seattle

SEATTLE, July 16—The general strike in San Francisco is not expected to have any effect on local theatres. The local waterfront strike, now past its eighth week, has been responsible for a 20 per cent decrease in grosses, but no further decrease is expected. Seattle union sentiment is understood to be strong. Business is expected to continue at its present level unless other crafts strike in sympathy, which is unlikely.

Portland Now Faces Widening of Strike

PORTLAND, July 16—Theaters here are facing a general strike similar to that in progress in San Francisco. So far business has been affected by the waterfront strike, but now the situation takes a new turn.

Reports are circulating to the effect that the general strike here will be called if business does not stop. Business is expected to continue at its present level unless other crafts strike in sympathy, which is unlikely.

State Censorship Fees Go Up to $230,499

ALBANY, July 16 — Censorship proved a pretty good business for the state in its 1933-34 fiscal year when the total was $230,499 against a budget estimate of $225,000. This is an ex- cess of $5,499.

Sign Up Le Pera

Alfredo Le Pera has been signed by Frank Z. Guglielmone and Lewis Maisel to prepare the story, dialogue and lyrics for the first of a series of six pictures which will be produced in the coming year by Latin Artists Pictures Corp. banner.

Closes Canadian Deal

Jules Levy, vice-president and general sales manager of RKO Distribut- ing Corp., has closed with Famous Players Canadian Theatres for the entire 1934-35 Radio product. The deal, Levy says, involves approximately 125 theatres in all Canadian key spots.
WHEN
— that man is
Warner Baxter
— that woman is
Madge Evans...

YOU JUST KNOW YOUR CROWDS WILL THRILL!

Compellingly they bring to life one of the year's most popular novels... the drama of strange adventure in exotic lands... the romance, all-possessive but protecting... the anguish of love... and its ecstasy!

Faithless
—or true?
Caught in the mesh of a loveless marriage... torn between loyalty and loneliness.

Murderer
—or victim?
Plunged from the top of the medical profession to the depths of disgrace.

Warner
BAXTER
in
GRAND CANARY
with
MADGE EVANS
Marjorie Rambeau • Zita Johann
Roger Imhof • H. B. Warner
Directed by Irving Cummings
From the novel by A. J. Cronin
Screen play by
Ernest Pascal

A JESSE L. LASKY PRODUCTION
Looking 'Em Over

“An A Man’s Game” (Columbia)

This Tom McCoy vehicle represents good wholesome fun for family audiences at neighborhood houses. The kids, in particular, will revel in it since it has to do with fires and firemen. It is a simple yarn speedily and amusingly developed under the direction of D. Ross Lederman. If there is any action, the British temperamental individualism is inherited, and doesn’t like entrusting the judicial and penological powers to a trial of representation by a tribunal, to private bodies which must inevitably reflect individual interests.

In the case of overbuilding, it seems impossible to some to envisage a trade committee which could be safely entrusted with the right to say no to anyone planning a new theatre, much less with the power to back its decision by the drastic method of withholding exhibition. The federal government has no such tribunal but is held to be absolute impartiality and one has neither reason nor right to expect it in a trade body, it is argued.

This is apart from the very grave doubts some feel as to the ability of a trade committee to make its decisions good except against the independents. A producer-circuit could and would attack its threats, it is pointed out. If overbuilding is to be controlled by ban, it looks as if the industry will have to find arbitrators and courts instead of regulatory bodies. To be wondered as, is if the extraordinary powers which it would need be practically exercised by the judges would be accepted for a moment by the courts.

After hesitating between Lord Nelson and the Duke of Wellington as George Artiss’s first British film role, Gaumont British has selected the soldier and the “Iron Duke” will go on the floor Aug. 20. Victor Saville will direct and the story, by H. M. Harwood, is expected to cover the two Napoleonic wars. Fox will retain him for both of them. It is pointed out.

Lothar Mendes is directing Conrad Veidt in “G-Man” which stars Greta Garbo in both “King of the Damned,” the Devil’s Island stage play, and in “Anna Karenina,” in which Madeleine Carroll will be Anna.

Sub-standard standardization is all up in the air again, it seems. The technical committee of the British Kinematograph Society has suspended the British Film Institute to withdraw its recent endorsement of the D.I.N. German standard, which it supports (it is, however, the B.K.S.) and it looks as if the whole matter will be reconsidered. Protests by firms who asserted their systems had not been examined before the German standard was approved are the motive force behind this revision of policy.

Rapid developments in the advertising and publicity film production fields are producing serious difficulties for exhibitors now in many areas. Most big commercial films are now sold on the value of the advertising film, which costs considerably less than the standard release offers, and their development is such that reaching the public is to stage free shows in which entertainment and advertising items are blended.

One and a half-hour programs are being staged in certain places and the local theatre is becoming as effective a method of drawing the public, and therefore of making the theatre. Some suggestion is to stop advertising films at the source, by trade firms refusing to produce them, but many conflicting interests are involved to make this a likely proceeding.

Expect Loew’s Will Remain in the Penn

Pittsburgh, July 16.—Actual management of the Penn is expected to remain in the hands of Loew’s and United Artists in spite of the transfer of control to preferred stockholders here. Leopold Friedmann, vice-president of Loew’s, has been retained as fourth director to represent common stockholders.

Control now rests with the Penn-Federal Corp., a holding company, and the other three are Roland McGrady, attorney; Earl A. Morton, vice-president of the Commonwealth Trust Co., and Edwin S. Fowkes, Oakland.

"U"-Doane Deal Set

Hollywood, July 16.—Warren Doane will produce four two-reel musical "Brevities" for Universal’s fall release. The shorts will feature vaudeville and radio acts. Loy Coggin will be master of ceremonies in the first.

"Take a Bow" to Stay

"Baby Take a Bow" will be held for a fourth week at the Roxy, beginning Friday, it was learned yesterday. That the film would go another stanza was forecast on Friday by Morton Picture Daily.

La Walkathons Ended

New Orleans, July 16.—Governor Allen has signed a bill prohibiting walkathons and other endurance contests which have been heavy competition for theatres.

"Jane Eyre" Previewed

"Jane Eyre," starring Virginia Bruce and Colin Clive, was shown to the trade by Monogram at a special showing at the Criterion yesterday morning.

Germany Bans Two

Berlin, July 16.—Attributing no reason, the German government has banned “Nana” and “Men in White.”

“Bondage” Is Detroit Wow; Gets $23,200

Detroit, July 16.—Brightest spot on the first run horizon here was "Of Human Bondage," which grabbed a sensational $23,200 at the Fox. This $9,710 was a gain of $8,250 over the first run of the "D хорошая"

"Here Comes the Groom" also did a fine business, getting $21,300 at the Michigan, which had been up to $7,100 on "Dr. Monica." The weather was hot, but business was better generally than in the previous week. Total first run business was $58,300. Average is $55,000. Estimated takings for the week ending July 12:

"THE CIRCUS CLOWN" (Warner’s) Fisher—$2,953, $200, 7 days. Gross: $20,700. Average: $3,000

"OF HUMAN BONDAGE" (Radio) C.E.O.—750. $7,000. 7 days. Shown on 5 screens. Gross: $21,300. Average: $2,700

"DR. MONICA" (Warner’s) United Artists—$2,000. 7 days. Gross: $16,700. Average: $2,400

"Bondage" Does $7,300

"Of Human Bondage" was New York’s biggest grosser last week. The Radio picture and stage show are expected to be in its second week at the Music Hall.

Some of the other grosses for the week:

Palace—"Hell Cat" (Col.) and vaudeville, $15,000.

Paramount—"Shoot the Works" (Par.) and stage show, $26,000.

Strand—"Midnight Alibi" (Warner’s), six days, and "Man with Two Faces" (Warner’s), one day, $9,700.

Ohio Pulls Nazi Film

Columbus, July 16.—After viewing "Hitler’s Reign of Terror," which opened at the Allen, Cleveland, Thursday, the exhibitor of this town has made official protest to Governor White that the picture presents a "distorted view" of conditions under Nazi rule.

Although passed by the censors, Governor White has ordered further showings stopped and has ordered the censors to view the film again.

On Personal Appearances

Hollywood, July 16.—Joe Morrison leaves for New York this week and, for an extended engagement at the Paramount. The actor will report back to Paramount here on completion of the engagement.

Nolan Quits Hospital

Hollywood, July 16.—John Nolan, Australian representative for Fox, today left the Cedars of Lebanon Hospital and will recuperate here.

Louis Gottschalk Dead

Hollywood, July 16.—Louis Gottschalk, composer and conductor, 70, died today after a paralytic stroke. His widow and a daughter survive.
Loew Gets ‘U,’ Columbia List; RKO Rift Widens

Loew’s and Warners are preparing two alternate bids for the Fox Metropolitan circuit, one of which will offer $1,500,000 for the leasehold assets and the other, $1,000,000 for the bonds deposited with the bondholders’ committee, it was learned yesterday.

Details of both bids are still in process of negotiation, it was reported, and no estimate of the time it would take to complete them could be made yesterday. The alternate bid for the bonds, rather than the leaseholds, is being made at the direction of Federal Judge Julian W. Mack, who is slated to hear the new offers on Friday. Spokesmen for the bidders were unable to say yes-
terday whether an agreement could be reached with the bondhold-
ers by that time.

Tussle Between Major N. Y. Circuits for Top Spot Grows

The Loew circuit will play Universal and Columbia in the metropolitan area next season, giving it six major programs, in tone and in part, to draw on and further indicating a widened rift in relations with RKO, its most important circuit competitor.

Exactly to what extremes these bays will change the complexion of the loc-
al situation is perhaps too early to figure, but the general impression has it this additional strengthening of the Loew picture situation may picture situation may be the last straw in an open tussle with RKO for supremacy in the rich-
est territory in the United States.

Sold to Loew for the first time in its history and away from RKO which for some years has been pur-
chasing the product for its city cir-
cuit, the Universal lineup will now go four ways. Loew has purchased 18 Universal for its more important houses. In addition there is a criss-
Continued on page 8

Philadelphia Board Stops Price Cutting

Philadelphia, July 17.—Cutting prices below contract price schedules in the Opera House, Columbia, Pa., has been ordered stopped by the grievance board. The case was brought by the State, Columbia. A similar ruling has been made against the Morris, South Phila-
delphia. The Grand-Jackson Theatre Co. was complainant in this case.

Zeidman to Make 4 More as ‘U’ Producer

Hollywood, July 17.—With two more pictures yet to complete as an independent producer for Universal, B. R. Zeidman has been signed to a new contract for four more to be turned out as a producer for the company, without outside capital.

M-G-M Loses Appeal In “Rasputin” Suit

London, July 17.—M-G-M today lost its appeal in the libel suit of Princess Irena Yousoupoff, who was awarded $125,000 by a lower court on

KANSAS CITY, Mo., July 17.—Per-
centage sales were condemned today in a resolution at the 16th annual convention of the Kansas-Missouri Theatre Ass’n. The resolution, in-
introduced by Tom Eldred of Eldon,
Mo., was adopted on the ground distri-

Methods of distributing the Legion of Decency pledges were discussed at a meeting of the inter-faith commit-
tee at the rectory of Holy Cross
Church yesterday afternoon when it was decided to divide the city into districts, each under a sub-committee, and to make a house-to-house cam-
paign for signatures.

The main purpose of this action, said Rev. Joseph A. McCaffrey, chairman for the committee, is to enable non-churchgoers as well as
churchgoers to join the campaign.

“We are anxious to have the motion picture industry understand immedi-
ately that this campaign is a serious

Continued on page 8

Colored Theatres Given
White Clearance Rating

Theatres catering to colored patron-

Continued on page 8

Philadelphia Closing Plan Is Discarded

Boycott Protest Out One
Day Before Time Due

A plan to shut down theatres whole-
sale in Philadelphia in protest against
the blanket Catholic boycott ordered there by Cardinal Dougherty to be can-
celled one day ahead of the orig-
inal two weeks’ notice to theatre em-
ployers.

This is a complete and official con-
firmation of a Philadelphia dispatch published in Motion Picture Daily on July 11 that the scheme first ad-
vanced would be quietly dropped.

Philadelphia, July 17.—The
about-face in the announced plan to
close Warner and many of the M.
P. O. member theatres in Phila-
delphia developed here late last night
at the testimonial dinner tendered
retiring President Lewen Pizor by the M. P. O.

Speaking for Warners, Joseph C.
Bernhard, general manager of that

Continued on page 6

Percentages, Unclean Films To Be Sought
Hit By KMTA

KANSAS CITY, Mo., July 17.—Per-
centage sales were condemned today in a resolution at the 16th annual convention of the Kansas-Missouri Theatre Ass’n. The resolution, in-

Continued on page 8

Holmden in Charge
Of 306 for IATSE

Harland Holmden, president of the
Cleveland M. P. Operators’ Union,
assumed charge of Local 306 yester-
day in response to a request of George
Brownie, J. A. T. E. president.

Holmden is expected to continue
in charge of Local 306 until its af-
fairs have been straightened out suf-

ciently to permit an election of new

Continued on page 6

NEW ORLEANS, July 17.—No new
claims have been filed in Federal Court
as a result of the bankruptcy petition
filed under Federal Law. It is under-
stood that the reason for this is that
the action authorizing the filing of
the petition and allowing a claim of
the A. Baldwin Co., hardware dealers, was taken by a bondholders’ committee meeting July 12.
W HEN two giants begin to throw mountains at each other, the consequences are apt to be what you find babbling and boiling over, in little old New York as this was written last night. There are wheels within wheels in all of this and some of them might be confusing and complicated, but don't go out or if you don't know what the lowdown happens to be.

About the time, Nick Schenck, President of Loew and Loew, must have been surprised all and sundry by just what a tremendous combination bid for those Fox Met. houses, RKO, having something like $39,000,000 invested in New York theatre properties, began to look around and see what it could be seen...

For instance, it saw, or thought it saw, something troublesome waters ahead if that bid were accepted. It then decided then, as it no doubt does now, that its theatre position might be threatened if Loew added to its chain of suburban houses, many as 50 houses in Greater New York. It came to the conclusion its investment needed safeguards and that explains how and why some recent moves were made to get additional houses in this territory. They had to be in zones where Loew would become the big cheese if the Fox Met. owner here before they had to be convertible into first runs which was viewed as simple because RKO had no houses of its own in those areas anyway. So the trend began to swing out for more houses...

The scene now shifts to Broadway and 45th St. Loew, discovering what was going on quick enough there were ways of doing that, became annoyed at RKO's plans. Moreover, it didn't hesitate to say so. "Two can play that game," was the reaction and immediately there was set about a plan to step into sacred RKO domain. At the same time and, by way of preparation for the possible annexation of those Fox Met. properties, Dave Loew began to dig in for more product. Already corralled was all Metro, United Artists, half of Paramount and Warner, a Capo major picture property, RKO ranks where they had been consigned for several seasons, come Universal and Columbia. Beyond question, Loew thereby steps into a position in point of picture availability...

RKO maintains its poise and insists (1) the battle is over and (2) there is nothing to worry about. While the emente corrald which has prevailed from time to time between these two major metropolitan circuits has only been, for the moment, a holding action again is, the understanding has prevailed more often than otherwise that each was to leave the other fellow's backyard alone. This was the standard now flying bravely in the breeze, on the other hand, may yet be pulled down. There was the time, only a season back, when RKO was in the position Loew is now in...

Schenck needed pictures and told Harold B. Franklin so at the time. He got the product and, therefore, a favor at the same time. What happened once may happen again. Even giants have found it good business to be co-operative. Aside from that, next season may find RKO sitting where Loew is today. Potentially in the sweetest spot of all is Johnny Clark with Fox, the most natural and majorof line of product. If the franchise which Skouras and Randolf insisn't is found not to be theirs, a deal with RKO will be possible. Clark then will collect plenty and right down the line...

Lou Cohn, Spingold Back
Jack Cohn and Nate Spingold returned to New York yesterday after their trip to the coast yesterday after their trip to the coast following the western sales meet in Chicago.

Mayer Coming by Plane
Hollywood, July 17—Harry Cohn is expected to leave by plane for New York the end of this week.

Lou Brown's Dad
Washington, July 17—Mrs. Shirley Brown has presented Lou Brown, local publicity chief for Loew's, with a five-pound baby girl. Both Mrs. Brown and child are doing splendidly at the Sickley Hospital.

Big Musical Planned
Hollywood, July 17—Walters are planning a super musical for fall production featuring Al Jolson, Dick Powell and Rudy Vallee.
BRIGHTEST PAGE
in motion picture history!

M-G-M STAR SPANGLED BANNER
1934-35

AMONG THE SPECIALS

THE MERRY WIDOW
Ernst Lubitsch's production, starring Maurice Chevalier, Jeanette MacDonald, Irving Thalberg, producer.

CHAINED

DANIEL ANTONIO DI

MUTINY ON THE BOUNTY

THE GOOD EARTH
Pearl S. Buck's best-seller. Adaptation by Frances Marion, George Hill, director. Irving Thalberg, producer. Cast to be announced.

MARIE ANTOINETTE
Norma Shearer, Fredric March, Charles Laughton in illustrious stage play. Director, Sidney Franklin.

THE BARRETT'S OF WIMPOLE STREET
Norma Shearer, Fredric March, Charles Laughton in illustrious stage play. Director, Sidney Franklin.

ONE CONSTANCE BENNETT

ONE ANN HARDING & ROBERT MONTGOMERY
in "Biography of a Bachelor" based on the stage hit "Biogra- phy." By S. N. Behrman. Screenplay written by Anna Losk and John Emerson. Ann Harding, composer. 20th Century.

STAR PICTURES
ONE JOAN CRAWFORD
TWO JEAN HARLOW
TWO WALLACE BEERY
ONE CLARK GABLE
ONE ROBERT MONTGOMERY
ONE JEAN PARKER
TWO WILLIAM POWELL
ONE WARNER BAXTER—MURNA LOY
ONE RAYMOND ROVARO
ONE GLORIA SWANSON
TWO MARION DAVIES
ONE JEANETTE MACDONALD
ONE MARIE DRESSLER—WALLACE BEERY
ONE HELEN HAYES
TWO LIONEL BARRYMORE

SHORT SUBJECTS
(Two Reels)
HAL ROACH M-G-M COMEDIES
3 LAUREL & HARDY
6 CHESLEY CHASE
7 IRVIN S. COBB
8 TODD-TOMMY
9 OUR GANG
6 M-G-M MUSICAL REVUES
IN TECHNICOLOR

FOUR COSMOPOLITAN PRODUCTIONS
Just an idea of the Cosmopolitan line is The Thin
Lizzie, "Miss America," "Miss America," "Miss America," "Miss America," "Miss America," "Miss America." The
Cosmopolitan Productions get national advertising and
publicity through the Hearst chain of newspapers.

FOURTEEN MARQUEE PICTURES
Some of the pictures for the coming months include:
"The Honeymoon," "The Honeymoon," "The Honeymoon," "The Honeymoon." For a period of several weeks, M-G-M have shown a high rating for comedy entertainment deliveries.
A Great Novel
Becomes an Even Greater Picture!

With This Splendid Box-Office Cast:

FRANK LAWTON—JANE WYATT—MRS. PATRICK CAMPBELL—COLIN CLIVE—LIONEL ATWILL—REGINALD DENNY—C. AUBREY SMITH—HENRY STEPHENSON—KATHLEEN HOWARD—ALAN MOWBRAY. Screenplay by R. C. SHERRIFF.

A JAMES WHALE PRODUCTION for

UNIVERSAL
Film Pledges To Be Sought In Homes Here

(Continued from page 1) sustained and determined effort to purify the industry. I am against indecency portrayals of crime and lewdness," Father McCaffrey continued.

It was further announced that all civic societies, clubs and associations should be supplied with pledges, and that all members of these organizations be requested to sign them and to support the campaign. It was revealed that many requests for pledges have already been received, and these will be sent out shortly.

With the opening of schools in September, a drive was also started to enroll every child attending school in Greater New York. This will include colleges, high schools, grade schools and kindergartens.

Critical Cancellation Plan

The committee also went on record as being dissatisfied with the recent arrangement of the Hays office whereby exhibitors were required to attend meetings at least once a month, for example, to July 15 on moral grounds.

It was felt that this was a step in the right direction, but that it did not go far enough and that some preparation should be made for the cancellation of product after that date.

In the matter of future supervision, the committee will be guided by the national Protestant, Catholic and Jewish organizations, since it is only a local effort that is involved.

The meeting was presided over by Father McCaffrey. The other members of the committee were: Rev. Henry Carpenter, secretary of the Brooklyn Church and Mission Federation; Rabbi Sidney E. Goldstein, associate rabbi of the Free Synagogue; Rabbi William F. Rosenbloom, Temple Israel, and Rev. Frederick B. Nevel and Rev. Walter M. Howett of the Greater New York Federation of Churches.

Philaehila, July 17—Endorsements of the clean film drive have been made by many Protestant pastors, according to Rev. Dr. Percy Stockman, chairman of a committee of the Philadelphia Federation of Churches, which is making a call for support from all Protestants.

Englewood, N. J., July 17—Posting of a weekly "white" list of films will be started Sunday by Rev. Albert H. Dolan of St. Cecilia's Catholic Church. To date, 1,200 legs of the Legion of Decency pledge. Exhibitors blame block booking for their troubles, and meetings are being held with him, says Father Dolan.

Portland, July 17—Improvement in the moral tone of films and the eventual inclusion of a course in picture appreciation in high school courses are among the aims of the Portland M. P. Council, which has just completed its organization. Mrs. S. E. F. American Assn. of University Women, is chairman, and Mrs. Hugh Smith, Parent-Teachers' Assn., is secretary.

Omaha, July 17—No resolution favoring the present drive on objectionable films was voted at the convention here of the Walther League, which decided to continue its stand taken last year against indecent pictures rather than align itself with the current campaign. The league, however, has promised its cooperation to the Walther campaign.

The league plans to form a better films committee here in September. Its basis will be a similar committee of the Omaha Federation, consisting of all church groups, parent-teacher associations and women's clubs have been invited to appoint representatives. A local committee will keep in touch with developments on the coast.

Breen O. K.'s 11 Features

Hollywood, July 17—Fourteen features and 12 shorts were certified today by Joseph B. Breen. Features approved were "The Catpeud" (Harold Lloyd): "Housewife"; "Friends of Mr. Sweaney" (Circus Clown); "Madame Du Barry"; "Here Comes the Navy"; "Kansas City Princess"; "Perry of the Terror"; "Mr. Maddox" (Warners); "Copstipia" (Paramount); "Our Daily Bread" (G. A.); "The Night of the Shoes on the Blind Date" (Columbia).

Ad Men Meet Milliken

Advertising and publicity heads of M. P. D. A. member companies met yesterday with Carl E. Milliken and J. J. McCarthy at the New York offices of Universal to discuss films and theatre advertising policy. The meeting was described as "routine" by both Milliken and McCarthy.

Allied Meets at Shore

Asbury Park, July 17—The regular meeting of Allied of New Jersey was held at the Berkeley-Carteret here today with Sidney Samuelson presiding.

"Cuesta Abajo" ("Downward") (Paramount)

This is the first of a series of Spanish films being produced at Eastern Service Studios by Paramount starring Carlos Gardel. The Argentine star is little known in this country, but previously has produced two for Paramount in Paris. He is said to be the idol of Spanish-speaking countries.

Gardel sings several numbers. His voice is remarkable. It has warmth and power and he sings with graceful ease. George Webber has done an unusual job of photography and Louis Gasnier's direction is neat. Mona Maris is made to appear extremely beautiful.

Even non-Spanish-speaking audiences who enjoy good singing and an engaging personality can find pleasure in this feature.

"I Give My Love," Monday night's premiere at the Mayfair, was reviewed by wire from Hollywood on May 22.

"His Greatest Gamble," last night's premiere at the Rialto, was reviewed by wire from Hollywood on June 18.

"Grand Canary," tomorrow's opener at the Radio City Music Hall, was reviewed by wire from Hollywood on June 15.

"One Night of Love" Impresses Londoners

By BRUCE ALLAN

LONDON, July 17—"One Night of Love," presented an encore last night at its opening in the Prince Edward Theatre tonight. Officials of all the important companies were present.

Grace Moore's singing was regarded as a new high in recording.

Dine Spanish Writers

Paramount was host yesterday at Studio B to a group of about 40 Span-

ish-speaking correspondents, some of whom are connected with New York publications, but most of them with Central and South American papers.

Eugene Zukor was present. Following the luncheon "Cuesta Abajo" was shown in the Paramount building. This is the first of a series in Spanish starring Carlos Gardel, Argentinian actor and singer.

A.T. & T. Earns $61,999,195

A. T. & T., which controls Western Electric, earned $61,999,195 in the first half of the year. This does not reflect the current deficit of Western Electric. This figure represents $3.32 a share for the first six months and compares with $2.40 per share for the same period last year.

Nolan Wants to Quit

Hollywood, July 17—John Nolan, who is now recuperating after several weeks at the Cedars of Lebanon Hospital, has asked that he be relieved from his Australian post by Fox. He plans to rejoin the New York sales force when he has recovered.

Hawks on "Sutter"

Hollywood, July 17—Howard Hawks has been signed by Universal to direct "Sutter's Gold," thereby clinching the company's intention of making it for its 1935 program. Edward G. Robinson and Richard Dix have been considered for the lead.

Sloane Beats Schedule

Hollywood, July 17—Paul Sloane, directing "Four Walls" for M-G-M, brought the production into the cutting rooms in 18 days.

Technicolor in Paris

Hollywood, July 17—Natalie Kal-

mus leaves Wednesday for Paris where she proposes establishing offices for Technicolor and collaborating with several French producers on the color process.

Philadelphia Closing Plan Is Discarded

(Continued from page 1)

Radio to Do Feature

In New Technicolor

Radio has completed a deal with Pioneer Pictures, headed by John Hay Whitney, to produce a feature, "The Three Musketeers," in the new Technicolor process. This is the process used in the short, "La Cucaracha," which is to be released soon.

The feature will go into work about Oct. 1, and will be ready for release, it is expected, about Jan. 1. The deal was closed by Whitney with J. R. McDonough and B. B. Kahane, who acted for Radio. Kenneth Mac- Gowan, who directed "La Cucaracha," and Robert Edmond Jones, who designed the sets, will act in the same roles as on the new feature.
TO THE PRAISES OF THE CRITICS... ADD THE PLAUDITS OF THE CROWDS!

While critics honor this mighty entertainment as "a notable addition to cinema's best"... $2 Criterion audiences... caught its emotional tide... are swept to laughter, tears, sustained applause. Audience reaction... true guide to box office power... marks "The World Moves On" as a picture truly great!

THE WORLD MOVES ON
"THE LOVE STORY OF A CENTURY"

with
MADELEINE CARROLL
FRANCHOT TONE

Produced by Winfield Sheehan
Directed by John Ford
Story and screen play by Reginald Berkeley

A FOX PICTURE
Loew Gets 'U,' And Col.; RKO Rift Widens

(Continued from page 1)

cross split, varying in competitive zones but not touching part of the "U" lineup will go to Skouras Theatres, Randorfe and the Century circuit. Loew also has annexed the right to play the "R" line, with the exception of its other theatres, but not in neighborhood first runs.

Columbia's deal also marks a sale away from RKO. It is understood to have been precipitated by the charge RKO failed to live up to its commitment to play 11 Columbia the big half of the week during the season about to close. Loew is reported to have purchased 17 of Columbia's new list for the remainder for other of its theatres.

This gives the Loew circuit as available from M-G-M; 30, or half, from Paramount; 30, or half, from Warners; 18 from Universal, 17 from Columbia and 10 from United. The Loew holding a long-time franchise with the circuit renewable each season subject to agreed upon terms which may be amended and subject to copyright may be picked up by Loew at its discretion and again subject to terms.

As against this, RKO has available 50 from Radio Pictures; 30, or the second half, of Warners; and 30, or the second half, of Paramount. In the balance, 17 is available from Metro or not a deal with RKO is possible appears undetermined at the minute.

Franchise Is Involved

Involved here is an extended franchise war which is now between Skouras Theatres and Randorfe and turned over to the RKO circuit when the latter made its booking deal with the former. The RKO circuit will be possible, thereby confronting those theatres with a product shortage which disinterested bystanders declare will be extremely serious. The only other remaining product which then would be available on this basis would be independent attractions.

The strained relations between RKO and Loew are understood to be traceable to plans made by the former to take over additional houses in zones which would become Loew-dominant in the event the Loew-Warner bid for Fox was not successful. RKO officials, voicing opinions privately, regard their acquisitions, actual and potential, as necessary to protect their own circuit's position in the metropolitan area. Loew, on the other hand, is known to feel RKO has stepped into situations competitive with its existing theatres.

In the meantime, the surprise film history of "The House of Wax" over the last seven days has been one of calm and assurance at RKO where the attitude is reflected by this comment: "The show isn't over yet. Just wait and see."

Petersburg to Get Film with Richmond

WASHINGTON, July 17.—Three cases have just been decided by the clearance and zoning board.

The board ruled that Richmond's 14 days over Petersburg were unreasonable. Richmond was ruled to be in the third district and Petersburg to be in the first. Richmond is 14 days, Petersburg is 14. The court found that Richmond's position in a poor district was the reason for the different rulings. Petersburg is 14 days, Richmond is 14 days and another district is the reason. The order 14 days is Petersburg, Richmond 14 days, Gary 14 days.

(Continued from page 1)

Percentages, Unclean Films Hit By KMTA

(Continued from page 1)

vice-president. The following were elected directors for Kansas: E. B. Danielson, Russell; Sam Blair, Belleview; and F. Blomberg, Kansas City. Kan. Missouri directors were elected as follows: Frank Wearsy, Richmond; Edwards and Mrs. A. Baer, Kansas City, Mo.

H. R. Bickehe, K. M. T. A. secretary-treasurer, was chairman, stressed the necessity of a strong organization in view of impending legislation in Kansas for a state sales tax and in Missouri for an amusement tax.

Other speakers were Lester Martin, secretary of Allied of Iowa and President, Judge Emmett Them, counsel for the Rocky Mountain Theatre Owners' Ass'n.

The meeting was a resounding opposition to M-G-M's invasion of the theatre field and another, introduced by C. A. Schultz, head of Commonwealth Theatre Advertisers, told the boarder to take effect July 25 unless the plan is reformed. The plan was found not satisfactory to the grievance board prior to the hearing.

Victoria, Texas—Rudolph Freis vs. Jefferson, 111., 111., was decided for Jefferson by the appeal board. Freis was ordered to take $100 from Jefferson for Jefferson's execution of Parma. Jefferson's release was ordered, his time in business is modified to be effective for one year only.

Schein Found Overbaying

LOCKPORT, N. Y.—Reliance Theatres vs. Schein Theatre Co. Greer's board found that Schein was overbaying and should release 17 features to Reliance after a demand. Schein is required to release Greer's board order to service the theatre. Greer's board ruled that the contract is cancelled because Schein is not adhering to the policy of the Clearing House.

McHarg, E. H.—Holliston, 111., 111., cases were decided for the Clearing House. McHarg, E. H., is said to be non-adherence. The case is brought on the ground that McHarg, E. H., is not adhering to the Clearing House policy.

Case in Point

A case in point is the following: A series of films were presented by a Clearing House firm to a Clearing House firm. The Clearing House firm presented the same set of films to another Clearing House firm. The second Clearing House firm presented the same set of films to another Clearing House firm.

The case is brought on the ground that the Clearing House firm is not adhering to the Clearing House policy. The Clearing House firm is said to be non-adherence. The case is brought on the ground that the Clearing House firm is not adhering to the Clearing House policy. The Clearing House firm is said to be non-adherence. The case is brought on the ground that the Clearing House firm is not adhering to the Clearing House policy.

McHarg, E. H.—Holliston, 111., 111., cases were decided for the Clearing House. McHarg, E. H., is said to be non-adherence. The case is brought on the ground that McHarg, E. H., is not adhering to the Clearing House policy.

Johnson on Code

HOLLYWOOD, July 17.—Administrator Johnson is scheduled to deliver an address in the Hollywood Bowl Friday. His subject matter is expected to touch on films and the NRA code.
The Decency Campaign—Inside and Out
By MARTIN QUIGLEY

WHEN in recent weeks the current campaign of protest on motion pictures became discernible in the huge proportion it has assumed, the motion picture industry found itself at the bar of public opinion, confronted with the severest test it has encountered in its whole history.

That such a test should finally have arrived was a matter of little surprise to many persons in the industry, including the writer, who during many years and on innumerable occasions in these columns has called attention to the gathering of the storm clouds.

The warnings from this and many other sources, inside and outside the industry, were largely disregarded. Hollywood continued to make some pictures which were violently at conflict with the requirements of mass entertainment and—what was considerably worse—to include in many otherwise wholesome film sequences and bits of dialogue which reeked with vulgarity and obscenity.

Many persons in the production branch of the industry proved, virtually to the satisfaction of everyone except themselves, that they had fallen distinctly out of step with the march of public opinion.

An increasingly larger proportion of the product became out of tune with the thoughts, tastes and habits of the American public. Exhibitors everywhere, through their intimate contact with the general public, reported an increasing resentment. The industry's income suffered and except for the tremendous attraction of the motion picture which had long since been the public favorite amusement, it would have suffered a great deal more.

Private protest was rampant. Finally a vast public protest, through the Legion of Decency campaign, became both distinctly audible and distinctly articulate. The rising tide of resentment against invasion of American morality had found effective expression. Catholic organization and unity had given voice to a national reaction. The wonder is not that this public protest finally arrived, but rather that it did not arrive sooner.

More Intelligence and More Decency
Could Have Averted Hurt to Industry

The industry has been hurt and hurt severely—not only in the loss of immediate revenue but also in the loss of a vast public goodwill. There has been a loss not only of much goodwill but also another loss in the fact that much of the enormous public interest in motion pictures, which does so much to keep alive the theatre-going habit, has been diverted in the direction of critical and destructive discussion.

All of this is unfortunate, extremely so, especially because it might so easily have been avoided had there been a little more intelligence in many places and a little more common decency in some places.

Those whose recalcitrance made possible these hurts to the industry, which could not have been inflicted had not the industry permitted itself to become vulnerable, have no cause to complain. Their stubbornness against advice, their wilful escapes from safeguards which authorities of the industry were attempting to arrange about them not only made possible but welcomed the national protest and its attendant consequences.

For more than four years the industry has been publicly committed to a reasonable and workable plan of self-regulation. Throughout all of this time Mr. Will H. Hays and his assistants

Most of New Code Signers
Already Paid

Had Sent in Assessments To Get Cancellations

Exhibitors who are taking advantage of the final opportunity for signing assessents to the code are largely those who have paid their code assessment in order to obtain the 10 per cent cancellation now being offered yesterday at Campi headquarters.

Approximately 359 exhibitors paid assessments to obtain the cancellation privilege without signing the code. The bulk of these are now filing their affidavits with the reopening of code signing.

A Campi appeal committee consisting of W. C. Mehegan, chairman; Frank McCarthy and Joseph Seidler heard

New Companies Get
3 St. Louis Houses

St. Louis, July 8.—In furtherance of their plans for the rehabilitation of the Ambassador, Missouri and Grand Central interests represented by the architects' protective committees have formed new corporations to hold the properties. The companies are the Ambassador Building Co., and the Missouri Theatre Building Corp.

They propose to lease the theatres to operating companies being organized by Allan Snyder and Harry Koplar. The operating companies are

Most Get First Run
Showings-Johnston

BUFFALO, July 8.—"We must have first run showing in every town this season," W. Ray Johnston, president of Monogram, declared during a visit here.

Johnston, accompanied by C. King Charnay, American distributor of Agfa films, stopped off to see Jack L.

Frisco Houses May
Reopen on Friday

SAN FRANCISCO, July 18.—While the general strike here appears to be showing signs of collapse, theatre executives have agreed not to reopen their houses until word comes from the Central Labor Council that they may do so. It is predicted local theatres will be relighted Friday. The strike is causing the general re-booking of films.
Jury Again Refuses Memphis Indictment

MEMPHIS July 18.—A double wodge has now been in the fight for Sunday shows, as the Grand Jury has refused for a second time to return an indictment against Charles Menging, City Manager, for his Sunday sandwich show.

All downtown houses were open last Sunday. Warners, Loew's, and Loew's Palace opened with a $50 guarantee each to the Memphis Community Fund and with no sandwiches. Col. Cecil E. Vogel, Loew's manager, and William Hendricks, Warner manager, were arrested with Mensing.

M-G-M Trailers Hit By KMTA Resolution

Resolutions objecting to M-G-M's proposed distribution of its own trailers next season were adopted by the K.M.T.A. convention in Kansas City, and were wired in full to the Motion Picture Daily by A. F. Baker, president.

The resolution says no question of quality is involved and that the trailers would be an increased expense to exhibitors. Members are urged to resist any attempt on the part of M-G-M to force the sale of their trailers with features.

"Happy Returns" Top Of Herald Champions

July "box-office champions" picked by the Motion Picture Herald and headed by "Happy Returns." There are seven on the list. The other six are: The Thin Man, "Little Miss Marker," "Little Man, What Now?" "Operator 13," "Glamour" and "Smartty."

Bernhard to Distribute

LONDON, July 18.—Negotiations are progressing according to Fred Bernhard, who recently returned from a five-week trip to New York, whereby he may return to distributing if he succeeds in locating a lineup of independent American product, he claims, and should the deal materialize, "Bernhard" will become the concern's product to be provided by America.

Eastman Up 3½% on Big Board


Paramount Signs Landi

Hollywood, July 18.—Paramount has signed Elia Landi, a long-term contract. His first will be "Enter Madame."

Plan Northwest Circuit

PORTLAND, July 18.—Paul R. Aust and others have incorporated Independent Theatre Owners, Inc., for the purpose of operating a circuit.

Mississippi Group Forms a New Ass'n.

JACKSON, Miss., July 18.—The group driven in the Mississippi M. P. T. O. A. has been formed here with R. X. Williams of Oxford as president.

Leaders in the new organization hope to maintain friendly relations with Tri-State and the M. P. T. O. A. since Williams is secretary-treasurer of the latter.

Other officers elected were: Vice-president, J. A. West, Philadelphia; secretary-treasurer, Elder Elkins, Abbeville. The opening meeting has been set for October.

Formation of the association was due to a belief of the Mississippi exhibitors that they should have an organization confined to the problems of their own state.

"I" Office Abroad Is Moved to London

Universal is shifting continental headquarters to London and, at the same time, has withdrawn from Germany, Max Friedland, Berlin manager, will handle European supervision from London.

United Artists was the first major company to concentrate continuous control in London under Maury Silverstone. Warners was the first company to step out of Germany, as reported in Motion Picture Daily from the company's Atlantic City regional meeting some weeks ago.

Bergner as "Joan"?

LONDON, July 18.—Elizabeth Bergner will essay the lead in George Bernard Shaw's "St. Joan" next season for C. B. Cochran, according to local sources. Shaw is also said to be revising the play for film production.

Katharine Hepburn originally was slated to do "Joan of Arc" for Radio next season, but the picture has been set back and may not be made at all.

Mitzi Green Returning

Hollywood, July 18.—Mitzi Green, now 16, will make her return to pictures after a long absence in an ingénue role in Reliance's "Transatlantic Mystery-Romance," which United Artists will release.

Paramount Bond Issues Decline

Technicolor Rises ½ on Curb

Up

High

Low

Close

Net

Change

Sales

Technicolor

Trans Lux

Paramount Bond

Issues Decline

Up

High

Low

Close

Net

Change

Sales

General Theatre Equipment 6s 4% 67½—67½—+ ¼ 10 Keith, B. F. 6s 4⅔ 67½—67½—+ ¼ 15 Paramount Bond F, 6½ 6½—6½—+ ¼ 10 Paramount Bond F, 6½ 5¾ 6½—6½—+ ¼ 10 Paramount Bond F, 6s 4½ 6½—6½—+ ¼ 10 Warner Bros. 6½ 5¾ 6½—6½—+ ¼ 10 Warner Bros. 6s 5½ 6½—6½—+ ¼ 10

Set Up Runs Fair

Monogram reports first run deadline closed for "Jane Eyre" at Warner Carleton, Philadelphia; the Stanhope, Atlantic City, and the Uptown, Kansas City.

Goldwyn May Do "Oz"

Hollywood, July 18.—Having once cancelled "The Wizard of Oz" Samuel Goldwyn is withdrawing his objection to the picture. This year, providing a treatment suitable for both child and adult audiences can be worked out. Tests of key players are under way.

Two Join Mundus Staff

William G. Minder and John Franconi have joined the Mundus Distributing Corp., as sales representatives on the southern territory. Minder will cover Charlotte, New Orleans and Atlanta, where he will make his headquarters. Franconi will cover the Dallas territory.

N. L. Nathanson Salien


ILLY MESSINGER, who has been in the Radio story department for four years, has been appointed English representative for the department. She will succeed Miss Baker.

CHRIS BUCKLEY, Albany first operator, won't be telephoning friendly late for a little time now. Jim has his supplying the cure as he can explain.

HEBB CRUIKHANK posts regarding Fromont-Stratford-on-Avon, mad famous by a fellow named William Shakespeare.

MRS. MARTHA FAIT, wife of Warner's general manager in Rio Janeiro, arrives today on the American Legion.

AMES Bour, D. W. Dowling, eastern representative for RKO Export Corp., is in town. He arrived on the Olympic.

WESLEY EDDY will go back to the Roxy as master of ceremonies as soon as he finishes his current radio and stage engagement.

MORRIS KINZLER posts from Camp Hornick in the Adirondacks are addressed by himself as "ye olde vacationer."

VERREE TRASEDALE is in town on shopping trip prior to her marriage to Mr. Jnos.

HAROLD B. FRANKLIN is summering on the Connecticut shore, near Darien.

JOE R. GOLTE, M-G-M manager, is arriving today on the American Legion.

DAVE PALFREYMAN has acquired new set of wires with which he punishes Queens' fairways.

LOU BROUK, Radio associate producer, came in yesterday on the Rover from a European vacation.

"40" Scrub becomes left yesterday in his Columbus, Miss., home.

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AUG. 18TH'S THE DATE
DAMES
A WARNER MUSICAL
“Sunday School Mien” No Need

Envisions No Serious Check On Film Types

Scores Those Who Seek to Foist Censors

situation, provided only that when moral delinquency is depicted it is used to tell the story or to establish the character and not for the purpose, or in the manner, of lustful exhibition. They do not think that dancing girls should be clad in coonskin overcoats but they are equally positive that there is a salutary value in the exposure of the feminine form in public entertainment.

They know that when this reasonable limit is transgressed it would not be permissible. They would know the reasons which need no detailed exposition here.

Out of the temper of the day it is perhaps inevitable that many such concerns with production should imagine—in the absence of exact knowledge of their own and in the presence of confused and vague assertions on the part of the public—that the theme province of the motion picture will have to be seriously restricted in order to conform with popular demand and that they will be expected generally to assume in their work a Sunday-school mien.

This, definitely, is not needed and not expected. Every reasonable demand as to the character of pictures may be answered and there will still remain all of the scope that is desired or desirable in the selection of themes and in the writing of treatments.

It now appears that many custodians of the public welfare who for many years quite neglected to take the motion picture and its social consequences seriously—when they might have done so so well—will now learn something of the size and complexity of the question—have suddenly become aware of the vast publicity which has been directed toward motion pictures, with rather detailed plans as to what should be done about it all. Unfortunately, most of such plans are predicated on the fundamental assumptions involved that they serve at this time only to delay and handicap the movement toward the commonly desired objective.

In the face, for instance, of a long record of municipal and statewide censorship of motion pictures in which the accompli

(Continued from page 1)

(Continued from page 5)
Necessary in Accomplishing Moral Rebirth

(Continued from page 4)

ments have been virtually nil we find many of the oversight experts axiomatic in the thought that they have hit upon a solution of the problem and the solution which they urge is that the clumsy and not too honest or genuine hand of political censorship be laid upon the motion picture.

If the industry were not seriously inclined to win and retain the goodwill of the intelligent leaders of public opinion it might welcome censorship as a means of quickly putting an end to many of its past and current difficulties.

Under censorship the industry could conduct its dealings with the political appointees of the censor board to whom the public would be politely advised to address itself. The standards of the boards would be the varying standards of the day, subjected to such modification from time to time as circumstances required. The industry organized and exceedingly active political minorities could effect.

Then there are those proposed solutions of the problem which are predicated on the introduction in various localities of specializations. Procedure. These lose sight of the fact that the motion picture industry is a nationally organized concern and that it can no more enter into specialized arrangements for particular localities than it could entertain propositions to enter into similar compacts with particular groups, associations and societies. These, also, are distinctly un-catholic in character because they assume that the public in one locality is entitled to have or needs to have pictures different from those the public in every other locality is entitled to have and needs to have. The principles which the industry is committed to maintain in its motion pictures are universal in character and changeless as to the passing of time. The resultant pictures will be and must be equally as acceptable in one place as in another.

The whole public and not some particular segment of it must be served and in a uniform manner.

The only workable and reasonable attack on the problem is the one which comprises the proper regulation of the product at the source of its production. This obviously can only be done by those who control production. And even though it were possible to interject some other influence at the source of production—or at any other point between the studio and the screen—the authority which is the producer's should be left with him and, more especially, the responsibility should be left with him.

The effort of those who control production, to adjust the character of the product in keeping with sound and reasonable ideas of morality is not a new effort. Nearly a quarter of a century ago, in the midst of the infancy days of the industry, the Na-Bomor Code reviewed was organized. It is true that it failed to accomplish the desired results but the record remains as proof that the industry recognized its responsibility and sought to discharge it.

Cites Code Effort Launched in 1930

When Will Hays some twelve years ago entered the industry he immediately proceeded to draft certain regulations governing the moral character of pictures. These regulations were found to be inadequate and even incoherently they failed of effective application. But still the effort was made.

In 1930 through the Production Code of Morals the industry entered upon the soundest and broadest plan of regulation which had ever been thought of or attempted in the whole history of theatrical entertainment. Remarkable results of enormous proportions were accomplished through this Code. Those who deny this fact are exposing themselves to the charge of simply not knowing what they are talking about. It is true that while this Code as applied from 1930 to date accomplished much it did not accomplish enough. But to hold the industry alone accountable for failure to accomplish adequate results is in the first place neglecting to consider the frailty of man and in the second place neglecting to understand that the Code did not have active support of the industry's appointed public opinion; that the source material of the producer was constantly becoming muddier through the lowering of moral standards in the popular novel and stage play and that many millions of our fellow citizens, including great numbers among the ecclesiastical followers of those who are now the industry's chief critics, concerned themselves not at all with the moral significance of motion pictures and did in fact freely tolerate those types of pictures against which complaint is now being made.

Tolerance Towards Industry Is Urged

The motion picture industry can do much and will do much but it cannot perform miracles. If the desired objective is to be attained there must be patience on the part of the industry's methods, problems and efforts. The fact that such patience and such sympathetic understanding is entertained in the highest councils of the campaign of protest is a brilliant ray of hope illuminating the prospect of a great accomplishment to the end of enabling the motion picture consistently to be a healthy influence on the character of the people and at the same time rendering the industry a healthier and more secure business.

The motion picture needs the intelligent guidance of a uniform and united public opinion. The great objective of the aroused public opinion is in the question of the moral character of motion pictures is being jeopardized by the lack of such uniformity.

This is common to all people everywhere. Methods of correcting the evils which will be effective at all will be effective everywhere. Great numbers of people can be kept away from motion pictures for the time being and perhaps indefinitely. But such procedure would only be indicated if the motion picture were an evil thing which it is not. Hence any campaign which has no objective other than to keep people away from motion pictures is not reasonable. Such campaigns which have been undertaken obviously must be intended somehow to influence the producers who have the industry's authority and also the responsibility of the character of the product.

That the producers have been

Reprints Available

Reprints of Martin Quigley's editorial, "The Decency Campaign—Inside and Out," will be available for a limited period at 10 cents a copy, or $5 a hundred.

influenced is a matter of public record. What they propose to do now, in a uniform, national manner toward discharging their responsibility is likewise a matter of public record. Questions of their good faith is naturally something that only time will tell. However, the quality of their present efforts, their intelligence and workableness is something susceptible to immediate proof.

If, then, the plan is what it is represented to be—and if it is the soundest and safest means of reaching the desired objective—those genuinely interested in its accomplishment should see to it that the necessary support of public opinion is maintained; that the necessary help and encouragement is extended to its numerous interpreters and thinkers are not allowed to imperil the achievement of a great moral victory.

Pastor Gives Films Blame for Drought

BUFFALO, July 18.—Films have been blamed by Rev. Alvin G. Haase for the summer drought. Calling all who believe in the efficacy of prayer to gather at his Bales Baptist church here for the purpose of praying for rain, the reverend declared the seared fields and crop destruction by insects this summer is punishment by God for the nation's transgressions.

Among these he listed: "Filth in our movie theatres; cheap, lurid and often immoral magazines filling our newsstands.

Buffalo Councilman To Ask Film Action

BUFFALO, July 18.—A resolution placing the Buffalo city government on record as opposed to the film movement will be presented to the Common Council July 24 by Councilman--Large Martin O. Bement. The resolution says in part:

"Those of us who have small children and all of us who are endeavoring to lead clean and respectable lives have come to the conclusion that the day has passed when movie producers shall fatten their wallets by turning out inferior products that appeal only to the baser elements.

COLUMBUS, July 18.—"The Legion of Decency has won its fight for clean pictures," declared Rev. Henry Grimmesman, rector of the Pontifical College Josephinum here and chancellor of the Council of Bishops of the American hierarchy, in speaking before the convention of the state branch of the Catholic Central society in session at Sewentown, Pa.

Iowa Houses Opening

Des Moines, July 18.—Iowa theater operators are arranging to have their features out. The list are: Monte, Monticello; Palace, Extra and Pell, Pella.
**Clean Film Drives Draw Writers' Fire**

**MOTION DAILY**

**Thursday, July 19, 1934**

**Hollywood, July 18—**The Screen Writers Guild and the Authors' League of America yesterday loosed a counter-blast against certain phases of the present campaign against indecent films. "An grinding of special interests," was charged.

The writers expressed resentment at the "intolerance, brutality and injustice and in some cases outright falsehood which characterize certain expressions of protest against "evidences of vulgarity and bad taste" in pictures."

A statement issued by heads of the writers' organizations said, in part, the "seal of reforming bodies always remain unsatisfied until it has reached the point of no return as to whether the American people as to what they may or may not see."

**ITOA Laying Plans To Fight Campaign**

(Continued from page 1) as announced at next Wednesday's meet-

**ing for exhibitor action in connection with the**

It was stated at the meeting that Lowell Mason, former counsel for the NRA Review Board, will discuss the church campaign on WOR, tomorrow night.

**Kansas City, July 18—**With issuance of a Legion of Decency call by Bishop Francis Johannes of the Lev-

**antinos, objectionable films is making rapid headway among Catholics in Kansas. Bishop Johannes is the third head of a diocese in less than a year to call in the movement in Kansas-Western Missouri. Two bishops in this territory are still to be heard from, those at Wichita, Kan., and St. Joseph, Mo.

A tentative report on the Legion of Decency progress in Kansas City, Mo., which is the diocese of Bishop Thomas F. Lillis, indicates that close to 20,000 pledges have been signed in the church, while all signed pledges have been turned in at St. James Church, the largest Cath-

**olic parish here.**

**St. Louis, July 18—**Archbishop Glennen estimates 30 to 40 Catholics in this diocese have signed the Legion of Decency pledges. He says a confer-

ence of parish leaders will be called later in the year to discuss the situation from every viewpoint.

Discussing recent Hollywood develop-

ments, the archbishop said: "I hope they will fulfill their promises, yet I hesitate to make a prediction in view of what has happened in the past. You must remember the motion picture pro-

ducers have had codes and censors, yet neither has succeeded in eliminating vulgar films."

**RICHMOND, July 18—**Last to join

**Use Stickers Now**

Detroit, July 18—Over 20,-

**000 auto windshield stickers re-

** cords at "Locomotion Against Movie" have been distributed through the Catholic churches in metropolitan De-

** troit. They were issued by the**

**Michigan Catholic, diocesan**

**newspaper.**

the church film drive is the Bishop of Young People's Union of Virginia. Presbyterian and Methodists have al-

**ready followed the Catholic lead.**

**MARIETTA, O., July 18—**"Clean" and "unclean" film lists are to be issued here by Jewish Catholic and Protestant action under a plan being worked out by Rev. Fr. Robin and Rev. Max-

**well Hall.**

**LAKEFIELD, O., July 18—**Seeking better pictures and boycotting un-

**desirable ones is the way to settle the**

**film problem, according to resolutions adopted by the Luther League conven-

**tion here.**

**"Bondage" Is Washington's Two-Day Stir**

**WASHINGTON, July 18—**In a week of film going here today. At that mo-

**ment "The Thin Man" was the only attraction to stir up any excitement here. In two days at RKO Keith's it piled up $5,300, mo-

**re than a thousand dollars. "The Thin Man" was able to catch in the first five days of the week.

**"PRIVATE SCANDAL" topped par by $200 at Loew's Columbia by grossing $3,300. "The Thin Man" fell off to $900 at Keith's, but the picture was well received. As for other pictures, "The Thin Man" was held for a third. Busi-

**ness elsewhere was below normal.

**Total first run grosses were $90,500. Average is $71,000.**

**Estimated takings, exclusive of tax, for the week ending July 12:**

**HOLLYWOOD, July 18—**The Legion of Decency might well be considered the most serious threat and challenge to the Catholic, Protestant and other religious communities today. The purpose and principles of this organization are as follows:

- **To Canel in St. Louis**

**St. Louis, July 18—**Members of the League of Decency, O. P. O. decided at a meet-

**ing yesterday afternoon to call a moratorium of cancelling contracts on pictures held publicly objectionable. They agreed not to show any picture endorsed by the Legion of Decency—"The Life of Vergie Winters," "Laughing Boy," "Hold Tight Make 'Em Up" and "Here Comes the Groom."

These exhibitors will determine whether their theatres will extend the cancellations to include other films.

**Fire on Franklin Estate**

**BELLE ISLAND, Conn., July 18—**A garage fire on the estate of Harold B. Franklin here early today did $15,-

**000 damage. The flames were discovered by Lois Moran, a guest of Arch Sel-

**wyn, whose residence is adjoining.**

**In and Out**

**Cleveland, July 18—**The Hanna, which opened Sat-

**urdays with dual contrary to the theory which has been developed on the basis that the Scopus, which was the only fur-

**nace in 1933, is the only real rival.**
FACTS

in abundance

WHO'S WHO. Minute biographies of more than 10,000 people who made and are making motion picture history in every branch of the industry.

CORPORATE STRUCTURES, capital investments and annual financial summaries of the leading corporations. An important yearly survey of the state of the industry.

ANNUAL RELEASES, dates and titles, a resumé of thousands of pictures listed by company and alphabetically for quick and easy reference.

THEATRE CIRCUITS and Exhibitor Organizations. Checked for accuracy up to the last minute of publication.

PRODUCING AND DISTRIBUTING organizations, list of personnel in studio and home office including all exchange staffs.

FILM EDITORS of all the leading newspapers in the United States. Extremely valuable to producing organizations and to exhibitors.

EQUIPMENT. A survey of the whole field of theatre maintenance and a complete list of theatre vendors.

ABROAD. A perspective of the film situation in foreign countries and a list of important foreign film figures.

And countless other important items of reference will be found in the new 1934-35 Motion Picture Almanac—now on the press—$5.00 the copy.
Most of New Code Signers Already Paid

(Continued from page 1)

three coal companies from local boards yesterday. The cases were a complaint of reduced admissions filed by the Genevese, Buffalo, against the Carnegie, Rome, Colombo, Rialto and Eileen Terry; a clearance and zoning complaint brought by the New Preston, Baltimore, against the Ritz, and appealed from the Washington board's ruling, and a reduced admission complaint by the Kenton, Portland, against the Roxy. Decisions on all three were reserved.

The Campi appeal committee meeting tomorrow will consist of Charles O'Reilly, chairman; Charles Rosenzweig and A. H. Schwartz.

Two Loew Valencia Complaints Dropped

Two clearance and zoning complaints against Loew's Valencia, Jamaica, went over to the local boards yesterday after the complaints yesterday just prior to their scheduled hearing before the local boards. No reason for the withdrawal was given.

The complainants were the Regent and Bay Shore at Bay Shore, and the Palace, Paterson, New Jersey, and Rialto at Patchogue. Their protests were directed at the seven days' protection given the Valencia on February 11 under M. C. M. and United Artists product. All other product plays Bay Shore and Patchogue seven days after New York first run.

Coast Board Takes Stand on Lotteries

Los Angeles, July 18.—Following several recent actions against local lottery operations, the local grievance board has taken an emphatic stand against such practices on the ground that they constitute a violation of the terms for which a license was granted and tend to lower admission prices.

It is also declared that they are unfair to the box office and the industry itself and that the best standards of advertising and publicity will be maintained.

Fitzgerald on Code

RICHMOND, July 18.—The procedure for filing and hearing complaints, grievances and protests before local code boards was explained to the M. P. T. O. of Virginia tonight by James B. Fitzgerald, secretary for the Washington boards.

Fitzgerald outlined six major portions of the code and outlined procedures involved in filing and hearing cases under those sections.

Cleveland Delaying

CLEVELAND July 18.—The new grievance board has ruled no decisions will be released for publication until ruled upon by the board and board members and parties to the protest officially notified. The reason is that on one occasion the board made a decision, announced it and subsequently changed its mind.

Most of New Code Signers Already Paid

(Continued from page 1)

gets New Emblem

NATIONAL PHOTO

GRAPHIC ARTS INDUSTRY

NOV. 1, 1934

3101

222.01

202.01

182.01

162.01

142.01

122.01

102.01

82.01

62.01

42.01

22.01

02.01

00.00

The Code Authority of the periodical publishing and printing industry has issued the first in a series of emblems symbolic of acceptance of, and compliance with, the Graphic Arts Code.

This emblem superseded the Blue Eagle issued to Quigley Publications for compliance with the M.I.S.S. Mark-"Paras)."

The Code Authority has prepared a series of emblems which will be given an extended run at the Coliseum and "The Life of Vergie Winters" will be held at the Music Hall.

"Marker" at $7,500 Hits Seattle Top

SEATTLE, July 18.—"Little Miss Marker" took the lead here last week with $7,500 at the Fifth Avenue. Another first-week draw was "The Life of Vergie Winters" at $7,000 in the Music Hall.

"Marker" will be given an extended run at the Coliseum and "The Life of Vergie Winters" will be held at the Music Hall.

"Marker" opened at $29, 150. Average is $3,000.

Estimated takings for the week ending July 14:

SHE MADE HER BED (Para) $8,250. (Average, $3,500)
FICTION AVENUE (2,149), 24c-40c, 7 days. Gross: $7,250. (Average, $3,800)
LET'S TALK IT OVER (S., R.) $7,500. (Average, $2,900)
LIBERTY (1,660), 10c-15c-25c, 7 days. Gross: $3,100. (Average, $1,000)
COCKEYED CAVALIERS (Prem) $3,000. (Average, $3,600)
LIFE OF VERGIE WINTERS (Para) $6,250. (Average, $4,700)
HOUSE OF THE SQUARE BOX (Prem) $6,250. (Average, $4,700)
PRIVY TALK (2,050), 25c, 7 days. Gross: $3,200. (Average, $4,900)
PARAMOUNT—(2,059), 28c, 7 days. Gross: $1,600. (Average, $2,400)

New Companies Get 3 St. Louis Houses

(Continued from page 1)

The management arrangement with Fanchon &Marco.
Harry C. Arthur of New York is expected to make an arrangement between the Cinema and the Warner Theatre, which look after the five F. & M. theatres here. It is also rumored that F. & M. will acquire a number of other theatres in eastern Missouri and southern Illinois.

In the meantime the Shubert operation may mean that Warners have changed. The current report is that the actual closing will be moved up, although the official announcement is planned for July 24. Rumors persist that Warners are about to take over the Orpheum.

The Mercantile-Commerce Bank & Trust Co. has filed a foreclosure suit asking sale of the Shubert-Rialto Theatre building. Under a $20,000 deed of trust against the property, the bank alleges that principal and interest payments totaling about $50,000 are in default.

须 Get First Run Showings—Johnston

(Continued from page 1)

Berkowitz, head of the Standard exchange in Buffalo Monogram distributor. They were en route to Hollywood by motor.

Negative costs will be far higher than ever before," Johnston declared, "which means not only that we need first run dates, but that first run exhibitors must be of a type of product." "U" to Star Baby Jane

HOLLYWOOD, July 18.—Carl Laem- 
lee, Jr., plans to star Juanita Quig- 
ley, three-year-old find, within three months. She will also change her name to Jane Jane. She is now working in "Imitation of Life."

"Bondage" Is Big Holdover At Music Hall

"Of Human Bondage" maintained its strong appeal at the Music Hall. The take was $73, 000. This made $167,500 for the two weeks, which is big business at this circuit.

Another holdover, "The Thin Man" at the Capitol, with Duke Ellington and his orchestra, was good for $2,000. The Fox's "The $20,000 in its second week at the Roxy and was kept on for a third.

Estimated takings:

Week Ending July 10:

STRICTLY DYNAMITE (Radio) $8,000.
RIALTO—(2,000), 28c-40c, 7 days. Gross: $7,000.

Week Ending July 11:

OF HUMAN BONDAGE (Para) Radio CITY MUSIC HALL—(3,000), $35, 7 
week, 7 days. Stage show. Gross: $7,000.

Week Ending July 12:

THE THIN MAN (M-G-M) CAPITOL—(2,900), 35c-15c, 2 week, 7 
(4,500)adumes and rehersal venue. Gross: $24,800.
THE WORD (2,100) SAGAMORE—(4,500), 35c-15c, 2 week, 7 
Average, $5,500.
CRITERION—(3,500), 35c-15c, 3 week, 7 
day. Average, $6,000.
HELL CAT (Col) PALACE—(2,000), 25c, 8 days. Van- 
dale, Average, $1,500.
SHOOT THE WORKS (Para) PRESTIGE—(300), 25c-35c, 7 days. Average, $1,500.

Gentleman," Band Lead in Portland

PORTLAND, July 18.—In spite of the continued waterfront strike and the prospect of a general strike "Affairs of a Gentleman," which has had a good showing on his band at the Hamrick Music Box stage, more than doubled its normal take.

"House of Rothschild," brought back for a return engagement at Hamrick's Oriental, topped par for $700 at $2,700. "Viva Villa" was slightly off at $4,800 at United Artists and "Shoot the Works" and "The Great Flirtation" also failed to hit par at the Paramount.

First total run business was $24,700. Average is $2,200.

Estimated takings for the week ending July 11:

CIRCUS CLOWN (F, N) GIVE ME YOUR LOVE (Univ) BROADWAY—(2,275), 7 7 days. Average, $1,500.
HOUSE OF RUSSEL (Univ) HAMRICK'S MUSIC BOX—(2,00) 25c- 
35c, 3 week, 7 days. Average, $1,700.
MONEY MEANS NOTHING (Mono) PANTAGES—(1,200), 25c-35c, 7 
days. Average, $1,300.
SHOOT THE WORKS (Para) PARIS—(3,000), 25c-eric, 7 days. Average, $1,500.
VIVA VILLA (M-G-M) UNITED ARTISTS—(3,000), 25c-40c, 7 days. 
Gross: $4,800. (Average, $1,500)
Unplayed 40
RKO ‘Ace’ In
Circuit Race

With 110 Bought, Chain
Nears Requirement

Approximately 40 pictures, bought at
the outset of the 1933-34 season but
unplayed to date, give the RKO
industry a hitherto unsuspected ace in
the hole and the 1934-35 product.

The unplayed pictures, it is under-
stood, come from all sources signed
last season and include not only Radio
Pictures, but others from Paramount,
Warner, Universal and Columbia.

RKO-Consolidated
Dicker Over Notes

Negotiations for extension of the
maturities on $1,800,000 of RKO gold
notes, secured by virtually all of the
RKO investments in its subsidiary
companies, are under way with Con-
solidated Film Industries, it was
learned yesterday.

The notes mature in the principal
(Continued on page 8)

New Finance Setup
For Pathe Outlined

A proposal to reorganize the finan-
cial setup of the Exchanges, Inc.,
having been tentatively approved by
the board of directors, it is understood.
(Continued on page 8)

Levy on Admissions
Proposed by Mayor

A three to five per cent tax on
theatre admissions, it was revealed
yesterday, has been added to Mayor
LaGuardia’s tentative revenue pro-
gram for raising funds for the city’s
emergency relief.

Finds Stars Worth B.O.
Pull; No Federal Check

$4,000,000 Offer for Fox
Metropolitan Bonds Is Set

An alternate bid of approximately
$4,000,000 for the Fox Metropolitan
bonds deposited with the bondholders’
committee was completed yesterday by
Loew’s and Warners and the prospect
of its acceptance by the committee is
viewed optimistically by the bidders.

It was stated last night.

RKO May Sell
New ‘Cleopatra’

Universal Pictures Co., Inc., and its
subsidiaries, report a net profit of
$31,001,27 for the six months ending
April 28. This is a striking reversal
of conditions which prevailed at the
end of the same six-month period in
1933.

The net gain is currently $633-
$26.68, as the company reported a loss
of $62,255.41 for the same period a
year ago.

The profit was reported after all
(Continued on page 8)

Paramount Will Get
“Cleopatra” First

“Cleopatra” will play the Par-
amount and not the Criterion where
original plans called for a two-a-day
run at advanced prices as part of a
plan to swing bigger Paramount at-
tractions into the weekly change the-
atre in order to bolster its trade.

Currently, with “The Old-Fash-
ioned Way,” the Paramount is ex-
pected to do under $50,000 for the
week which terminated last night.

“U” Reports
Big Jump to
Profit Side

Hollywood, July 19.—In spite of
exhibitor complaints and the intent
of studios to keep players from the air
when possible, a move has been started
jointly by the Screen Writers’ Guild
and the Screen Actors’ Guild to line
up sketches and talent for a series
of broadcasts from Sept. 1 to Dec.
19.

The idea is to have the writer do
the sketches and the players donate
their services, so that whatever funds
(Continued on page 8)

Actor-Writer
Guilds Work
On Radio Deal

Ohioans Talk Over
New Season Selling

CINCINNATI, July 19.—Selling poli-
cies of the various companies, and the
matter of cancellation of pictures con-
sidered objectionable by the Legion of
Decency were two subjects discussed
at a closed meeting of the Ohio Val-
ley Independent Exhibitors’ League
yesterday.

A meeting is set for tomorrow for
a preliminary discussion of operators’
contracts for next season.

Paramount Publix trustees were au-
thorized yesterday by Federal Judge
Alfred C. Coxe to retain Root, Clark,
Buckner & Ballantine as counsel in the
reorganization proceedings under the
(Continued on page 8)

Frisco Theatres to
Reopen on Saturday

SAN FRANCISCO, July 19.—With the
general strike here having collapsed,
local houses will reopen their doors at
one o’clock Saturday afternoon, it was
learned today, the fourth day of
(Continued on page 8)

Report Holds Curb on
Salaries, Star Raids
Hard to Enforce

WASHINGTON, July 19.—Declaring
the worth of a star to be gauged by
what the public will pay to see him,
Division Administrator Sol A. Rosen-
blatt today made public the long-
awaited report on salaries in which
the code provisions dealing with ex-
cessive remuneration were held to be
incapable of effective administration
and their continued indefinite suspen-
sion recommended.

The report also recommended in-
definite suspension of the provision
of the salary is not contemplated under the
terms of the code, the Industrial Recovery
Act and like the salary provisions, incapable of
effective enforcement.

To deal further with the problems
involved, Rosenblatt recommends the
creation of a committee, either with
or without government participation,

Campi Audit Shows
Economy, Is Report

A Price, Waterhouse audit of Code Au-
thority administration costs was
completed yesterday showing a “re-
markably economical operation” of
code machinery, according to a Campi
spokesman. The audit will be sub-
mitted to Campi at its next meeting,
July 26, before being made public.

Four appeals from rulings of the
Atlanta grievance board were heard
(Continued on page 8)
THE other side of the story came into the open yesterday. The RKO circuit’s ace in the picture hole proves to be about 40 films on this season’s programs which have not been played. From its own films, RKO Radio Pictures, as well as Fox, Universal, Columbia and Warners are they drawn. Unplayed this season, they now go out in every other week, thereby swelling the circuit’s availabilities to 150. Most of RKO’s houses change twice weekly. Some of them use doubles. Others, will throw in the line, change three times a week, placing their requirements at 156. It may be necessary to pick up a few independent films in their quest of something tough about it. Undertaken, still, however, is Fox, although yesterday the report was that Sidney Kent had reached an understanding with Nick Schendel on that score.

Here is how the battle lines between Greater New York’s two movie circuits are drawn on the front that counts most pictures:

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Mexico leads to old France. Meaning that it is “La Cukara,” special short, which decided Radio to proceed with “Three Musketeers” in Technicolor’s new three-component process. Dunm’s adventure tale of swashbuckling when knights were bold lends itself to color. The deciding short is a beautiful subject, handled by Lloyd Corrigan, its producer, to exploit the striking color photography which is its outstanding feature. Just as Pioneer Pictures, headed by “Coccinelle,” and “La Lucha,” so will be “The Three Musketeers.” Pioneer and Radio will go fifty-fifty on the negative.

Outstanding “nut” item of the entire church campaign, beyond doubt, goes to a man named Alvin C. Hause. He is a Baptist, does his preaching at the Bates Baptist Church, Kansas City, Kans., and blames the mid-western drought on divine displeasure drummed up by “film in our movie theaters.” If he were operating a movie circuit, he would doubt the cause of the late strike would be dito. . . . Presence of those Paramount theatre partners in town continues to be described by either “routine” or “doubt they just happen to be here.” Less diplomatic voices, however, insist something’s up . . . Friends are thinking of renaming “His Greatest Gamble” and holding forth at the Rialto, to “Mayer’s Greatest Gamble.” . . . KANN

Parent-Teachers Hit Duals on the Coast

SAN FRANCISCO, July 19—Hudda McGinn, manager of the California Theatre Ass’n, has received word from the California Congress of Parent-Teacher Ass’ns, Inc., urging the States to abdicate double bills and to establish family nights.

The organization has 150,000 members in the state, it is said.

Warners Fete Farley

Hollywood, July 19—Postmaster General Farley was honored today at a luncheon at the Warner Bros. Studio, at which he told a gathering of notables of screen, politics and society that the industry will keep up with the times and respond to the public taste in film entertainment. Farley was elugated by Will Hays. The affair was arranged by Al Cohn.

Shirley Temple Wins

Hollywood, July 19—The parents of Shirley Temple succeeded in their dispute over the salary of the child star and have signed a new contract which gave the child the money they demanded for $2,500 a week.

Rogers Has 5 Set

Charles R. Rogers, in New York from the Coast on a vacation, said yesterday he has set for his planned set for Paramount’s next season. He will be here a week.

Ennis on Para. Shorts

Bert Ennis is writing scripts for several of the Paramount shorts series made in the east under general supervision of Tom Waller.
HE'S HERE with the picture that will ELECTRIFY SHOW BUSINESS
HAROLD
The
Everything New but these

LLOYD in Cat's Paw

with
UNA MERKEL
GEORGE BARBIER
NAT PENDLETON
GRACE BRADLEY
ALAN DINEHART
GRANT MITCHELL

Directed by
SAM TAYLOR

From the Saturday Evening Post Story
by CLARENCE BUDINGTON KELLAND

Produced by the
HAROLD LLOYD CORPORATION
a FOX release
**MOTION PICTURE DAILY**

**Friday, July 20, 1934**

**Find Talent Is Worth Pull At Box-Office**

(Continued from page 1)

the receipts of the respective pictures upon which they are engaged, also to make recommendations for uniform production cost formula, uniform production report system, uniform test screen and uniform salary ranges for various classes of employment.

The commission also is to consider whether it would be desirable and practical to establish a permanent commission, representative of producers and others, with power to require all proposed offers of employment to be transmitted for approval in advance of consummation, report in full on all negotiations for employment, provide for regulation in such cases, direct that services of employees not utilized by the employer may be available "upon such equitable terms and conditions as the commission may prescribe" to other producers and to make findings and report to producers concerning the operation and effect of the commission, opinion corporate assets have been wasted by production executives in their employment of any members of the business clubs of employees.

**Little Reduction in Costs**

Critiquing the producers for failing to "clean house," Rosenblatt declared enforced readjustments, particularly during the past year, have had a salutary effect upon the fiscal structure of the exhibition division, "but no convincing evidence exists to indicate that basic production costs have been greatly reduced, or that any substantial progress has been made toward the elimination of these practices prevalent to the extent which tends to depress the quality of motion picture entertainment offered to the consuming public.

"One general indication of the contribution which "sweat" payments make to the "breakdown" of production costs is found in the failure of management to adjust salary ranges of executives or artists to changed earning capacity of the various companies in the industry," he continued.

"The intangibles of human talent, not celluloid," constitute the basic ingredient of the entertainment service offered to the consuming public, Rosenblatt held. "Here, as in no other artistic field, the talents of unique personalities have, through the organization and sales ingenuity of the industry, been brought before vast audiences in every part of the world," he said.

To a limited degree the factors which control the value of artists and directors apply also to production executives, Rosenblatt asserted.

"Thus, the mere fact that unusual creative talent is technologically utilized constitutes the bone and marrow of the motion picture industry offers a natural justification for the comparatively high compensation which is offered by the industry for these services," the report explained, but "under the normal operation of economic forces, the compensation commanded by these talents is in the long run determined by the appeal which they make to the consuming public. An artist may have a talent of infinite and lasting value to offer to the world, but from a strictly commercial standpoint that talent is worth only as much as it can earn for the producer in box office receipts."

No salary is too high if the picture materializes. Even pictures which fail, as a result of failure of art, were justified. The two of these practices are the star system "exploited in such manner that the values created by the producers are turned against them by the necessity for paying exorbitant salaries, and the competitive bidding for talent," it added.

**No Dope on Nepotism**

Lengthy tables were appended to the report developing the various phases of the inquiry. No information was given with respect to nepotism or any advantage or special treatment in compensation which may be attributed to individuals.

The most important of the cases heard were Walter L. Brandenburg vs. Lam Amusement Co., Fred Jalby vs. Walter Brandenburg on reduced admissions; H. G. Jenkins, South Pittsburg, Tenn., vs. Lam Amusement Co, Tallahoma, Tenn., on reduced admissions, and the Palace, Key West, Fla., vs. Strand Key West, on overbuying.

**L. A. Protests Failing**

Los Angeles, July 19.—Only a protest out of five has been upheld by the board today during hearings on the new clearance schedule. A general meeting of the board has been called for Wednesday by the clearance board.

**Fred Jack in Town**

Fred Jack, southwestern district manager for Loew, is in New York conferencing with Gradwell 1 Sears.
IN THESE CHANGING TIMES

Names, facts and figures continue to make vivid, dramatic motion picture history.

Each year new people, new policies, new technique cast their shadows across the box offices of the country.

And all the world's exhibitors look annually to the Motion Picture Almanac* for guidance—for a summation and a prediction of these changing times.

The biographical section alone is a big parade of 10,000 names marching across 422 solid pages of black type...countless other items account for the world-wide reputation of the Almanac as the industry's supreme reference authority.

*1934-35 issue now on the press . . . . . $5.00
RKO-Consolidated Dicker Over Notes

(Continued from page 1)

amount of $300,000 each on the first of August and the first of each month thereafter up to and including next January. Arrangements are being made to pay the August 1 maturity, pending the court's consideration of extensions of maturities on the subsequent notes, which will then aggregate $1,900,000. The written commitment on the notes was met by RKO on July 1. 

The negotiations, it is understood, seek a six months' extension of the maturities of each of the five $300,000 notes remaining after the Aug. 1 payment.

Consolidated acquired the notes from Chemical Bank & Trust Co. and Consolidated's legal counsel. Attorneys for the RKO receiver told the U. S. District Court here late spring that a foreclosure sale of the notes could mean "put RKO out of business as a going concern."

Para. Trustees Get Additional Counsel

(Continued from page 1)

new bankruptcy laws and, in addition, to retain special counsel for the Broder legal firm here in Chicago, Los Angeles and other cities.

Law firms being retained as special counsel are: Lande & DeCrutovich, Gerдорff, Swaine & Wood; former special counsel for Paramount and counsel for Kahn, Loeb, Reider & Gressman; its present permanent in Paramount reorganization affairs; Sonenschein, Berkson, Laumann, Levinson & Morse, Chicago, attorneys of B. & K.; Kidd, Marexson & Hornidge; Rosen, Kammer, Wolff & Farrar; Cobb, Hoke, Benson, Krause & Fisheh, Strauss & Hedges; Pilsmbury, Madison & Sturo, and Choate, Hall & Stewart.

Hearing Is Held on Leasing' Complaint

A lease negotiation for 27 theaters brought by Lewis against Duray Realty Corp. and Luxor-Bleeker Amusement Corp. was heard by the local grievance board and certified to Code Authority yesterday for disposition.

Mytha Dixon, the complainant and present operator of the Luxor, charges in the complaint that Duray Realty Corp. entered into negotiations with the Luxor-Bleeker Amusement Corp. for leasing the Luxor to the latter without serving a dismissive notice on the present operator.

The next meeting of the grievance board has been set for July 31.

Flash Reviews

Servants' Entrance—... spells entertainment with wide audience appeal.

Smoking Guns—... so-so western.

These films will be reviewed in full in a later issue of Motion Picture Daily.

Johnson's Reach Cairo

 Cairo, Egypt, July 19—Mr. and Mrs. Martin Johnson arrived here yesterday en route to London. They have just finished another big game picture. Mrs. Johnson is undergoing treatment for a jungle ailment.

Attitude of Writers On Code Is Awaited

Hollywood, July 19—Production circles are awaiting the reaction of writers generally to the action of producers in reaffirming their recognition of the principles of the Academy's writers' code.

This is regarded as a tacit way of informing the Writers' Guild that its efforts to frame a new code are not looked upon with favor. 

Producers have pledged more conscientious enforcement of the Academy code and writers want a fair and clear clarification of the method by which writers themselves can determine screen credits and by the establishment of an official bulletin of authorship records.

Spokesmen for the Academy say the code doesn't pretend to solve all writer-producer problems, but does represent the only successful negotiation in this field to date.

Freedom Ass'n. Has Big Turnout Planned

More than 1,000 people are expected at a meeting to be held by the newly formed Association for the Preservation of the Freedom of the Screen at the Hotel New Yorker Monday evening at 8:30, according to arrangements made by spokesmen for the organization. Many prominent persons have been invited to speak. Dr. Charles Francis Potter of the First Society of the Temple and chairman of the program, will also conduct an open forum.

The organization, formed July 12, claims 1,000 members, who are also members of the Intercollegiate Democratic League of New York.

This is the first step in opposition to the campaign being waged against films by the churches to be taken by a group not directly connected with producers or exhibitors.

Deter Motion Broadcast

The radio talk on the church's decency campaign against movies which was to have been given on WTO tonight by Lowell B. Mason, former editor of the NR Review Board, is being deferred until next week.

11 More Features Passed

Hollywood, July 19—Joseph Breen has added 11 features and 11 shorts to the list of films certified by him. Features are "The Man with Two Faces," "Dames," "The Dragon Murder Case" (Warners); "Affairs of Cellini," "Bulldog Drummond's New Case," "The Thin Man" (20th Century); "The Girl from Missour," (M-G-M); "Ransom—$1,000,000" (Universal); "Name the Woman" (Columbia); "Boy-Crazy Forever" (Paramount); "Servants' Entrance" (Fox).

Grauman to Open Chinese

Hollywood, July 19—Sid Grauman is planning on reopening the Chinese in August. He will open with a program of three for the opener—"The World Moves On," "Barretta of Wimpole Street" or "Cleopatra." 

24 Join Writers' Guild

Hollywood, July 19—Twenty-four members of the Song Writers' Protective Asst., including Sigmund Romberg, have joined the Screen Writers' Guild.

Virginia MPTO May Go Into the MPTOA

Richmond, July 19—Affiliation of the Virginia Motion Picture Theatre Owners Association with the M. P. T. O. A. is expected shorty. About 150 exhibitors have joined to date.

Last night's gathering at the Women's City Club was attended by President, Morton G. Thalhimer; vice-president, Hunter Perry, Charlotte; William S. Wilder, Norfolk; J. W. Weisinger, Lexington; Richard C. Overby, South Boston; Sidney Gates, Portsmouth, and Ben Pitts, Fredericksburg. Treasurer was Ben Sentry of Richmond; treasurer, Sam Bendheim, Jr.; Richmond; directors, W. H. Harmon, Alexandria; Frederick W. Tzynman and Hunter Perry, Charlotte; A. Frank O'Brien, Brist; Charles A. Sonima, Walter J. Coulter and Ben Pitts, members; Bernard Depkin, A. E. Lichtman and Emanuel Hines, Roanoke; Mrs. Bertha Gordon, Martinsville; J. C. Gentile, Richmond; Norman Ruben and R. E. Levine, Petersburg; R. F. Overby, South Boston; J. E. Loth, Williamsburg; chairman consultant, Otto Wells, Norfolk; R. H. Rippard, Farmville; William S. Wilder and J. D. Hoffman, Norfolk, and Thalhimer.

James D. Fitzgerald, secretary of the Washington code boards, was one of the speakers.

A banquet at night was attended by city officials, wives of members and by Edwin S. Reid, Richard C. Leannon and Elizabeth C. Chalkey of the censor board.

Sales Tax Struggle Again Hot in Ohio

Columbus, July 19—According to reliable information, a three per cent sales tax will be Governor White's major recommendation to the General Assembly, which he has indicated he expects to call for a special session in September. Doubt is expressed that the measure will pass, even if the present members whose terms expire at the end of the year can be re-elected. 

Opposition is being waged by the Ohio Council of Retail Merchants, which has representatives in the field bringing pressure to bear with present legislators, as well as with the representatives who will run in the August primaries. 

P. J. Wood, business manager of 1. T. C.'s, is rallying exhibitors to the cause of the sales tax. He asks them to forget any existing affiliations, and immediately inaugurate an organized drive. This would cause repeal of at least 10 per cent on sales tax.

Wood estimates that at least $3,000,000 will be paid by the industry by the end of the tax year.

Mayer and Party to Sail on Staatendam

Loni B. Mayer and Mrs. Mayer, Howard Strickling, Lew Wetherime and Frank Orsatti sail on the Staatendam, Cunard Line, today. 

The party will proceed from London to Paris and Vichy, returning in four or five weeks by way of London. 

The Mayer party arrived from the coast by plane yesterday afternoon, Mrs. Mayer joining the group here.

"Cleopatra" Preview

Paramount will run off "Cleopatra" at the Criterion Tuesday morning at 10 o'clock.

New Finance Setup For Pathe Outlined

Sanction of the stockholders may be expected any day.

The plan is said to call for new financing later in the year. It is understood that a group of Peabody & Co. may underwrite a block of new convertible preferred stock. New common stock would also be authorized, with arrangements to pay off the accumulation on the common preferred.

Payments of new common would be exchanged for each share of the present "A" stock, while each share of the new preferred would be exchanged for the twentieth of a share of new common.

Holders of present six percent preferred would receive one share of new preferred, convertible into new common. In addition five shares of new common would be issued to get rid of the accumulation on the present senior issue.

Stuart Webb, Pathe head, said last night new financing plans had been discussed by the directors, but that nothing definite had been decided upon.

Tyrrill to Produce For Southern Spots

Phil Tyrrill has gone into a new venture, producer and booke for a group of southern theaters which will offer a 12 to 14-week route for units of at least 2,500 prints. He was booking manager for the Radio City theatres under Harold B. Franklin and later for the Paramount Pictures under Herschel Stuart.

Theaters lined up in the southern venture include the following cities: Nashville, Louisville, Lexington, Wheeling, Charleston, Va.; Morgantown, Cumberland, Clarksburg, Great Bend, Boston, Huntington, Atlanta and Montgomery.

Tyrrill says he will produce 10 units over the next year, starting in August, and will have a small man to handle independent units.

Universal Has Big Rise to Profit Side

(Continued from page 1)

charges, including $2,169,537 for depreciation of fixed assets.

Actually, the company states, the net operating profit was $199,669.70, but $158,068.43 was written off as a loss on settlement of notes receivable with a bankrupt theatre estate and $10,000 on balances in closed banks.

Frisco Theatres To Reopen on Saturday

(Continued from page 1)

the walkout. Anthony Noriego, representing the theatrical unions, informed the equivalent of the strike.

Three Players to Leave

Three players under contract to Paramount will leave today or tomorrow. They are Lanny Ross, scheduled for "College Rhythm"; Anna May Wong, for "Fighthouse Blues," and Sylvia Sidney, who has been vacating here.
Loew-Warner Fox Met Deal Seen Certain

Agreement Is Reached With Bondholders

Ultimate acquisition of the Fox Metropolitan circuit by Loew's and Warners appears to be certain as a result of the agreement reached with the bondholders' committee for the purchase of the Fox Met bonds deposited with it for approximately $4,000,000.

A report of the agreement on the purchase price of the bonds was made to Federal Judge Julian W. Mack yesterday by Morton G. Bogue, counsel for the bondholders' committee, who requested and was granted an adjournment to Aug. 6 to continue negotiations with Loew's and Warners on several "minor points" which remain unsettled.

It was indicated at the court hearing yesterday that the final bid would 

(Continued on page 4)

Steffes Sees Local Censorship Stirred

MINNEAPOLIS, July 20.—That the privilege extended to exhibitors to cancel pictures adjudged as unhealthful by organized public opinion in any community is an encouragement of local censorship is asserted in a letter forwarded to C. C. Pettijohn, counsel for the Hays organization, by Allied Thea-

(Continued on page 4)

Academy in Appeal For Writers' Code

HOLLYWOOD, July 20.—In an effort to make clear that the writer-producer code is no public move to strengthen the Academy, but is intended for the best interests of writers, whether or not members of the Academy or the guild, the Academy writers' branch committee has sent a letter to this effect to the executive committee of the Writers' Guild.

Guild leaders say that the code, with few exceptions, was originally drafted

(Continued on page 4)

Blames Finance Ills on Industry's Poor Sense

Gross Receipts Shriveled

$63,681,836 in Two Years

Washington, July 20.—Ranging from the peak salary of $315,000 paid to an unnamed actor last year down to the $75 individual who each earned $15,000 or more, the report divided by Division Administrator Sol A. Rosenblatt shows 966 men and women earned $23,143,839 last year. The compilation, drawn from the report, has been prepared by Motion Picture Daily and, in every instance, took the low figures where ranges in salaries, rather than fixed salaries, are mentioned.

As against this, 923 totaled $226,000, or an average of less than $2,000 per person.

Washington, July 20.—The salary report, prepared by Division Ad-

(Continued on page 3)

Warner Calls Fight on Star Dougherty Ban Hookup Asked 'Un-American' By Kuykendall

HOLLYWOOD, July 20.—H. M. War-

(Continued on page 4)

Denver Manifesto Not Up to NRA Yet

WASHINGTON, July 20.—The Den-

(Continued on page 3)

RKO on Offensive; Takes Two Theatres

RKO launched its offensive against the Loew circuit yesterday when R-A-O, an RKO subsidiary, formally announced the first of its theatre acquisitions in the Apollo, Clinton and Delancey Sta., and the Hollywood, 6th St. and Ave. A. Both of them were part of the Manhattan Play-

Loew Canada Profit For 8 Mos. $23,589

Toronto, July 20.—An interim financial report by Marcus Loew, his for the eight months ending August shows a net profit of $23,589, with a balance carried forward of $590,180.

The company stated that it had retired the last issue is $600,000 bond issue last month. The amount refunded since last August was $43,000.

Gross profit for Loew's Yonge St. Theatre for the eight months was $161,563, while the rental secured $92,050. The Gross Profit at the Uptown in the same period was $57,628. Assets are listed as in excess of $2,000,000.

Franklin to Screen Kern's "3 Sisters"

"Three Sisters," described as a musical romance by Jerome Kern and Oscar Hammerstein, 2nd, has been acquired by United Artists. It will be his first musical film.

"Three Sisters" was first produced last April at the Drury Lane, London, and now it will not be heard in this country until the picture is ready. Production details have not been set yet.

This is in addition to a number of stage attractions which Selwyn & Selwyn, in association with Arthur Hopkins, have lined up.

File Plans to Join Astor and the Bijou

Plans to combine the Astor and Bijou theatres into one house at a cost of approximately $150,000 were filed with the Manhattan Department of Buildings yesterday.

Space for the stores now occupying space in the present buildings will be vacated, and the present occupancies will not be changed.

The proposed house will have a seating capacity of 1,120, with 759 of these in the orchestra and 361 in the balcony.

The owner of the property is the Astor Theatre Realty Co., of which Walter Reade is president and Frank V. Storrs vice-president. Loew has it under lease.

PersonalAppearancesOn

Hollywood, July 20.—Joe Morris-

son leaves for New York July 27 for his week of personal appearances at the Paramount.

Chester Morris left yesterday for a series of personal appearances in the east.

Wampas Come Out Even

Hollywood, July 20.—The loss of $300 on the Minneapolis Shrine frolie and a profit of that amount on the screening of the Wampas' "Baby Stars" makes it even, leaving nothing but the benefit of experience.

Hitler Film Banned By Detroit's Police

Detroit, July 20.—"Hitler's Reign of Terror" has been banned here by Police Commissioner H. E. Pickert and Superintendent of Films, Swen Smith. Pickert described the film as an "ob- 

Hitlerian effort to win sympathy for the Nazi cause and as a means of securing the support of its followers for the next four years.

U. S. Sets Nine More

Simultaneously with the national release yesterday of "Bulldog Drummond Strikes Back," Al Lichtman, vice-president and general manager in charge of distribution for United Artists, made public dates on the next nine productions.

The pictures and release dates follow:

"The Court of Monte Cristo," Sept. 7.
"We Live Again," Sept. 21.
"The Queen's Affair," Sept. 28.
"Transatlantic Merry-Go-Round," Nov. 2.
"Nell Gwyn," Nov. 9.

Tyson to Pittsburgh

Pittsburgh, July 20.—George Ty- 

son, for the last year operator of three Skouras houses in St. Louis with the same name, has been named managing director of the Alvin here, which is to be opened shortly by Harris Amusement Co. Tyson was advertis- 

ing manager for Warners here until two years ago.

All on Big Board Slide

Columbia Pictures, etc., 2175 2654 2566 2357 3798
Eastman Kodak, etc., 3911 3899 3898 3775 3579
Fox Film "A," 9611 1009 1002 980 875
Lourdes Film, etc., 1975 1959 1932 1894 1790
Paramount Publix, etc., 4935 2596 2465 2290 2109
Pathe Exchange "A," 1817 1715 1612 1579 1530
Pathe Exchange "B," 1114 1015 970 948 919
Warner Bros., etc., 1137 1132 1096 1076 1000

Warner Bros.

Trans Lux

Transcolor Drops 5% on Curb

Technicolor Drops 5% on Curb

Most Bond Issues Take a Loss

General Theatre Equipment 6s 40.
Keith B. F. 6s .46.
Loew's 6s 41, wv deb rights.
Paramount Broadway 5 1/4s .41.
Paramount Pictures 6s 40.
Paramount Pictures 5 1/4s .40.
Warner Bros. 6s 39, wv.
Warner Bros. 6s 59, wv.

High Low Close Change Sales
3757 2754 2654 2566 2357 3798
1975 1970 1959 1932 1894 1790
9611 9609 9699 9682 9662 875
1975 1970 1959 1932 1894 1790
1975 1970 1959 1932 1894 1790
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Warner Bros. 6s 39, wv.
Warner Bros. 6s 59, wv.
Penalty, Raid Clauses Are Sidelocked

The famed $10,000 penalty clause, aimed at employers (producers) for noncompliance, was dropped. And through competitive bidding, continues to grace the textual content of the code along with a new one to enforce it. This is the clause which Division Administrator Sol A. Rosenblatt, in his salary report released in Washington Friday night, found “incapable of effective administration” and recommended for continued in

This section of the code—Part 4, Section A, Article 3, dealing with unfair labor practices, was included in the document as the result of the expressed opinion of the President on "unconscionable salaries." He reads:

"To avoid the payment of sums unreasonably in excess of the fair value of personal services which results in unfair and destructive competition, the Code Authority shall have the power, with the approval of the Administrator, to investigate whether any employer in the motion picture industry has permitted an excessive increase to any person engaged in employment of such employer. If the Code Authority finds that such employer has increased the wages paid any person, it shall have the power to impose an assessment against such employer for the amount of the unconscionable excess payment to such person not, however, to exceed in any one year $1,000.00.

"This provision shall not be deemed to apply to the validity or enforcement of such contracts of employment. All such assessments shall be paid to the Code Authority for use in the administration of its functions."

Origin of Suspension

The original "Administrative Action" continued, was provided for in the executive order which accompanied enactment of the code. This Presidential decree, originally called upon General Johnson the right of review of any decision made by Code Authority, was the order which led to the submission to a White House conference last December to protest on the ground of "so-called private matters." The Code Authority was in the planning stages in the administration of its functions.

Three Appeals Heard

By Campi Committee

Three appeals from local board rulings were heard yesterday by a Campi appeal committee consisting of R. H. Gertner, Hugo Rosenblatt, and O. C. Lam. Cases heard were an overbilling complaint filed against the Paramount-Champion Co., of Detroit, Texas, by the Ria, appealed from the Dallas grievance board; a clearance and zoning complaint appealed from the Chicago board, and brought by the

Westmont, Montem, Ill., against the Tivoli, Downers Grove, Ill., a reduced admission complaint appealed from the Omaha grievance board by the Raitto and Loop, Sioux City, Iowa, with the Orpheum, Sioux City, as respondent.

Recommendations on all three cases will be filed with Campi by the committee later.

Hearing Is Set for Los Angeles Zoning

Los Angeles, July 20—Because of a deluge of individual protests against the zoning schedule the clearance and zoning board has called a general meeting for next Wednesday morning at which the whole problem of clearance and dual bills will be thrashed out.

This is understood, including exhibitors, producers and distributors, have been invited to attend.

Ben Bernstein, operating the Wilton, brought a grievance complaint against F. W. C., operating the Embassy, three blocks away, which, charges, gives away refrigerators to attract patronage.

Denver Manifesto

Not Up to NRA Yet

(Continued from page 1)

twice since Rosenblatt leaves for the coast Monday.

The division administrator asserted he had heard nothing regarding the appeal, and said he could not comment on the matter until he had the manifest and Campi's conclusions in the case.

Present plans call for Rosenblatt to leave Washington Monday afternoon, arriving at Pasadena Thursday.


Warner Calls
Dougherty Ban
"In-American"

(Continued from page 1)

theatre is located, I am afraid the industry is inviting more trouble than the sanction of Decency has given it to date.

"The Legion of Decency is a national organization and why should not pictures coming from or being listed by an organization of such wide scope and magnitude not be sufficient to compel local boards in all the United States to cancel pictures banned by them, if he so desires, rather than insist that local boards be established all over the United States?"

C. C. Pettijohn could not be reached yesterday. He was reported out of town. Comment on Steffes' letter was withheld pending his return. A copy had not yet reached the M.P.P.D.A. office, it was said.

Drive Held Imperilled
By Publicity Seekers

Fear that the crusade for clean films is in danger of becoming "unworkable, if not ridiculous" through the activities of "notoriety seekers" being drawn to it is expressed in an editorial in the Catholic News, out today.

"All sorts of notoriety seekers are getting into the drive. Crusade now that organized effort among Catholics has demonstrated that it is possible to compel Hollywood producers to mend their ways," the editorial says. "There is danger, therefore, that the whole movement may be made unworkable, if not ridiculous, by the demands of unreasonable individuals."

Clean Film Campaign
Dangerous—Franklin

Current agitation against objectionable film is no longer with dangerous possibilities to an industry that may be hampered in its free expression," writes an editor in the current issue of The Theatre, house organ of Frankwyn Prod. Producers, Franklin writes, are in full sympathy with the objections to immoral stories on the screen. He also says the most successful pictures of

Loew-Warner
Fox Met Deal
Seen Certain

(Continued from page 1)

of a great industry and of the livelihood of thousands of people."

The talk was received in silence. Warner continued with a suggestion that the postmaster general issue a stamp containing a picture of "one of our charming girls" charged for 2 cents and "send the proceeds out here to take care of the distress that would be caused if the cardinal's advice were taken."

Farley made only a veiled reference to the situation by saying: "You will always, and always must, respond to public opinion. Only by doing that can you hope to prosper and win the approval of all our citizens."

Steffes Sees Local
Censorship Sirded

(Continued from page 1)

"Straight Is the Way"

Hollywood, July 20.—Concentrating on heart interest and emotional values, this film, adapted from the stage play "Four Walls," is tempered with excitement blended with laughs and tears and peopled with human beings.

Franchot Tone, released from prison, is being awaited by his doting mother (May Robson) and the girl who loves him (Karen Morley). Home again, he gets enmeshed with his old mob, headed by Jack La Rue. His old sweetheart (Gladdys George) tries to play him against La Rue for a triangular conflict. Tone's inner battle to find himself, to choose between the calls of Miss George and Miss Morley, and his desire to go straight gives a personal flavor to the dramatic values, spread before the teeming canvas of East Side life.

Miss Robson gives pathos and loneliness to the mother role. Miss George, a newcomer, has flame. Others supporting Tone and Miss Morley in the leads are Nat Pendleton, C. Henry Gordon, Raymond Bink, William Bakewell and James Quinlan, who contribute nicely. Paul Sloane does a competent job of direction. Bernard Shulbert wrote the screen play.

The production, produced for mass appeal, is down to earth and is above program picture caliber. Running time, 60 minutes.

"Housewife"

(Warner)

Hollywood, July 20.—This is a little more than a variation of the old triangle without particularly new trimmings. The picture's greatest asset is a thoroughly good cast, which gives to trite situations zest and punch.

The story deals with George Brent and Ann Dvorak, happily married until Brent amasses a huge bankroll as an advertising agent. The money goes to his head and he falls for Bette Davis, the office beauty. On the verge of divorce, an accident to their son brings George and Ann together again.

John H. Holiday plays the stereotyped role of the patient friend in love with the wife. Ruth Donnelly and Hobart Cavanaugh as friends and Willard Robertson as the judge contribute good comedy. Director Alfred E. Green gives inspiration to the picture and the cast.

The picture will go best where the cast names will draw. Running time, 70 minutes.

War on Star Hookup
Asks by Kuykendall

(Continued from page 1)

unbusinesslike, unfair and unreasonable plan to undermine theatre attendance. Many patrons of established theatres, whose film rentals pay the star salaries, will remain at home to hear these stars and radio plays for nothing rather than go and pay admission to the theatre to hear the same star do the same or similar stuff. How can we sell such entertainment, stars and personalities if the advertiser subsidizing the performance gives it away for nothing?"

"Prompt and strong action should be taken by theatre owners to protest and prevent such broadcasting. Write or wire the Screen Actors Guild and let them know how you feel, protest to the stars and studios against such unfair competition. Do it now before it is too late."

Tobias A. Keppler
Critically Injured

Tobias A. Keppler, attorney, well known in film circles, was critically injured in the offices of Referee Robert Stephenson, 29 Broadway, yesterday.

Keppler, who is 55 years old, was knocked through a glass door, suffering serious cuts. He was taken to Broad St. Hospital, where his condition last night was reported to be "critical." His alleged assailant, Milton Gordon, was arrested. The cause of the fight was not learned. Keppler, last summer, was instrumental in organizing independent producers and distributors into what later became the Federation of the M. P. Industry.

Passaic Mortgage Paid

PASSAIC, N. J., July 20.—The $250,000 mortgage which the Harris brothers gave on their Capitol theatre building here eight years ago has been paid off in full. Payment was made this week through the Guarantee Mortgage and Title Insurance Co.

Academy in Appeal
For Writers' Code

(Continued from page 1)

by members who are now leading figures in the guild.

One of the passages of the letter reads: "The existing writer-producer code is not a political statement between the academy and the guild and nothing should be permitted to interfere in any way with all writers getting full benefits of the code. We ask that you acquaint your members with their rights under this code and to emphasize that the code will continue to be administered without any distinction between the academy or guild members."

The Writers' Guild has passed a resolution to abide by the code now being formulated and to be passed this year. It is one of the underpinnings of the NRA. A meeting of the executive board is to be called to discuss the practicability of accepting the writer-producer code negotiated by the academy. It is believed doubtful that they will accept it in its entirety.
Wisconsin Up In Arms Over Cancellations

Allied Unit Says Banned Films Forced on It

MILWAUKEE, July 22—Declaring local exchanges have refused to co-operate in cancelling salacious pictures, Allied Independent Theatre Owners of Wisconsin is waging a campaign explaining their position to Catholic societies, clubs and organizations, which have stood for the abolition of block booking. Both newspaper publicity and bulletins are being used with 80 parent-teacher organizations in the state contacts.

According to R. A. Tesch, business manager for Allied, one exchange went to five local exchanges trying to cancel pictures on the condemned list and was unable to do so. Various clubs and organizations here are sending (Continued on page 7)

K. C. Men Skeptical Over Cancellations

KANSAS CITY, July 22—Heads of both exhibitor organizations in this territory question whether the major distributors' decision to permit cancellations on moral grounds was not intended to be a device to stop showing objectionable films to the exhibitor.

At the same time, it was reported numerous exhibitors, particularly in southern territories, are preparing to take immediate advantage of the cancellation right.

Jay Meany, president of the I. T. O., commended the distributors for taking (Continued on page 7)

St. Louis to Abide By Legion, Council

ST. LOUIS, July 22—Any picture banned by both the local Legion of Decency and Better Films Council will be regarded by members of the M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois as coming within the cancellation provisions for any picture to which there is a genuine (Continued on page 7)

Chortle Over Dauls Flop in Cleveland

CLEVELAND, July 22—Local exhibitors, all of whom unanimously eliminated double features on July 8 with the exception of the low record at the Hanna during its three day existence as the only downtown double feature house in the city. They (Continued on page 1)

Theatre Grosses Show Drop Of $88,540,917 in 2 Years

WASHINGTON, July 22—Painting a startling picture of what has happened in exhibition, further analysis of the salary report made by Division Administrator Sol A. Rosenblatt shows gross theatre receipts dropped $88,540,917 from their $260,410,597 total in at the end of 1931 to $171,869,680 at the end of 1933.

Noting the shrinkage which has prevailed throughout the entire industry, the statistics on exhibition include these:

<table>
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<th></th>
<th>1933</th>
<th>1932</th>
<th>1931</th>
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<td>Gross receipt</td>
<td>$260,410,597</td>
<td>$201,892,126</td>
<td>$214,869,680</td>
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<tr>
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<td>297,316,406</td>
<td>255,886,013</td>
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<td>Surplus and reserves</td>
<td>54,741,732</td>
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<td>Total assets</td>
<td>$599,656,480</td>
<td>$521,312,233</td>
<td>$460,888,409</td>
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<tr>
<td>Net profit or loss</td>
<td>$5,084,195</td>
<td>$3,979,210</td>
<td>$19,268,891</td>
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</table>

See Hurdles Confronting Percentages

Early Opinion Views NRA Idea Various

Early in reaction to the May 23, 1934, passage of the National Recovery Act of 1933, Viewpoint editorialized that, "The National Recovery Act, as passed, is an unqualified disaster. The provisions for industry, labor, and agriculture are equally bad. The sole justification of the law is its provision for the nationalization of the American economy...." The author pointed out that the act's provision for the nationalization of the American economy was the key to its success or failure, and that it was unlikely that the act would be able to achieve its goal of creating a stable and prosperous economy.

New Fox Met Angle Seeks Reorganizing

INDIANAPOLIS, July 22—All quiet on the theatre front here. Houses operated normally over the week-end, following their temporary shutdown on July 8, while the general strike raged.

The Federated Women's Clubs, the Parent-Teachers' Ass'ns and the M.P.T.O. have gone civic by protesting against newspaper coverage of the strike. The protest was registered with Hilda L. Gin, manager of the California Theatre Ass'n.

MPTO to Sift Film Comment for Studios

An M. P. T. O. production contact committee has been appointed to study the studio executives reactions of independent exhibitors nationally and the public to types of pictures, personalities, scenes and dialogue in recent picture releases. It is stated in the national exhibitor organization's general bulletin distributed Saturday that it is intended that the reports will be influential in guiding production changes imposed by the church decency campaign.

Walter Vincent of New York is chairman of the committee. R. B. Wilby, Atlanta; E. C. Beatty, Detroit; Karl Hobliessle, Dallas, and Morgan A. Walsh, San Francisco, are members. The committee will gather, correlate and forward the information to the studios.

"It has developed," the bulletin states, "that the responsible heads of the studios are sincerely and keenly (Continued on page 7)

Frisco Houses Back to Normal Once More

SAN FRANCISCO, July 22—As quiet on the theatre front here. Houses operated normally over the week-end, following their temporary shutdown on July 8 while the general strike raged.

The protest was registered with Hilda L. Gin, manager of the California Theatre Ass'n.

Nazis Seek to Force Cultural Film Use

That the Nazi government will take steps to force exhibitors to include cultural films in their programs is indicated in dispatches from Berlin over the week-end.

This is understood to be in accord with Adolf Hitler's efforts to elevate the quality of films. Another step toward this end, it is revealed, is possible abolition of the rebate system under which small producers have been underbidding competitors.

(Continued on page 8)

Church Board Would Displace Hays Ass'n

A permanent board of control for the industry to be elected by representatives of the public, the national religious ministry and producers and distributors is proposed in a plan advanced over the week-end by the New York Board of Jewish Ministers, which is scheduled to be presented (Continued on page 7)

Campaign Hops Line, Reaches Into Mexico

By JAMES LOCKHART

MEXICO CITY, July 22—The decency campaign today crossed the border when 30,000 residents of Ciudad Juarez, State of Chihuahua, across the international border from El Paso, Tex., pledged themselves to shun theatres which run pictures considered off color. This goes for their own city as well as for El Paso.

Anticipation is the movement will now spread to other parts of Mexico.

Fleischer Lines Up 3rd Dimension Plan

BUFFALO, July 22—The illusion of depth and objects seen in relief and perspective was demonstrated at a screening of Max and Dave Fleischer's (Continued on page 3)
Insiders’ Outlook

SOL ROSENBLATT’S salary report is fascinatingly interesting in point of statistical formidable, but it is in that direction only that it contains facts which are new. Anyone who may have overlooked the fact that we forgot the terrific wallow this industry has taken in the last two years will find a forcible reminder by devoting a few minutes to the mass of information the division administrator, through his facilities, has compiled. The wonder is, in the light of what the figures reveal, that so many of the old-line companies are still going each morning to conduct their business...

The recommendation that the $10,000 penalty clause for encouraging unreasonable salaries and those clauses designed to set up a system of circulating star raids continues in force with full force and effect because they are not enforceable come as anything but a surprise. In the first place, the penalty clause was added to the code out of dire necessity, President and his memorable remarks concerning “unconscionable salaries.” Moreover, its inclusion was in that its intent at the outset never was to have brought about the objective for which it was created...

This is obvious because the penalty would not have vitiates the contract on which such a fine was to be invoked, but merely sock the guilty producer an extra $10,000 for having engineered such a pact. Suppose—this is purely a case in point—Metro offered Greta Garbo $250,000 for two pictures and this came to be viewed as a step encouraging unreasonable salaries. Metro, if found guilty, would pay the 10,000 iron men and proceed with its star and her pictures. The deal, on such a basis would run to $250,000, out of the company... 

Loew Pfd. Off 1½ on Big Board

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<th>Stock</th>
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<th>Low</th>
<th>Close</th>
<th>Change</th>
<th>Sales</th>
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<td>260</td>
<td>260</td>
<td>+4</td>
<td>100</td>
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<tr>
<td>20th Fox Film Co., etc.</td>
<td>230</td>
<td>230</td>
<td>230</td>
<td>+3</td>
<td>100</td>
</tr>
<tr>
<td>Loew’s, Inc.</td>
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<td>250</td>
<td>250</td>
<td>+2</td>
<td>2,000</td>
</tr>
<tr>
<td>Paramount Pictures, etc.</td>
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<td>275</td>
<td>275</td>
<td>+2</td>
<td>1,400</td>
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<tr>
<td>Pathé Exchange</td>
<td>7</td>
<td>6</td>
<td>6</td>
<td>0</td>
<td>900</td>
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<td>Warner Bros.</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>0</td>
<td>4,400</td>
</tr>
</tbody>
</table>

Technicolor Takes Eighth-Point Loss

Warner Bonds Advance ¾ Point
New Fox Met Angle Seeks Reorganizing

(Continued from page 1)

the new bankruptcy laws, it was said, could not have been brought by holders representing more than five or 10 per cent of the outstanding bonds. Representatives of Skouras and Randolf, present operators of Fox Met, who would be out of the circuit entirely if the Loew-Warners sale is consummated, could not be reached Saturday for comment on a report that this circuit was being put up for sale in the market recently and were represented in the action for reorganization of the circuit under the new laws.

No hearing of the petition was set and the belief is that it will be referred to Federal Judge Julian W. Mack, who has jurisdiction in the Fox Met proceedings, for disposal. To obtain consideration for their petition, the dissenting bondholders would be obliged to show that all holders would benefit more under the new bankruptcy laws than by a sale to Loew's and Warners.

Fleischer Lines Up

3rd Dimension Plan

(Continued from page 1)

Latest Betty Boop cartoon from Popeye Shee's Court Street Theatre. Photographed in color, as Fleischer cartoons will be from now on, this subject is said by the artist to represent a new process for which patents have been applied. The process is declared not to be applicable, as yet anyway, to films with human casts.

Chortle Over Duals

Flop in Cleveland

(Continued from page 1)

say they continue to be delighted with the results of the single feature policy. Except in a few localities where quantity and not quality is the main consideration, no known kicks have been registered.

Two, a Quarter Ready

PHILADELPHIA, July 22.—The TIOA will ceremonially dedicate its new quarters at 1313 Vine St. tomorrow. Music and refreshments will be the feature of the day from 10 A.M. to 3 P.M.

In Cleveland, Too

CLEVELAND, July 22.—The Cleveland M. P. of Exhibitors Ass'n, will hold a buffet luncheon for all members Thursday. This is a housewarming party to inaugurate new headquarters in the Film Bldg. Following the luncheon, a mass meeting will be held with an open forum for discussion of problems.

Montgomery-Hayes Team

Hollywood, July 22.—Robert Montgomery will be co-starred with Helen Hayes in "Vanessa," a novel. M-G-M has been working on the adaptation for several months. Recent reports had it that the novel had been sidetracked because of the church campaign.

"Dark Angel" Remake

Hollywood, July 22.—Samuel Goldwyn will remake "The Dark Angel" as its third for 1934-35. Thornton Wilder, author, will come west to do the script.

"Blossom Time"

(Continued from page 2)

"Blossom Time"

(British International)

LOXON, July 9.—This is another British picture which demands serious attention from America. It is artistry and it is first class box-office.

Although British International's Elstree studio is due big credit for admirable technique, the outstanding achievements in direction and acting are the result of the fact that they have had the opportunity to say that, apart from the language, there is no obvious trace of British origin about "Blossom Time," but, in fact, it is almost the highest compliment one can pay a production which seems to recapture the atmosphere of Vienna in the 1820's—and succeeds.

Taubner is not only a great tenor but an admirable actor with a sense of character which, added to a remarkable resemblance to Schubert makes his portrait of the composer altogether convincing and charming. Taubner's unhappy yet whimsical love story which is told. In conjunction with his singing, he seems to have his music stolen by a damping officer of the guards, yet when the young couple's happiness is threatened by an edict of the archduchess, it is Schubert who offers to save them by permitting the wedding.

The gentle sentiment of the story tinges a series of scenes which are in detail delightfully humorous and sometimes very ambitious in scale. Both descriptions apply to the ballroom episode where the archduchess, who is a bit crazy, has her guards officers lined up in relays of partners and to the effective concluding wedding scene, with Schubert leading the choir while the girl he loves marries her officer.

There is admirable acting from Athene Seyler as the autocratic archduchess and Paul Graetz, as the dancing master, and Jane Baxter is very charming as Vicki, the girl.

"Smoking Guns"

(Universal)

This Ken Maynard vehicle is a so-so western. At the outset it drags considerably, and it is not until it has reached nearly the half-way mark that it succeeds in finding its pace. Then it provides more or less exciting time until the finish. The story at times asks too much to be taken for granted, but this probably will not hurt its chances with western fans.

The plot concerns Maynard's efforts to clear himself of a charge of murder. The man who committed the crime for which he has been hunted he also believes guilty of having something to do with his father's disappearance. It ought to be needless to say that Maynard gets his man. At the same time he discovers his father is being held a prisoner by the bad fellow and his gang. Worked into the story is a romance between Maynard and Gloria Shea.


"Servants' Entrance"

(FOX)

Hollywood, July 22.—This is light, make-believe comedy that spells entertainment with a wide audience appeal.

The story is laid in Canada, but has Janet Gaynor as a young heiress embarking on a hunt for the real things in life by hiring herself out as a servant to get the lowdown on practicalities. In the throes of her new education, she forgets her old love (G. P. Hunter, Jr.) and falls romantically for her employer's chauffeur (Lew Ayres).

With this simple theme, the entire picture has a delightful whimsical quality that Gaynor portrays. (Continued on page 7)
The HUM

With DORIS KENYON

—more debonair, more heart-winning, more devilishly delightful than ever before, in the picture made from Christine Ames hit play exposing the "human side" of matrimonial separation... the problem of the children... the dilemma of an artful man-about-town who really loves his wife, but to whom outside theatrical interests have an ever greater attraction!... It's DRAMA tinged with delicious humor!... AND BOX-OFFICE ALL THE WAY!

A UNIVERSAL PICTURE
Presented by
CARL LAEMMLE
**“Baby” Good Kansas City Draw, $4,400**

**Kansas City, July 22.—“Baby Take a Bow,” while recording the smallest first run gross of the week, needed no gala bowing at the Upown second week running, taking $4,400, which is $900 above average. The “Double A” Kid was good for $6,000 at the Newman, while the Tower’s bill consisting of “Smarty” and a stage show grossed $4,500, $400 against $5,500 par. The Midland’s initial try at double bills with “Laughing Boy” and “Lazy River” slumped to $6,500.

Total first run business was $31,400, Average is $3,200.

Estimated takings:

**Kick Week Ending July 10:**
- **COCKEYED CAVALIERS** (Radio) $2,800.
- **MURDER ON THE BLACKBOARD** (Radio) $2,200.

**Mainstreet—** $4,700, 7 days, plus Saturday late show. Gross: $6,000. (Average, $857.)

**Week Ending July 12:**
- **LAUGHING BOY** (M-G-M) $4,000.
- **MURDER ON THE BLACKBOARD** (Radio) $2,800.
- **MAINSTREET** (Radio) $2,200.
- **THE WORKS** (Parr) $2,000.
- **PERSONALITY KID** (WARNERS) $1,500.

**Midland—** $4,000, 7 days, plus Saturday late show. Gross: $6,000. (Average, $857.)

**SMARTY** (WARNERS) $2,000.


**Week Ending July 13:**
- **LOOKING GLASS** (UPTOWN) $1,000.
- **Cowardy Calling** (FORUM) $2,000.

**“Operator 13” on Double Montreal Top**

MONTREAL, July 22.—Box-office grosses for the week ending July 14 slipped several cogs because of the humid heat and increased desire for outdoor activities. The Capitol came out on top with $7,000, under par by $2,000, on “Operator 13” and “Upper World,” while the Palace came through with $6,000 for “Bulldog Drummond” and “Great Flirtation.”

British films fan struck by the Princess Theatre to the extent of $5,500 for “Sally and Turkey Time.” With two features and vaudeville, the Imperial grossed $4,500, the attraction being British film, “Happy” and “Insult.”

Total business was $29,500. Average is $4,214.

Estimated takings for the week ending July 14:
- **OPERATOR 13** (M-G-M) $5,000.
- **UPPER WORLD** ($3,000).
- **THE WORKS** (Parr) $3,000.
- **INSULT** (British) $1,500.
- **THREE INSURGENTS** ($1,500).

**“Insiders” is Big in Frisco With $17,500**

SAN FRANCISCO, July 22.—In spite of unsettled conditions due to the heat, the “double A”-stricken “Winters” went over in a big way at the Golden Gate. It neared a house record opening day and piled up $17,500 over normal by $4,500, for the week.

“Change of Heart” also gave the Warson 7 day run and “Little Miss Marker” took a good $6,500 in its second week. Elsewhere business was off.

Total first run business was $84,500, Average is $68,000.

Estimated takings:

**Week Ending July 10:**
- **LIFE OF VERGIE WINTERS** (Radio) $500.
- **GOLDEN GATE** ($2,000).
- **CIRCUS CLOWN** ($2,000).
- **THE GREAT FLIRTATION** ($2,000).
- **I GIVE MY LOVE** (Univ) $1,000.
- **ORPHUEUM** ($1,000).
- **THE DRAKENSBERG** ($700).

**Week Ending July 12:**
- **MARRIAGE ON APPROVAL** (Ind) $4,000.
- **ST PATRICK’S DAY** (M-G-M) $4,000.
- **CHANGE OF HEART** (FOX) $1,000.

**“Car” is Fair In Dull Week At Pittsburgh**

PITTSBURGH, July 22.—With Pittsburgh down to three first runs, business generally remains about the same. While the Catholic ban has not been felt very severely here, a combination of poor pictures and hot weather has made things pretty dull.

Last week, only the Penn managed to make any kind of showing at all and that was due to the stage show rather than the picture. The house had Benny Davis and his “Star Dust” revue to bolster “Murder in the Private Car” and the result was around $16,500, which while not quite average, was considered satisfactory.

At the Palace, “Show Business” gathered only $7,000 and the Warson, with “Cockeyed Cavaliers” and “Let’s Try Again,” continued the town’s sub-par business with a rather indifferent $4,800.

Total first run grosses were $28,300. Average is $3,300.

Estimated takings for the week ending July 14:
- **MURDER IN THE PRIVATE CAR** (M-G-M) $12,000.
- **PENX** ($2,000).
- **STANLEY** ($3,000).
- **COCKEYED CAVALIERS** ($2,000).
- **WARRIS** ($2,000).

**“Vergie” and “Chan” Big in Cleveland**

CLEVELAND, July 22.—Outstanding in a poor week here were “Charlie Chan’s Courage,” which did $3,500, Warner’s “Hindgrimm” and “The Life of Vergie Winters,” which garnered $11,000 in its second week at the RKO Palace.

“Little Man, What Now?” reached $2,500 in its second week at the Allen. Total gross of all business was $31,400. Average is $4,300.

Estimated takings for the week ending July 13:
- **LITTLE MAN, WHAT NOW?** (Univ) $1,000.
- **CHARLIE CHAN’S COURAGE** (FOX) $3,000.
- **THE LIFE OF VERGIE WINTERS** (RKO) $1,500.
- **THE PERSONALITY KID** (WARNERS) $1,000.

**“J. E. Hennegan Retires**

HAMILTON, July 22.—Joseph E. Hennegan, present of the Hennegan Co., one of the oldest show-print plants in the country, has retired, and will be succeeded by his son, John. The company claims distinction of having produced the first poster to be used for advertising films. It was a half-sheet at the "Star of the Show," made more than 30 years ago for the old Lubin Co.
Wisconsin Up
In Arms Over Cancellations

(Continued from page 1)

ing cards to theatre operators advising them of the showing of indecent pictures and informing them that if the policy is not continued these cards will be placed on the blacklist. These same organizations are also sending messages of protest to the producers and the stars appearing in the objectionable films.

The independents' publicity is designed to point out that it is impossible for them to cancel undesirable pictures despite Will Hays' announcement to the contrary and that the producer owned houses should be discriminated against rather than the independents.

All parent-teacher associations in Milwaukee have been urged to form their own better films committee which will be to encourage parents in the cultivation of a taste for a higher type of entertainment.

K. C. Men Skeptical
Over Cancellations

(Continued from page 1)

the step, "provided they are sincere and mean well," and said that potentially the move contained relief for independents. He fears, however, that some of the features are available to the subsequent right now and for that reason they will be compelled to use pictures listed as objectionable.

"The independent subsidiaries may become the 'goat' of this movement," said Means. "The public now will hold the exhibitor responsible whereas in the past the responsibility, because of block booking, was with the distributor."

A. F. Baker, ex-president of K. M. T. A., is disturbed over the effects of these features on the development of the small town exhibitor. Should the small town operator, making three or four changes weekly, cancel objectionable films, he would find himself in a difficult spot, without sufficient product to permit continuous operation. Baker believes he also sees the responsibility for clean films laid at the doors of the theatre.

MPTO to Sift Film
Comment for Studios

(Continued from page 1)

interested in having this project established. It is particularly important now that the studios are changing their course into uncharted fields of picture production so that they can know promptly and reliably the audience reaction to their new pictures.

"The studios are vitally interested, perhaps now as never before," the bulletin continued, looking especially at what scenes, dialogue, incidents, themes, characters, titles, etc., please or displease theatre patrons and the audience at large. The bulletin also wants reliable information on players and other talent that is popular or unpopular, what types of stories are wanted as indicated by the reception given specific pictures; whether stories with songs and music are wanted, and what scenes or situations in pictures played should not be repeated in future pictures.

No publicity will be given the reports received by the committee from exhibitors, it was stated in urging the exhibitors to comment frankly and specifically in making reports.

The bulletin reports a spread of anti-double feature sentiment among exhibitors and makes the charge that "certain double feature producers are setting up rival exhibitor organizations" in some localities to counteract the trend against double features.

In a recent article by R. H. Cochrane, vice president of Universal, in which the exhibitor's right to double feature was defended, the bulletin says:

"We have no quarrel with Mr. Cochrane over the matter, if he prefers to promote double features that's his business. If other exhibitors refuse to license their own pictures for double feature exhibitions, it seems to us that is not the affair of double feature producers. M.P.T.O.A. believes that where the majority wants double features it should have them; but where double features prevail, the big majority doesn't want it or can't quit because of competitive conditions. We can hardly believe that Mr. Cochrane is so naive as to actually believe that an exhibitor has the "right of individual decision" when the theatre across the street shows two features for the same admission as the single feature house.

"If the competing exhibitor won't cooperate with his fellow exhibitors," the bulletin continued, "the thing to do is to make him behave or give him a dose of his own medicine. To what extent he will steal your business away just as any other cut-throat competitor would."
Monday, July 22, 1934

**Bank Nights**

**Fuss Persists Though O.K.'d**

KANSAS CITY, July 22.—Although it is a case of one up for those who have been called "Bank Nights" conspirators, the new decision of Attorney General Roland Boyanton that the practice of collection agencies in Kansas City is not illegal is expected to end the fight over the issue in ranks of local independents.

The attorney general ruled "Bank Nights" is a form of collection, and has declared no decision on the matter. He also indicated that the prosecution of the law will continue.

One exhibitor faction, through code machinery, has been seeking to have "Bank Nights" declared a lottery and has enlisted the aid of the Better Business Bureau. The other camp, including exhibitors using the plan, contends it is legal and has brought voluminous evidence to support the plan, which is now vastly strengthened by the attorney general's ruling.

**Single Decision in Existence**

The only court decision in existence directly bearing on the scheme was that of a district court which dismissed a case against an exhibitor in the Oklahoma City territory, brought by a county attorney on lottery charges. The NJ Court of Appeals, in violation of the state law since participants did not have to buy a ticket to be eligible for a cash prize, therefore the element of consideration was not involved, according to attorneys for Affiliated Enterprises, Inc., of Denver, which owns the theaters.

Numerous other court decisions have been cited, both for and against the plan's legality, but these relate entirely to other, and similar schemes. Leland Hazard, counsel for complaining exhibitors, has been advancing what he terms decisive decision in which the court held there does not have to be a monetary consideration involved, but that the advertising consideration which draws people to the business establishment is sufficient to constitute the plan a lottery.

**Decisions Part of Record**

All pertinent decisions are already part of the record in the case heard by the local grievance board on complaint of Mrs. A. Bailey against E. S. Young of the Roanoke, the first exhibitor to use "Bank Nights" in Kansas City.

Mr. Young's counsel introduced as evidence earlier opinions by the attorney generals of Kansas and Missouri which declared the plan a lottery. Also, recent decisions for Affiliated Enterprises has contained state officials did not have all the facts and court officials had no time to examine the opinions and recently has been submitted to the attorneys general with both states.

The original opinion of Boventon was given to the Kansas-Missouri Theatre Ass'n several months ago at the request of the members, and at that time was printed in full in Motion Picture Daily.

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**Variety Club Chatter**

**Albany**

ALBANY, July 22—Barber Tracy Barcham has resigned as booker for Warners and is expected to return to Florida and new affiliations with the Screen Guild.

During the past few weeks, many out-of-town barkers have visited the local town. Most prominent among them were Bob Beale, of Washington, George Roberts of Cleveland and Shirley Sampson of Buffalo.

Ben Dare, booker and Sam Rosenblatt, Rensselaer exhibitor, have been installed as barkers, making the town rowdy again.

The Saturday and Sunday night open house events are becoming very popular, despite the summer weather. Second Assistant Barber Sauber has returned from Washington.

While in the capital he visited the headquarters of Tent No. 11, and also renewed acquaintances along Film Row. Sauber hails from Washington.

**Buckeye**

SMACKWITZ, GRASSGREEN, Alexander and Herman can be seen every week-end on the links trying to master the golf course. This quartette makes a snappy foursome, the winner being determined by the one who masters the art of forgetting to count all the strokes.

Chief Barker Buckley has returned from a 10 days' fishing trip in the Adirondacks, and Barber Sauber is back in harness after vacationing in Perh Amboy, N. J.

**Cincinnati**

CINCINNATI, July 22—Barker Clifford Boyski, skipper of the RKO Albe, spent his vacation in the east renewing acquaintances with the family back home.

P. J. ("Pete") Wood, business manager of the Independent Theatre Owners of Ohio, has been a member of the Columbus tent, give Cincinnati the once over recently.

**Cleveland's Initial Appeal Up August 2**

CLEVELAND, July 22—Campa will hear the first appeal case on Cleveland Aug. 2, according to word received from John C. Flinn, executive secretary of Code Authority. This is the case of Ashburndale Theatre Co., East Side Amusement Co., Loew's Valentine and Adams Theatres, Incl. of Toledo, again Airo-Vita, Inc., also of Toledo, charging non-theatrical competition.

Since the protest was heard by the Cleveland grievance board and certified to Campa for a decision, Swanne Field Ball Park, about which the protest centered, has closed.

**Wick Code Assent; Buffalo Case Ended**

BUFFALO, July 22—Edwin Wick of the Majestic, who lost his long-drawn-out reduction admission case on an appeal to the New York Code assent, thus ending the case, it is believed. Campa gave Wick until July 25 to comply with a Buffalo grievance code and desist order, or he will have film deliveries stopped.

**See Hurdles Confronting Percentages**

(Continued from page 1)

In view of existing contracts, followed by the immediate conclusion that, if and when found acceptable, a new order could be given a uniform starting date and would have to await completion of renewal of existing ones now in force. By the time such a day arrived, this man continued, there might not be any NRA and so no necessity to any of its administrators.

Unexpressed, but extremely important in any discussion on a swing toward percentage contracts for talent in wholesale, is the system of selling pictures in block. Many distributors always have maintained one of their objections to percentage deals has been their anticipation that such an arrangement and do not take into account some of the profit; that a percentage contract star is apt to be interfering with the audit system; that inevitably there would be disputes over returns involving such a star's pictures and other pictures, not made on percentage contract basis. As it is known that, as a result, distributors who lean toward this point of view figure it will be more profitable to be pressured, although the terms may be higher.

So far as could be learned over the weekend, Rosenblatt's suggestion has brought about no plan to go into meeting to air advisability of its consideration. It will be referred to Hollywood and Rosenblatt starts for the film capital today. It is entirely probable, therefore, that preliminary may be heard not before the end of the week if they are to be launched at all.

**Grosses in 2 Years Decline $88,540,917**

(Continued from page 1)

While distributing companies showed a profit of $25,001,362 for 1931 and a loss of $253,541 for 1932, they succeeded in wiping out the loss and rolling up a profit of $107,676 by the end of last year.

Producing and distributing companies reported gross receipts of $258,615,862 for 1931; $250,027,699 for 1932 and $197,418,377 for 1933, or a steady decline. In 1931, their profit was $25,041,361; in 1932, it dropped to $36,328 was reported but this was reduced to $9,481,361 for 1933. These figures are representative of the entire division which will be in no way to account for individual companies, at least in this classification.

**Shift Buffalo Century**

BUFFALO, July 22—Buffalo Theatre, Inc., successor to Shea Theatres Corp., has consolidated its position on behalf of the Buffalo Century under a new lease. Preliminary to the new deal, an eviction suit for non-payment of $13,000 back rent against the Buffalo City Court by Midland Properties, Inc., owners of the Century—a legal maneuver to take possession of the Erie Operating Co., Old Shea subsidiary.
NRA Denies Code Appeal; Self-Regulation Upheld

Zukor Due Today on Studio Plans, Para. Reorganization

By VICTOR M. SHAPIRO

Aboard the 20th Century Limited, Toledo, O., July 23.—Adolph Zukor arrives in New York Tuesday morning on what he describes as a trip to coordinate Paramount's studio activities with the home office and to lend aid to the company's reorganization.

He says he is gratified with the response of writers, producers and directors to the strengthened moral code.

A new spirit is permeating the studio from stars to the rank and file, he added, and morale is better than it has been at any time for the past three years.

Fox Met Move Aimed at Full Bond Payment

The belief that Fox Metropolitan Playhouses may eventually return bondholders dollar for dollar on their investment is all that motivated the holders who applied for reorganization of the circuit under the new bankruptcy laws late last week. Archibald Palmer, attorney for the group, said yesterday.

Palmer declared that his clients, three in number, represented about $14,000 of Fox Met bonds. He stated

(Continued on page 11)

Control Passes on Three in St. Louis

ST. LOUIS, July 23.—The Ambassador, Missouri and Grand Central Theatres were taken over by Allan Snyder and Harry Koplar yesterday morning. The Ambassador and Missouri were closed and will reopen August under Fanchon & Marco management.

Plans for the Grand Central are

(Continued on page 11)

Fox Closes Deal on 22 for Music Hall

John D. Clark, general manager of distribution for Fox, yesterday closed a contract with the Radio City Music Hall for 22 of his company's films next season.

New York City's drive for clean films will be extended into Westchester, Hudson and other adjoining counties as a result of a vote taken yesterday by a meeting of the inter-faith committee in the rectory of Holy Cross Church.

Details of the extension plans will be worked out at a meeting to be held Aug. 6, to which representatives from

(Continued on page 12)

Warner Reiterates Stand on Boycott

CHICAGO, July 23.—Harry M. Warner agrees with Postmaster General Farley that pictures should respond to public sentiment, but nevertheless he considers it unfair for opinion-moulding bodies to urge confiscation of property.

His opinion on this point was re-

(Continued on page 10)

Warner Take Over Allen in Cleveland

CLEVELAND, July 23.—Warners have taken over the Allen from Myer Fine, Abe Kramer, P. E. Essick and Max Lefkowish. A formal announcement will be made as soon as papers, now in preparation, have been signed. The house closed Sunday night. This gives Warners three local downtown theatres.
Insiders’ Outlook

**The New York Times,** reflecting the dubious merit of its consistently unfriendly attitude toward motion pictures at large, yesterday streamlined the flat statement that John Dillinger, bandit shot to death in the emerged from the Chicago theatre Sunday night, had been “trapped by lure of moving picture depicting gunman career.” Undoubtedly next will be the story that Dillinger was persuaded to embark on his career of murder and robbery by the pictures he had seen in the past. All of this remarks once again that a job remains to be done by the organized industry in convincing the press of the nation to turn more sympathetic and cooperative when these films are properly criticized. Where facts justify such criticism is neither to be avoided nor discouraged. Pot shots merely become talk that is not being given the press the which is peculiarly susceptible do not belong. This business is large enough and an important enough customer of newspapers at large to strike out determinedly for a more honest break.

**Difficult as it is to keep** check pokes which develop on checkboard, it is a film producers stiffen their spinal columns and do something when cheap tricks, heaping up further opprobrium, develop from the inconstancy mean by which the press association yarn hinting with as much sublety as it would take to cover the broad side of a barn. Miss Velez and Johnny Weissmuller planned a three-act movie. Yesterday, writing from Hollywood, the usually well-informed columnist, Sidney Skolsky, said in the Daily News: "Lupé Velez is now confirming to friends that the divorce yarn was just a 'begg

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**Most on Big Board Decline**

<table>
<thead>
<tr>
<th>Stock</th>
<th>High</th>
<th>Low</th>
<th>Close</th>
<th>Net Change</th>
<th>Sales</th>
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<tr>
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<td>225</td>
<td>255</td>
<td>240</td>
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<tr>
<td>Consolidated Film Ind</td>
<td>375</td>
<td>350</td>
<td>335</td>
<td>-20</td>
<td>120</td>
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<tr>
<td>Paramount</td>
<td>100</td>
<td>95</td>
<td>90</td>
<td>-5</td>
<td>50</td>
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<tr>
<td>Warner Bros.</td>
<td>325</td>
<td>315</td>
<td>310</td>
<td>-5</td>
<td>120</td>
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**Technicolor Drops 3/4 on Curb**

<table>
<thead>
<tr>
<th>Stock</th>
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<th>Sales</th>
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<tr>
<td>Trans Lx</td>
<td>150</td>
<td>125</td>
<td>120</td>
<td>-5</td>
<td>300</td>
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<tr>
<td>Paramount Publicx Off 50%</td>
<td>110</td>
<td>100</td>
<td>90</td>
<td>-10</td>
<td>200</td>
</tr>
<tr>
<td>Pathe Exchange 'A'</td>
<td>1</td>
<td>15</td>
<td>10</td>
<td>-5</td>
<td>100</td>
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**Icy blasts hitting torrid Times Square through the lobby of the Paramount one day last week were tinged with a fish odor, strongly reminiscent of herring. "That was no herring. It was the picture that smells that way," rejoined a curbside cowboy. Ben Hecht and Charlie MacArthur, producers now, strolled along the Fifth Avenue front recently. A couple of members of the genus moron drinking in a shadeless harangue attracted their attention. Their next assignment was at Eastern Service during the final week's shooting on "Crime Without Passion" on the set in front of the cameras and in the picture house. The lax supervisors, don't disturb."
NOW
THAT ALL
THE
SHOUTING'S
OVER
"WE'LL STRING A

Leading exhibitors of the United States and Canada, representing 1500 theatres, tell Paramount executives of their confidence in forthcoming product. In this group are:

First Row: Nathan Goldstein, Springfield, Mass.; Ralph Branton, Omaha; John Balaban, Chicago; M. A. Lightman, Memphis; Adolph Zukor; Emanuel Cohen; Carl Hoblitzelle, Dallas; Sam Dembow, Jr.; N. L. Nathanson, Canada; M. B. Comerford, Scranton; Harry Nace, Phoenix.

Second Row: H. L. Kinsey, Charlotte; J. R. Blank, Des Moines; George Zeppas, Wheeling; Bab
Wilby, Alabama & Tennessee; Bob O'Donnell, Dallas; George J. Schaefer; P. K. Johnston, Dallas; Hunter Perry, Charlottesville; J. Clemmens, Beaumont; Louis Marcus, Salt Lake City.

Third Row: W. K. Jenkins, Atlanta; Col. Lucas, Savannah; Barney Balaban, Chicago; E. V. Richards, New Orleans; John Friedl, Minneapolis; A. H. Blank, Des Moines; Marty Mullin, Boston; Sam Pinanski, Boston; Harold Robb, Dallas; M. Ruben, Chicago; Carl Linz, Dallas; E. Rowley, Little Rock.

Back Row: Carl Bamford, Asheville.

...for they know that
PARAMOUNT's

Only players that are reaching
and PARAMOUNT STARS will

Mae West
2 pictures ... "Gentlemen's Choice" ... and one other

Marlene Dietrich
2 pictures ... "The Scarlet Empress," with John Lodge, Sam Jaffe, Louise Dresser. Directed by Josef Von Sternberg ... and one other as yet untitled

Claudette Colbert
3 pictures, including Cecil B. De Mille's "Cleopatra" ... "Are Men Worth It?" ... "The Gilded Lily" with Cary Grant and a star cast

Gary Cooper
4 pictures, including "Now and Forever," with Carole Lombard and Shirley Temple ... "Lives of a Bengal Lancer," with Richard Arlen, Katherine De Mille, Cary Grant and Sir Guy Standing ... "20 Hours by Air," with Carole Lombard and another picture to be announced

Bing Crosby
3 pictures, including "She Loves Me Not," with Miriam Hopkins, Kitty Carlisle, Lynne Overman, Warren Hymer ... "Here Is My Heart," with Kitty Carlisle ... "Sailor Beware," with a star cast

W. C. Fields
3 pictures, including "Mississippi," with Lanny Ross and Evelyn Venable ... "Love Thy Neighbor" ... "Back Porch" with a cast to be selected

Cary Grant
4 pictures, including "Ladies Should Listen," with Frances Drake, Edward Everett Horton, George Barbier, Charles Ray ... "Lives of a Bengal Lancer," ... "Eyes of the Eagle," with Frances Drake ... and one other

Miriam Hopkins
... "She Loves Me Not," with Bing Crosby; and other pictures

Charles Laughton
1 picture ... Harry Leon Wilson's hilarious classic "Ruggles of Red Gap," with Charlie, Ruggles, Mary Boland. Directed by Leo McCarey

If it's a Paramount Picture
The peak of popularity makes these Pictures in 1934-35

<table>
<thead>
<tr>
<th>Star List is HOT</th>
<th>Pictures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Carole Lombard</strong></td>
<td>4 pictures, including &quot;Now and Forever,&quot; with Gary Cooper and Shirley Temple • • • &quot;Rhumba,&quot; with George Raft • • • &quot;Case Against Mrs. Ames,&quot; with Lee Tracy • • • &quot;20 Hours by Air,&quot; with Gary Cooper</td>
</tr>
<tr>
<td><strong>Joe Penner</strong></td>
<td>&quot;College Rhythm,&quot; with Lanny Ross, Richard Arlen, Joe Morrison, Lyda Roberti. Directed by Elliott Nugent</td>
</tr>
<tr>
<td><strong>George Raft</strong></td>
<td>4 pictures, including &quot;Limehouse Nights,&quot; with Anna May Wong and Montague Love • • • &quot;Rhumba,&quot; with Carole Lombard • • • &quot;One Night Stand,&quot; with Ben Bernie and one other picture to be announced</td>
</tr>
<tr>
<td><strong>Lanny Ross</strong></td>
<td>3 pictures, including &quot;College Rhythm,&quot; with Joe Penner, Jack Oakie, Lyda Roberti, George Barbier • • • &quot;Mississippi,&quot; with W. C. Fields • • • &quot;Big Broadcast of 1935&quot;</td>
</tr>
<tr>
<td><strong>Sylvia Sidney</strong></td>
<td>3 pictures, including &quot;Desire&quot; • • • and two others to be announced</td>
</tr>
<tr>
<td><strong>Lee Tracy</strong></td>
<td>3 pictures, including &quot;Case Against Mrs. Ames,&quot; with Carole Lombard • • • &quot;You Belong to Me,&quot; with Helen Mack and Lynne Overman • • • &quot;Lemon Drop Kid,&quot; a Damon Runyon story</td>
</tr>
<tr>
<td><strong>Charlie Ruggles &amp; Mary Boland</strong></td>
<td>3 pictures including &quot;The Pursuit of Happiness&quot; • • • &quot;People Will Talk,&quot; with Ida Lupino &amp; Kent Taylor • • • &quot;Love Thy Neighbor&quot; with George Burns, Gracie Allen, W. C. Fields &amp; Alison Skipworth</td>
</tr>
<tr>
<td><strong>Betty Boop</strong></td>
<td>12 box office cartoons from the Little Sweetheart of the Screen</td>
</tr>
<tr>
<td><strong>Popeye</strong></td>
<td>12 smash hits from the Sailor King of Short Subjects</td>
</tr>
</tbody>
</table>

It's the best show in town!
PARAMOUNT

...and the people

Novels and Stories

“MRS. WIGGS of the CABBAGE PATCH”


“LIVES OF A BENGAL LANCER”


“RUGGLES OF RED GAP”

Harry Leon Wilson’s hilarious classic, read by millions of Saturday Evening Post readers and favorite novel of thousands. With a cast headed by Charles Laughton, Charlie Ruggles, Mary Boland and Sir Guy Standing. Directed by Leo McCarey.

“The CASE AGAINST MRS. AMES”

Arthur Somers Roche’s famous story that 5,000,000 people avidly read in the recent issues of Collier’s. With Lee Tracy and Carole Lombard. Director to be selected.

“20 HOURS BY AIR”

By Frank Dazey and Bogart Rogers, famous war ace and flyer. This story will soon be read by millions of people as a sensational serial in Liberty Magazine. Gary Cooper and Carole Lombard will co-star in this picture.

“LEMONDROP KID”

By Damon Runyon, the most popular writer in motion pictures today. With Lee Tracy and Helen Mack.

“SHOE THE WILD MARE”

Gene Fowler’s best-selling novel. With Henry Wilcoxon, Roscoe Karns and a cast of skilled players to be selected.

“TARGET”

The exciting McCall’s Magazine story by Stephen Morehouse Avery. The interest of thousands of enthusiastic readers caused us to purchase this story and put it on the screen. A large cast of stellar players will be headed by Sir Guy Standing.

A love affair that shook the world, set in a spectacle of thrilling magnificence.

CECIL B
De Mille

‘CLEOPATRA’
Broadway’s Biggest Plays

Unanimously chosen as the year’s most hilarious comedy, 300 performances to date, and all of them S. R. O.! As a picture it will star Bing Crosby and Miriam Hopkins, with Kitty Carlisle, Lynne Overman, George Barbier Warren Hymer. Directed by Elliott Nugent.

Another big Broadway hit. 28 weeks, 250 performances—all of them capacity. With Francis Lederer, Joan Bennett, Charlie Ruggles, Mary Boland, Walter Kingsford, Grace Bradley, Miner Watson. Directed by Ralph Murphy.

30 weeks, 290 performances. One of the most uproarious comedies of all times. This will be seen on the screen as a comedy with music, starring Bing Crosby.

One of the most successful musical comedies of the year. Enjoyed long runs both in New York and Chicago. Recently bought for Jack Oakie, Carl Brisson, and Kitty Carlisle, the combination that scored such a big success in Earl Carroll’s “Murder at the Vanities”.

Broadway’s Spring sensation—the play that made an overnight success in New York. Just purchased as a special vehicle for Jack Oakie who will be supported by Helen Mack, Grace Bradley, Fred MacMurray.

Karel Capek’s brilliant play which scored such a hit in New York when produced by the Theatre Guild several years ago. Made into an amazing spectacular production. With an all-star cast. Directed by Mitchell Leisen.

‘There’s a laugh in practically every line’, says Robert Benchley in the New Yorker. Played 220 performances to packed houses this year. Cast to be selected.
Warner Reiterates Stand on Boycott

(Continued from page 1) iterated here today following his ar-
ival from the coast with J. L. Wilk, head of the Warner story depart-
ment. They arrived on the same train with Adolph Zukor, although War-
er said this “just happened” and had no significance. Warner and Wilk
remained here today and will con-
tinue here until tomorrow, arriving on Wednesday.

Farley’s remarks about pictures con-
formng to public sentiment were made last week at the studio luncheon where Warner gave vent to his opin-
on of the unfairness of Cardinal Spellman’s story boycott in Phila-
delphia.

Warner said again here that he had no objection to the listing of pictures unacceptable to groups, but consid-
ered demanding and commanding flocks to remain away from theatres un-American. Wilk expressed the opinion that
the industry is through with trends and cycles.

“Backgrounds,” Wilk said, “may indi-
cate the news mood of the moment, but the story in any locale must be simple and reach the heart.”

Para. Goes Sound; Capitol Pool Off

(Continued from page 1) switch in policy, the step is signifi-
cantly driven by the swelling of the fale of any pool with the

The policy starts with “Cheopatria” already lined up are: “The Scarlet Empress,” “She Loves Me Not,” the Mae West film, “Now and Forever,” “Mrs. Wiggs of the Cabbage Patch,” “College Rhythm” and “The Pursuit of Happiness.” Each picture will run as long as it draws, Paramount fig-

Composite of All Production and Distribution

<table>
<thead>
<tr>
<th>Classification</th>
<th>Gross receipts</th>
<th>Amount</th>
<th>Percent of gross receipts</th>
<th>Total amount</th>
<th>Number of employees</th>
<th>Number of pictures</th>
<th>Number of cameramen</th>
<th>Number of actors and actresses</th>
<th>Number of extras</th>
<th>Number of sound technicians</th>
<th>Number of costume designers</th>
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<tr>
<td>Gross receipts</td>
<td>8,372,000,000</td>
<td>100.00</td>
<td>8,572,000,000</td>
<td>100.00</td>
<td>217,000</td>
<td>848</td>
<td>371</td>
<td>20,970</td>
<td>8,629</td>
<td>91,893</td>
<td>18,967</td>
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<td>400,000,000</td>
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<td>54</td>
<td>18</td>
<td>1,200</td>
<td>4,648</td>
<td>1,853</td>
<td>364</td>
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<tr>
<td>Surplus and surplus reserves</td>
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<td>91,058,000</td>
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<td>1,436,223,000</td>
<td>17.17</td>
<td>2,000</td>
<td>848</td>
<td>371</td>
<td>20,970</td>
<td>8,629</td>
<td>91,893</td>
<td>18,967</td>
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<tr>
<td>Net profit or loss</td>
<td>3,215,187,000</td>
<td>38.60</td>
<td>3,215,187,000</td>
<td>38.60</td>
<td>2,000</td>
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<td>20,970</td>
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<td>91,893</td>
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</tbody>
</table>

individuals, Pay Rolls and Average Compensation

(Continued, All Production, Distribution, Exhibition)

<table>
<thead>
<tr>
<th>Classification</th>
<th>Number of employees</th>
<th>Number of pictures</th>
<th>Number of cameramen</th>
<th>Number of actors and actresses</th>
<th>Number of extras</th>
<th>Number of sound technicians</th>
<th>Number of costume designers</th>
<th>Number of editors</th>
<th>Number of writers and dramatists</th>
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<tr>
<td>Gross receipts</td>
<td>8,372,000,000</td>
<td>100.00</td>
<td>8,572,000,000</td>
<td>100.00</td>
<td>217,000</td>
<td>848</td>
<td>371</td>
<td>20,970</td>
<td>8,629</td>
</tr>
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<td>Capital investment</td>
<td>400,000,000</td>
<td>4.79</td>
<td>400,000,000</td>
<td>4.79</td>
<td>1,400</td>
<td>54</td>
<td>18</td>
<td>1,200</td>
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<td>Surplus and surplus reserves</td>
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<td>1.08</td>
<td>91,058,000</td>
<td>1.08</td>
<td>50,000</td>
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<td>7,500</td>
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<td>17.17</td>
<td>2,000</td>
<td>848</td>
<td>371</td>
<td>20,970</td>
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<td>20,970</td>
<td>8,629</td>
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</table>
NRA Denies Appeal: Backs Self-Control

(Continued from page 1)

Gordon, chairman of the board of the NRA, said that the President’s executive order accompanying the code provides for a review, and, if necessary, for any action taken by Code Authority or committees appointed by it on the part of the National Recovery Administration. In refusing the petition for review, cites the interpretation of the executive order by General Johnson, Dec. 9, “construing the provisions of the order as not containing any right of appeal in individual cases.”

Jefferson Amusement Co. is now seeking a rehearing of its case by the NRA. Its petition for a rehearing, which will be heard by the NRA at its Thursday meeting, declares that the company was unaware of the administrative order refusing appeals to him in individual cases. It charges in its petition that the administrative order is invalid because “no one has any right to change, alter or modify the provisions of the code, except the President, himself.”

Holds Right to Buy Recognized

The Jefferson petition also contends that the Campi findings and the method of relief granted the complainant in the overbuying case constitute a recognition by Campi of the “right to buy” and, in effect, result in incorporating the “right to buy” in the code, although the complaint was rejected after lengthy discussions when the code was being drawn.

The overbuying complaint against Jefferson was brought to the Dallas overbuying by Rubin Frels of Victoria, Tex. The local board found Jefferson had overbought and ordered the company to prepare two lists of 39 “representative” pictures which it had under contract to permit Frels to make a choice of one of the two lists. The local board’s ruling also assured Frels a similar number of pictures, as this would then provide him for as long as he should remain in business.

Jefferson took the ruling to Campi, which upheld the local board’s findings and its method of providing relief, with the exception that it rejected the findings to apply to one year’s product only. Another year is another story, Campi held.

Gordon, president of the Jefferson Amusement Co., head, then sought the review of Campi’s findings by Rosenberg. In this refusal to support Rosenberg points out, in addition to Gen. Johnson’s interpretation of the executive order, that the overbuying complaint was represented at both the local grievance board and the Campi hearings of the case and that all the facts were fully disclosed at those times. Rosenberg also notes that the decisions of both the local board and of Campi were unanimous and that Campi is not shown to have exceeded the authority vested in it by the code.

In its petition for a rehearing of its case, the board makes a claim that it was, in effect, the board that selected, either in Frels. The Jefferson petition contends that this procedure looks remedial what is now an application of the “right to buy” rather than of the overbuying provisions of the code.

If this is not done,” Gordon said yesterday, “the ruling will eliminate competition in exhibition. If exhibitors know beforehand that they will have to split their product with their competitor, what is to prevent them from getting together in advance of the selling season and determining just what they will buy and how much they will pay for it.”

Canadian Deal Set

James R. Grainger leaves for Toronto today to sign Universal production contract for Famous Players Canadian.

All Back Together

E. R. Hatrick, in charge of W. R. Hearst’s film interests, went to Europe some weeks ago to build up a new program and a featured organization in view of the split in September between H. Metronome and Fox Movietone.

Truman H. Talley, general manager of Fox Movietone, and Laurence Stallings, editor, followed shortly afterward to take care of the new Fox Movietone.

All three return today on the Ile de France.

K. C. Board Decides Bank Nights Lottery

KANSAS CITY, July 23.—Bank nights have been ruled a lottery by the Kansas City board, and a code violation in that they lower, or tend to lower, admissions and hence are unfair competition.

R. E. Young, respondent exhibitor, was ordered to stop the plan immediately.

Laurence F. Martin, representing Affiliated Enterprises, announced that an appeal would be taken to Campi.

Mrs. A. Lamer, complainant in the first instance, is preparing similar complaints against several other independent using the plan in this city.

Rome Acquires Two More in Baltimore

Baltimore, July 23.—Negotiations between J. Louis Rome, managing director of the Hornstein Brothers, have resulted in the Regent and Diane becoming part of the Associated circuit.

This gives Rome the Regent and Harlem, first run colored houses, and the newly built colored Diane. He also has booking power for nine houses.

Set for “Music Hall”

The Music Hall has spotted in these attractions:

-Hat, Coat and Glove,” week of July 21.


No decision has been reached on the week beginning Aug. 9.

Flash Review

Shock—A pleasing and entertaining film that should do well in neighborhoods and small towns.

This also will be reviewed in full in a later issue of Motion Picture Daily.

Fox Met Move Aimed at Full Bond Payment

(Continued from page 1)

that no effort had been made to line up other bondholders, pointing out that the new bankruptcy laws provide that a petition for reorganization may be brought by at least three bondholders representing $1,000 in amount. Anything additional, he said, would be so much.

Palmer denied that either Skouras or Rainford interests were represented in the action.

Fox Met is required to file an answer to the petition before July 30, following which a hearing will be set.

My clients believe that they stand an excellent chance of realizing 100 cents on the dollar from Fox Met within the next 10 years,” Palmer said.

“All the losers have been eliminated from the circuit now and only the paying ones are left. These bondholders also believe that the circuit should not be split up with large amounts paid to two operators. They believe that Fox Met can be better and more economically operated as a unit.”

Control Passes on Three in St. Louis

(Continued from page 1)

not definitely set. Harry Arthur is here to complete the management contract with the Snyder.

The three houses will be managed by Koplar in association with Harry Greenman, manager of the Fox, an F. & M. house. Negotiations are under way with Paramount, Universal, Radio and Columbia for product for the F. & M. houses, in addition to the Fox and St. Louis. They control all but Loew’s among the first runs now in operation.

Snyder says he plans to spend about $7,000 for improvements at the Ambassador and $3,500 at the Missouri while they are closed.

Rent on the houses began today. It is $2,000 a week for the Ambassador, $1,000 for the Missouri and $350 for the Grand Central, plus 15 per cent of the gross above those figures.

Re-Sign John Stone

Hollywood, July 23.—John Stone, production associate of Sol Wurtzel, in charge of Fox’s Spanish productions, has signed a new long-term contract. The deal is for two years without options.

Rhoden on Way East

KANSAS CITY, July 23.—Elmer C. Rhoden, division manager for Fox Exhibitors, is en route to New York for conferences in advance of the buying season.

Sheehan Coming Here

Hollywood, July 23—Winfield Sheehan, production head of Fox, is to arrive in New York last night on route to Europe for a vacation. He is due in New York Wednesday.

MOTION PICTURE DAILY'S

HOLLYWOOD PREVIEW

“Cleopatra” (Paramount)

Hollywood, July 23—“Cleopatra,” one of Paramount’s big noises for the new season, is a typical DeMille production, lavishly gorgeous in every respect and with everyone connected deserving high honors for his or her particular job.

The story, based on history and dealing with the murder of Julius Caesar, the subsequent rise to power of Marc Antony and Octavian, and Cleopatra’s spell over Rome’s heroes, was milked dry of entertainment value by the producer.

Claudette Colbert is beautiful as Egypt’s queen; Henry Wilcoxon, Warren William and Ian Keith as Antony, Caesar and Octavian, respectively, contribute excellent performances. Outstanding smaller roles lend adequate support, including Gertrude Michael, Joseph Schildkraut, Aubrey 2050 and Claudia Dell. Direction, by William Cameron Menzies, is excellent. Costumes, by Travis Banton are catching and the musical score by Rudolph Kopp, excellent. Victor Milner’s enchanting photography is breath-taking.

“Cleopatra” looks as if it possesses sure-fire appeal for all classes. Running time, 90 minutes.
Churches Here To Widen Film Drive

(Continued from page 1)

the surrounding territory will be invited. Sub-committees will be chosen from those who attend.

These sub-committees will be composed of Catholic priests, Reform rabbis, and one Protestant minister.

Rev. Joseph A. McCaffrey, pastor of Holy Cross Church, presided at yesterday’s meeting which was attended by the following members of the inter-faith committee: Rabbi Sidney E. Goldstein, of the Free Synagogue; Rabbi William F. Rosenbloom, of Temple Israel; Rev. J. Henry Carpenter, secretary of the Brooklyn Federation of Churches and Missions and Rev. Walter M. Howlett, of the Greater New York Federation of Churches.

Father McCaffrey, talking as spokesman for the group, said that the committee would concern itself only with the distribution of the pledge cards in Greater New York, and would leave the supervision of films to the various national organizations, which are planning to meet in the near future to draw up a national “black list” of films, to do away with the present confusion brought about by conflicting lists.

When asked to comment on the recently published list of actors and actresses who had been placed on the “black list” by a Boston priest, Father McCaffrey said: “They are all good artists, but have been polluted following the commands of their directors.”

Holds Producers to Blame

Father McCaffrey also remarked that if the producers had obeyed the production codes drawn up by the Hays office in 1922 and in 1930 the present condition of pictures would not exist.

“Will H. Hays has failed lamentably in his job,” he continued, “and should be removed in favor of a body that could make the producers adhere to the production code to the letter.”

Many organizations have communicated with the committee, lending their support to the present campaign and asking for pledges. Father McCaffrey said. Among those who have written to the committee are: Emergency Council of the Fraternal Organizations of the U. S.; Williamsburg LaGuardia Ass’n, and Intercollegiate Democratic League of N. Y.

It is also reported that the Intercollegiate Democratic League of N. Y. has pledged its support to the Ass’n. for the Preservation of the Freedom of Stage and Screen, which is in direct opposition in most ways to the inter-faith committee.

The Ass’n. for the Preservation of the Freedom of Stage and Screen held its first meeting last night at the Hotel New Yorker for discussion of the film situation and means of combating the church campaign. Dr. Robert Broder, founder and president of the association, presided. Other speakers were Dr. Charles Francis Potter of the First Humanist Society and Rabbi Harry G. Borwick of Williamsburg, Pa.

Dr. Potter said in part: “When the representative of the church calls on you as a non-churchgoer in the proposed house-to-house canvass, I suggest that you say to these canvassers, ‘I am perfectly capable of choosing the motion pictures which I wish to attend. I will match my morality with yours or your minister’s at any time, and I resent your visit to my home in an attempt to supervise my morals.’

Then politely show him to the door.”

If asked why you don’t belong to the church, the motion picture producer who is a member of a church, and has not seen the运动 picture producer who is a member of a church, and has not seen the

Hays a General

Louisville, July 23—Will H. Hays has been made a General on the staff of Governor LaFoon.

Consolidated’s Net In 3 Mos. $320,782

Consolidated Film Industries, Inc., and subsidiaries yesterday reported for the quarter ending June 30 a net profit of $320,782 after all charges.

This was equal, after dividend requirements on $2 preferred stock, to 23 cents a share on $24,973 shares of common and compared with a net profit of $151,781, or 22 cents a share, on common in the preceding quarter and with $157,177, or 49 cents a share, on 400,000 shares of $2 preferred stock in the June quarter of 1933.

For the six months ending June 30 net profit of $638,563, equal to 45 cents a share on common, against $462,577, or 12 cents a share on common in the first half of 1933, was shown.

Takes Action to Settle Labor Dispute

General Offices: Grand Rapids, Michigan

BRANCHES IN ALL PRINCIPAL CITIES

Ask Us,

“How can I reseat and pay for new chairs conveniently?”

American Seating Company

Makers of Dependable Seating for Theatres and Auditoriums

Tuesday, July 24, 1934

Says Local Aid Is Cancellation Aim

(Continued from page 1)

The hero is killing the villain—that’s good!

He will marry the girl—as certain he should.

Gee, what a picture—it would be a treat

If I could get set in this slithering seat!

But say, such a theatre!—how often I’d come

To see pictures here—but I really get numb.

I miss all the thrills, for this house needs repairs

They’d double business with comfortable chairs.

(Continued from page 1)

When the letter was made public by Pettijohn yesterday, Pettijohn made it emphatic that an exhibitor’s request to have a picture cancelled must be based on objections expressed in his own community.

“This offer,” the letter added, “should not be abused by chronic contract breakers who seek to chisel down their film rentals by repudiating their contracts. It was intended to help the sincere exhibitor who might be faced with an actual protest on moral grounds actually existing in his community.”

patron wholesome, clean entertainment.” The text of the letter was made public by Pettijohn yesterday.
Moscow for GiveandTake Film Policy
Will Expand Imports as Exports Increase
By BELLA KASHIN
Moscow, July 24—Development of a give and take policy which will increase Soviet exports of films and at the same time increase imports of American product is the aim of S. I. Ustevich, director of the Sovkino Export Department, he said upon his return here from a business trip to New York.

Confirming the fact that negotiations with several American film companies are underway aiming at a national distribution of Soviet films.

(Continued on page 6)

London Films Sets Stage Play Plans
By BRUCE ALLAN
LONDON, July 24—London Films has formed a subsidiary of the Empire Trust to produce stage plays in the West End. The idea is to develop films from successful plays.

First on the list, scheduled for October, will be a romance, "The Private Lives of Napoleon and Josephine," played by Fredric March and Mary Ellis. This will be produced by Pro. Robert, continental specialist on Shakespeare and Shaw.

It is probable that Oberon and other London stage stars will be given parts.

Production Gains Slightly on Coast
HOLLYWOOD, July 24—Production increases last week over the preceding week, with a total of 33 features and eight shorts in work compared to 32 and seven for the preceding week.

This indicates that the producers are becoming more sure of themselves.

(Continued on page 3)

ITOA Fails to Make Decision on MPTOA
LOS ANGELES, July 24—Whether or not the I. T. O. A. will affiliate with the M. P. T. O. A. is still undecided.

With less than 50 per cent of the membership present last night those present voted against affiliation by a narrow vote, according to Ben Bernstein.

The issue is to come up again tomorrow at a general meeting called to discuss the clearance schedule.

Campi Places 3 Rehearings On Calendar
Action Follows Ruling In Jefferson Case
Following the precedent established by Division Administrator Sol A. Rosenblatt in refusing to review a final determination of Code Authority in the Jefferson Amusement Co. overbuying case, three petitions for rehearings by Campi of cases previously passed upon by it have been filed and will be heard at tomorrow's regular meeting of Code Authority.

Jefferson Amusement Co. was the first to ask a rehearing of the overbuying complaint brought against it by Rubin Frels of Victoria, Tex. Jefferson's petition for a rehearing by

(Continued on page 6)

Rosenblatt to Find Film Leaders Gone
HOLLYWOOD, July 24—Division Administrator Sol A. Rosenblatt will find a number of important executives out of town when he arrives here in a few days. Discussion of his percentage plan for talent may not be held as a result.


Appeals Committee Has Four Cases Up
A Campi appeal committee yesterday heard four cases appealed from Albany, Los Angeles and New York boards and is scheduled to forward its report on the cases to Campi in the next few days.

Cases heard were: an unfair advertising complaint against the Hen-Wil-Hen Corp., Hudson, N. Y., by

(Continued on page 6)

Says Legion Aim Is Clean Films and Not Destruction
Catholics are being admonished to remain away from objectionable pictures because the church has any desire to destroy the industry, but because of its conviction of the "urgent necessity of a clean and wholesome screen," Archbishop John T. McNicholas of Cincinnati, chairman of the Episcopal Committee on Motion Pictures, will state in the August issue of the Ecclesiastical Review. The magazine serves bishops and priests and is published in Philadelphia. The archbishop's article will prove important in church circles since it is his first written expression in several months.

"The sole purpose of the Legion," the church dignitary will say, "is to

(Continued on page 6)

On the Coast
How is Hollywood reacting to the church campaign? What does it think and what is it doing about strengthened Production Code Administration?

These and other questions are answered by Victor M. Sharioto, Hollywood manager of Quigley Publications, who arrived in New York yesterday.

Assessment Schedule Made Public by NRA
WASHINGTON, July 24—Members of the industry are to be assessed from $16 per month to $2,000 per year for support of the Code Authority, it was disclosed today by the National Recovery Administration.

warners, Paramount, M-G-M, Fox, United Artists and RKO are scheduled for contributions of $10,000 each. Universal and Columbia are slated to pay $18,000 each.

Producers in group one, the Administration revealed in making public

(Continued on page 6)

Hays Sailing on G. B. Own Changes
LONDON, July 24—Jeffrey Hays, general manager of Gaumont British Distributing, sails for New York July 28 aboard the Aquitania, reputedly to make preliminary arrangements for the company's own distributing organization in the States.

It is highly probable he will be followed by C. M. Woolf, managing director of G. B., and Mark Ostrow.

(Continued on page 6)

Follow the Rules, Milwaukee Dictum
MILWAUKEE, July 24—Reply of Milwaukee exchanges to the publicity campaign being conducted by the A. I. T. O. for the purpose of obtaining cancellations of objectionable pictures is that the cancellations can be had in accordance with the Hays organizations.

The Allied campaign is aimed at Parent-Teacher Ass'ns., the Legion of

(Continued on page 6)

Hays Is Defended by Michael in Buffalo

"We feel," he said, "that if producers had cooperated with suggestions made four years ago by Hays the industry would not find itself

(Continued on page 6)

Sees Tax Danger in Missouri and Kansas
KANSAS CITY, July 24—The danger of additional taxation on theatres in Kansas and Missouri is real, declares John C. Stapel, newly-elected president of the K. M. T. A. He calls on exhibitors in the territory to cooperate with the organization, which

(Continued on page 2)
MOTION PICTURE DAILY
(Registered U. S. Patent Office)

Vol. 36 No. 20
Wednesday, July 25, 1934


A. E. Quigley, President; A. C. Quigley, Vice-President; A. C. Quigley, Jr., Treasurer; W. D. Quigley, Secretary.

PUBLISHED OFFICE: 700 BROADWAY, NEW YORK.

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

Vidor Says Future Depends on "Bread"

His future as an independent produc- er depends solely upon the finance of his latest efforts, "Aert Daily Bread," said King Vidor yes- terday. United Artists is handling the distribution of the film, and the release date of which is Aug. 10.

Vidor plans to sail for London in about two weeks to confer with Alex- ander Korda of London Films on a proposed series of pictures to be made by London Films next year with his wife, Laughton, as star. The deal has not been definitely set, however, and Vidor may go to Moscow, instead, to film atmosphere shots for a picture with his wife, made by a Russian background.

In commenting on the censorship wave that is sweeping the country, Vidor said that the producers are only getting what they have been asking for by the type of pictures they have been putting out for the past year and a half.

CHICAGO, July 24.—"Our Daily Bread" will be previewed at the Lagoon Theatre at the World's Fair in Chicago. It is the first pic- ture to be screened at the exhibition. Ten representatives from each state and foreign consuls and dignitaries have been invited.

George Landy, who arranged for the preview, arrives here by plane to- morrow from New York with a print.

Bernard Sailing on G.B. Own Changes

(Continued from page 1)

member of the private banking firm which sponsors the company.

MOTION PICTURE DAILY has re- ported on at least two separate occasions that Gaumont British fully in- tended to organize its own distributing machine in this country. The reports, in both instances, were officially denied by the company and by Arthur Lee, American representa- tive of G. B.

Meyer Returning Home

HOLLYWOOD, July 24—Fred S. Meyer, president of the M.P.T.O. of Milwaukee, leaves for home shortly after July 15, when he will spend several months. Meyer is now recuperating and gaining slowly but steadily.

Pathé "A" Off 1¼ on Big Board

Technicolor Drops One on Curb

Most Bond Issues Take a Beating

Wednesday, July 25, 1934

Frank R. Tate Buried

ST. LOUIS, July 24.—The funeral of Frank R. Tate was held here this afternoon at his home. He was a pioneer movie owner and was 74 years old. Death took place Sunday. Burial was in the Bellefontaine Cemetery.

L. J. Murdoch Dies

TARK HAU, Ind., July 24—Luther James Murdoch, 59, proprie- tor of the Lyceum here for more than 15 years, is dead. He was one of the leading business men of Terre Haute's east side. The widow, a son and one daughter survive. Burial was in Newnan, Ill.

Mrs. Dent Passes

LONDON, July 24.—The wife of Arthur Dent, sales manager for British Instructional, was suddenly and de- spondently yesterday following an operation.

Zukor, Balaban Here

Adolph Zukor arrived in New York from the coast yesterday and was met at the station by his son, Eugene, and Sam Dembow, Jr. Bar- ney Balaban of B. & K. journeyed in with Zukor from Chicago.

Giannini Coming East

HOLLYWOOD, July 24.—Dr. A. H. Giannini, chairman of the executive committee of the Bank of America, N. A., leaves for New York Wednes- day.

Production Gains Slightly on Coast

(Continued from page 1)

in meeting the present demands for a total of 20 features, 19 are sold out and everything points to continued production in the near future with a total of 20 features, 19 sold out in the final stages of production tentatively slated to start production within the next two weeks.

While features in the cutting room also show a tendency and need for new pic- tures to get under way with a low total of 42 features and 18 shorts in the final editing stages.

Warners led the field with seven fea- tures before the cameras, one in final stages, two in preparation for editing: M-G-M reported four, zero and nine; Universal, four, one and three; Fox, three, two and four; Radio, three, two and three; Paramount, two, six and four; Goldwyn, two, zero and zero; Columbia, two, three and four, while the independent companies had a total of five, seven and eight.

In the short subject division, M-G-M reported a total of two, two, four preparing and four editing. Roach had one, two and three; Universal, zero, zero and three, while the indepen- dent companies had a total of five, seven and eight.

Sees Tax Danger in Missouri and Kansas

(Continued from page 1)

will seek to protect their interests when the legislatures convene next winter.

Fed with depleted treasuries, state officials are casting about for new sources of revenue. In Missouri, the sales tax has proved inadequate and real estate taxes are reported ad- vocating an amusement tax. In Kans- as, teachers' organizations are sup- ported by veterans' groups in their lobby for a sales tax to replenish the school funds. A tax on admissions is something to guard against in both states, says Stapel.

C. J. Latta to Coast

PITTSBURGH, July 24—C. J. Latta, district manager for Warners here, is expected to reach the coast this weekend for the annual summer vacation. He will join his family, who have been spending their months in Hollywood. He will motor back with his wife and children.

Say Fuse Was Cause

Interrupted preview of "Cleopatra" at the Criterion in the morning was first suspected as having been caused by labor trouble, was declared later in the day to have been occasioned by the inexperience of a man in the booth with fuses.

The picture was about half over when the screen went blank. A spokesman for the Criterion told the audience the house had switched on the fuse. Miss Harry, of Allied and Empire projectionists, inti- mate unions were the cause, without making any open charge.

The house opened on schedule with its return run on "Cavalcade."
Coast Preview of M-G-M's "Treasure Island" starring Wallace Beery, Jackie Cooper with Lionel Barrymore! Never such cheers in a theatre! It's a treasure and a pleasure. Just one of the M-G-M life-savers of the summer.
Here’s what happened at the Preview!

(SUBJECT: Confidential Preview Report)

Twenty-three hundred people in San Diego are talking about one thing today—and that is HAROLD LLOYD’S new picture, THE CAT’S PAW, which was previewed here last night for the first time.

The story (and when I say story, I mean story) did not drag in a single spot, and the surprise finish sent patrons away with something to talk about for weeks to come.

The audience sat spellbound—they were seeing Lloyd in a picture entirely devoid of excess slapstick and hokum, and yet a picture beaming with clean humor and wholesome laughter. There isn’t a let-up of action from the beginning to the hilarious surprise finish.

Furthermore, the picture will be received with open arms by those various groups which at this time are insisting on “family entertainment.” Every exhibitor who plays Fox product next year will thank you for this one. Let me be the first to extend my congratulations.

—B. V. STURDIVANT
Fox West Coast Theatres
San Diego Calif

From the Saturday Evening Post story
by CLARENCE BUDINGTON KELLAND

PRODUCED BY THE
HAROLD LLOYD CORPORATION
A FOX release
HAROLD LLOYD

in

The Cat's Paw

with

UNA MERKEL  GEORGE BARBIER
NAT PENDLETON  GRACE BRADLEY
ALAN DINEHART  GRANT MITCHELL

Directed by

SAM TAYLOR
CampiPlaces
3 Rehearings
On Calendar
(Continued from page 1)
Campi was filed as soon as Rosen- blatt's ruling was handed down, hold- ing that individual cases decided by Campi were not subject to review by the Administrator. The ruling was based on General Hugh S. Johnson's interpretation of the President's ex- ecutive order made last Dec. 9 and guaranteeing the industry the right of "self regulation." In fact, Sparks, Paramount operating partner in southern states, filed a petition for a rehearing of the case involving clearance and zoning changes in Miami. Sparks was made a defendant in the case by various Miami exhibitors. He appealed the local board's clearance and zoning changes to Campi, which upheld the local board in all essential particulars. His petition for a rehearing of the case will be considered by Campi tomo- row.

Los Angeles, Calif., Judge N. J., filed the third petition for a rehearing. Liner was the complainant in an overhanging case brought against Atlantic Theatres, Bridgeton, in the Philadelphia griev- ance board. Liner filed the relief sought in his action; Atlantic appealed the decision to Campi which modified some of the local board's findings. Liner now brings his petition for a rehearing on the decision by Campi.

Campi's semi-annual financial report, which includes the Price, Waterhouse audit of the costs of code administra- tion to date, described as showing a "remarkably economical operation of Campi and local boards," will be presented at tomorrow's meeting by John C. Flinn, executive secretary.

The meeting is also scheduled to act on the recent "manifest of Denver exhibitors which proclaimed that rec-ognition of Campi and its local boards would be withheld by the exhibitors until the right of "home rule" in ex- hibition affairs had been granted. It was known that Campi's attitude on the matter was indicative of its adherence to Federal law as represented by the National Industrial Recovery Act rather than of Code Authority and the code.

Clearence and zoning complaints, raised in large numbers by sections of the country, are also scheduled to receive attention at to- morrow's meeting. Charles L. O'Kelly will be chairman of the session.

Bank Night Appeal
To Be a Test Case
KANSAS CITY, July 24.—Appeal to Campi by Allied Enterprises, Inc., of Denver from the decision of the Kansas City grievance board holding bank night in violation of the code is in the nature of a test of far-reaching significance. Filing the appeal from the decisions of the Los Angeles and Denver grievance boards, which ruled similarly, is being held up by expedited action of the local boards.

Besides the legality of bank night with respect to the code, the Kansas City case involves the question whether the plan violates the state laws. The local board found the so-called advertising plan is a lottery in violation of the Kansas attorney general's opinion. Since the case decided originated in Mis- souri, the board disregarded an opinion by the Kansas attorney general that the plan is not a lottery.

The appeal will cite that the griev- ance board decision and the decision and hence had no right to de- termine whether bank night was a lot- tery under the state laws, according to representatives of Allied Enter- prises.

Using Bank Nights
In St. Louis Houses
ST. LOUIS, July 24.—Bank nights and merchandise giveaways are under- taken to be in compliance with a number of spots in this territory as a result of the grievance board ruling that they are not code violations if it is not necessary to buy an admiss- sion ticket or be present in the theatre when prizes are awarded.

The decision followed a rehearing of Harry G. Swan's complaint against Gaylord W. Jones' Riotto, Granite City, III.

An overhanging complaint brought by J. H. Hogue and the Lead Belt Amusement Co., operators of the Elite, Moberly, Mo., against W. A. Colly- bins, Illinois, same town, was dis- missed.

Bank Night War Widens
KANSAS CITY, July 24.—The war on bank nights was extended here to- day with the filing of complaints by Mr. E. O. Daler, acting for himself and other exhibitors, against the Colonial, Southtown and Westport theatres.

Chicago Board Suspends
CHICAGO, July 24.—At its final meet- ing until about Nov. 1 the clearance and zoning board heard 10 complaints. During its existence 66 cases have been filed with the local body. Fif- teen were withdrawn while the board made determinations in 41 complaints.

Assessment for Schedule Made
Public by NRA
(Continued from page 1)
Alic a schedule submitted by Campi for the production and distribution branches of the industry, will pay a $500 a year each, with Monogram slated for the highest figure, Majestic and Mascot for $900 each.

Independent producers, in Group two, are listed for $20 per month, with the following payments being made: $350 to Allied Exporters, $30 to Independent exporters and producers, and $30 to "Independent exchanges" are scheduled, for the most part, at $6 per month each, but some are to be assessed $5, $12 and $24, and a few at $3.

Notice was given by the Adminis- tration that criticisms, objections or suggestions regarding this basis of assessment would be received by the Administration. Assistant Sol A. Rosen- blatt up to Aug. 6.

Appeals Committee
Has Four Cases Up
(Continued from page 1)
the Crandall, Chanthin, N. Y., ap- pealed from the Albany grievance board; a clearance and zoning com- plaint involving the same litigants; a clearance and zoning complaint brought by Leonia Amusement Corp., Leonia, N. J., against Skouros' Fox and Warner's Ottianni, Hackensack; Skouros' catering at the Palms, Atlantic City, Anne, Bogota; Loew's Embassy, North Bergen; RKO's Capitol, Union City, and Skouros' Park Lane, Palisades, appealed from the New York clearance and zoning board, and a re- duced admissions complaint brought by the Ivanbrow Thaxton Co. of Alhambra Amusement Co., Fox West Coast, et al, Alhambra, Cal., appealed from the New York board.

Austin Keough was chairman of the appeal committee which met yester- day.

Protest Coming on
Atchison Clearance
KANSAS CITY, July 24.—Disheart- enment with the clearance adopted by the clearance and zoning board for Atchison, Kan., Roy Dunnuck, only inde- pendent in the town, told Morton PICTUPE DAILY he would file an ap- peal with Campi. His opposition is Fox Midwest, which he claims is fa- vorable to the plan, although he also benefits Dunnuck in some respects.

Exhibitors in St. Joseph, Mo., and Wichita, Kan., other cities for which clearance has been set, are reported willing to give the new setup a trial. This means that the first formal clearance and zoning schedules have existed for cities in the territory out- side a City. Clearances and zoning board, cities, with the exception of those cov- ered, was not considered because no protests were filed.

Pierson Buys at Oxford
OXFORD, O., July 24.—Richard Pierson, operating a string of houses in the Oxford "western," has purchased the Oxford here from Joseph Neiser, owner.

Moscow for
GivendTake
Film Policy
(Continued from page 1)
in the United States which will yield greater returns than heretofore, he indicated that arrangement of ex- change for Soviet motion pictures was looked upon favorably here.

"Good business procedure on our part," Mr. Givendt stated, "is to offer an attractive Sovi- et market for foreign films and equipment to any organization that will make it possible for us to mar- ket our films in the United States on a wider scale than heretofore.

"Our purchases will be determined primarily by our income. The more we sell, the more we buy." Mr. Givendt foresaw a wide market in Russia for picture equipment.

"We can use American technical advice in the establishment of a facili- ty for producing equipment more in line with the lines of the Ford factory established here," he said. "This fac- tory, established here with Ford assistance in 1930, has yielded them $25,000,000.00.

"Our 225,000 collective farms as well as larger establishments are potential buyers of movie apparatus.

In the event that an arrangement is coming to pass, Mr. Givendt, president of Afinko in New York, who is now carrying on negotiations, will be retained as agent for the Moscow office; agreements are expected to reach a head shortly. Ver- linksy is in daily communication with Moscow.

Report Berlin Film
Rules Hurt Exports
WASHINGTON, July 24.—Although the German film industry has un- doubtedly gained fundamentally in the eyes of the public through actions by the present government, the drastic official censorship of films has seriously handicapped its export abroad, ac- cording to a report to the Commerce Department from Trade Commissioner G. R. Canty, Berlin.

Leading German film firms, he states, have already started production, and, although details are not available, it is estimated that between 140 and 145 features, compared to 136 in 1933- 34, will be produced, with from 20 to 25 of these in such cities as Prague, Vienna, Budapest and Paris.

To Discuss Benefit Fund
KANSAS CITY, July 24.—Creation of a cash employees' benefit fund will be one among subjects discussed at Fox Mid- west Theatres annual convention at Topeka, Aug. 14 and 15, which all managers and executives in the divi- sion will attend. Methods of financ- ing the fund will be dealt with.

Free Shows Worry K. C.
KANSAS CITY, July 24.—Free shows sponsored by merchants are making further inroads in Kansas City. Merchants in the Waldo district are showing films on Wednesday nights, while merchants in the Waldo com- munity are sponsoring free shows each Thursday night. Both are out- door, one in a lumber yard.
Short Subjects

Today's Citizens

This was produced by Atlas ofogany in cooperation with the Loyal-
der of Moose and is to be exhibited at local theatres through the
week, at local lodges and exhibitors.

It is a surprising film for those not
miliar with the big institution main-
ized by the Moose at Moosehea
where orphans of members are
ught up from infancy and grad-
ated from high school with a tra-
ed at an expense of $1,000,000 a
ar.

There are no statistics in the film,
has a narrative form, short shots of
various activities, including a big
end, with some elements of humor
ning time, 11½ minutes.

Poor Cinderella

(leslie-Paramount)
The familiar Cinderella and Prince
arming story with Betty Boop as a
character. This short is
in Cinocolor, this process
which gives the film a definite third
ensional effect and, therefore,
ething new. The story, told lightly and played for
ncles, the subject is a fine example
ow diverting his action can be. The color works,
cially blantly, is generally ex-

The Wax Works

("inter")

In this cartoon Oswald is the cura-
of a wax museum. A child is left
his door one stormy night and he
e in it. Most of the reel con-
the child's having a nightmare
which the wax figures come to life
he is pursed by Dracula, Franklin-
, The Invisible Man, the
chback of Notre Dame and coun-
other monsters. Fairly entertain-
ning time, 8 minutes.

Any New Contracts

re Signed on Coast

HOLLYWOOD, July 24.—New studio

David O. Selznick has signed Hugh Wal-
 a second contract beginning
ories until December. He will be
 technical advisor on "David Cop-
field" and will assist in adapting his novel.
also is reported the studio's
bill contract for originals.

Bill Regan has annexed himself a new
month contract from Warners. The
nents will be "Sweet Adeline." The
re recently completed "Young
ent Tour" on a loanout.

Paramount has been buying tickets
ors and Leon Gordon. Jungen's
to work on "War of the Worlds" and
Worth," and "The Invisible Man.
" joins with Gordon doing the
play the title role in "A Girl Must
an original by Karl Brown and Erna

Dorothy Wilson, who recently rose from
manger's chair's reception to Radio at a
ed player, has been signed by
"Blue Smoke." John Blustone will direct with
uction producing.

Mrs. Morgan checked in at Fox last
ke to do the screenplay on "Hell in
vena," a part in "War of the Worlds." Baker,
uston will direct with
uction producing.

Paramount has given new long term
trials to Sir Guy Standing, actor, and
L. L. of the music. Walter Donaldson
Rosters, songs, have been signed to long term

contract by M-G-M calling for their ex-
clusive services for one year.

Tim McCoy's first western under his
new contract with Columbia will be
"Wolves of Catalina," an original by Jack
velford. D. Ross Lederman will direct.
Columbia has signed Eddie Leisk to a
ong term contract as a dance director. His
first two productions will be "Hollywood
Cinderella" and "The Girl Friend."

WARNERS are augmenting their list of 50
stock players with 15 girls to be selected
from the chorus of "Fighting Man." The
will be given contracts on a weekly

Ainsworth J. Morgan has joined the
Paramount writing staff. For his first as-
ment he is collaborating with William
Lipman and Gladys Lehman on the
Sylvia Sydney vehicle, "The Bread
Woman."

Mary Tree, who has just finished work
"Gentlemen Are Born," has been signed
by Warners to a four term contract.

Warners have torn up Pat O'Brien's old
contract and have written him a new long-
term agreement calling for star billing and
raise in salary. At present, O'Brien is
being featured in "Till She Anythin."

"Bondage" on Dual
Top in Providence

PROVIDENCE, July 24.—"Of Human
Bondage" and "I Can't Escape," a
dual bill, made the best comparative
showing of the week here, with $7,200, for
the RKO Albee. This is $200 over

The little RKO Victory, with a 25-
cent top, took $1,100, up by $100, with
"Border Menace" and "Love Past 30.
Hot weather hit all the other first
runs, sending thousands to nearby
beaches.

First total run business was $25,200.
Average is $33,900.

Estimated takings for the week end-
ing July 19:

"MIDNIGHT ALIBI" (Warners) 
"PERSONALITY KID" (M-G-M) 
"BULL DURIAN STRIKES BACK" (U. A.)

The Palace, $6,000

High in Portland

PORTLAND, July 24.—"Baby Take a
Bow" was the best draw of a decid-
edly drab week. It secured $6,000 at
the Paramount augmented by "Here
Comes the Groom." This is $1,000
over normal.

With the waterfront strike still on
balance of first runs could not come
up to average.

First total run grosses were $20,400.
Average is $2,200.

Estimated takings for the week end-
ing July 19:

"BABY TAKE A BOW" (Fox) 
"HERE COMES THE GROOM" (Fox) 
"SIN OF NORA MORAN" (Warners) 
"WHERE SINNERS MEET" (Radio) 
"PERSONALITY KID" (Warners) 
"SIN OF CORA MORAN" (Majestic) 
"STAMBOUL QUEST" (M-G-M) 

IT'S A BOW" (M-G-M) 
"THE PARTLY OVER" (M-G-M)

"Fog Over Frisco" (F.N.) 
"Affairs of a Gentleman" (Univ)
"The Handicap" (Monogram)

"Fog Over Frisco" (Para) 
"Friday the Thirteenth" (British) 
"Let's Be Rude" (Univ)

"Shooting the Works" (Para) 
"Bowl and "Ritzy" Fair in Montreal

MONTREAL, July 24.—Local theatres
struggled on against the humidity
during last week. The fans could hardly
raise an eye to the newest film treat
in town, although the Capitol secured
$7,500 on "Baby, Take a Bow," and
"Let's Be Rude."

The Palace collected $6,000 with
"Shoot the Works" and "Friday the
Thirteenth," while the Princess was
in the running with $5,500 for "Born
to Be Bad" and "The Party's Over." The
slipped to $4,500 with "Fog Over
Larissa" and "Affairs of a Gentle-
man."

Total first run business was $27,500.
Average is $4,300.

Estimated takings for the week end-
ing July 21:

"BABY, TAKE A BOW" (Fox) 
"LET'S BE RITZY" (Univ) 
"THE SIN OF NORA MORAN" (Majestic) 
"MANHATTAN LOVE SONG" (M-G-M) 
"IMPERIAL" (M-G-M) 
"Fog Over Frisco" (F.N.) 
"Affairs of a Gentleman" (Univ)

"Shooting the Works" (Para) 
"Friday the Thirteenth" (British) 
"Let's Be Rude" (Univ)

"Shooting the Works" (Para) 
"Bowl and "Ritzy" Fair in Montreal

I'M SHOOTING THE
WORKS ON MY DE LUXE
1934-35 SHORT SUBJECT
PRODUCTION BUDGET. SPENDING
DOUBLE WHAT I SPENT LAST
YEAR TO TURN OUT THE
CLASSIEST SHORTS WITH NEW
IDEAS — COLOR AND MONEY
NAMES TO HELP YOU GET EM IN.

LEO, JUNIOR SPEAKING
Says Legion Aim Is Clean Films and Not Destruction

Continuing, he will state, in part:

"The Episcopal Committee learned that there was a serious threat to the industry, and that the public was being misled by the assertion that the industry was not responsible for objectionable material. The committee was unable to confirm these allegations, and they are calling on the public to support the church and its efforts to guide the industry."

Continuing, he will state, in part:

"The reorganization of the production of films, which has taken place since the establishment of the Production Code in 1930, has led to a more wholesome and responsible industry. The committee has been unable to find any objectionable material in the films produced since the code was established."

Continuing, he will state, in part:

"The committee is urging the public to support the code and to vote for the legislation that will make it effective. The code has been successful in guiding the industry and preventing the production of objectionable material."

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"The committee is urging the public to support the code and to vote for the legislation that will make it effective. The code has been successful in guiding the industry and preventing the production of objectionable material."

Follow the Rules, Milwaukee Dictum

Wednesday, July 25, 1934

Says Films Not to Malign Jewish Race

Kansas City, July 24—Major produc-
ers have pledged not to depict Jews in an obnoxious light, stated Richard E. Gutstadt, national director of the Anti-Defamation Commission, at a B'nai B'rith meeting here. He disclosed the promise was given at a conference called by him in Hollywood attended by ranking production executives.

"Discussing the present agitation, Gutstadt declared: "It is high time for American Jewry to recognize that the cheap, salacious smut and vulgarity that has come from pictures is a reflection, and we must light alongside the Catholic and Protestant churches to clean up our movies."

Hays Is Defended by Michael in Buffalo

(Continued from page 1)

The turmoil that has been created. The present situation has been brought about by a small group of interest groups who were interested in creating something for their personal gain, regardless of the cost to the industry."

Hays Due Today

Will H. Hays is due in New York from Hollywood today by air.
Giannini Will Insist Upon O.K.'d Stories

Necessary for Financing In Future, He Says

CHICAGO, July 25—Approval of stories will be a condition laid down by A. H. Giannini before he makes any new film investments, he declared today between trains on his way to New York.

When applications are made for financing, he said, he will make sure Joseph I. Breen's office has issued a certificate of approval, so that later changes and possible disapproval of the finished production will be obviated.

Four big pictures which had been (Continued on page 16)

U" Deals Show BIG Jump for Year

Universal's recent deals with the major Hall and the Loew circuit in this territory represent an increase of last year of 215 per cent in sales alone, according to James R. Grainger, general sales manager.

Universal regards this as a general increase in bookings as a sign of returning business confidence. The booking department reported to Grainger yesterday that sales have been 

Yay's Fool's Advice' For Warner Release

"Fool's Advice," produced at the Columbia studio about two years ago by Frank Fay, will be released for distribution on New York (Continued on page 16)

In the Name of Art

Hollywood, July 23.—Walt Disney is going to raise Mickey's brows. They're not high enough for all the attention he's getting.

As erudite gesture in his direction is the announcement that Earl Theisen, honorary curator of films at the Los Angeles Museum, is going to write a ten-chapter bulletin for the editors of the Encyclopedia Brittanica on "The Story of the Animated Cartoon from the Phenakistoscope to Mickey Mouse." It was a long trip.

Code Reform Working; Breen Has Situation in Hand—Hays

Kansas City, July 25.—Increased powers given to Joseph I. Breen, Production Code Administrator, already have accomplished many reforms and the administrator has the situation well in hand, Will H. Hays told Motion Picture Daily early this morning.

He was aboard a fast TWA plane, bound from Hollywood to New York, and was accompanied by Walter Trumbull, special public relations representative of the M.P.P.D.A.

Breen's staff has been enlarged with the addition of six assistants as part of the application of the Code machinery, added Hays, who then dictated this statement:

"There is one answer and one answer only to any reasonable objection to pictures and that is, say it with pictures."

He lauded Martin Quigley's article, "The Decency Campaign—Inside and Out," and expressed his approval of its text.

Arthur M. Loew of M-G-M was a passenger on the same plane.

Will H. Hays, Walter Trumbull and Arthur M. Loew arrived at Newark Airport yesterday afternoon from Hollywood. Thus Motion Picture Daily records an interview with Hays in Kansas City and his arrival in New York in the same day.

Campi's Funds To Date Total At $124,303

Los Angeles Lease Widens F. & M. Power

A total of $124,303 in Code Authority assessments has been paid into the Campi treasury to date, it was stated yesterday. Exhibitors paid $77,603 and major producers and distributors $46,700 of the amount, which is applicable to Campi's semi-annual budget of $180,000.

Exhibitors are assessed one-half the budgeted amount, or $90,000 semi-annually, while producers and distributors, both affiliated and independent, make up the other half.

The schedule of assessments for producers, distributors and exchanges, (Continued on page 4)

ITOA Delays Move On Film Campaign

A program to cope with the church decency campaign against films will be developed by the I. T. O. A. for members only in the event that theaters actually suffer from the campaign. (Continued on page 16)

More Austrian Film Worries Anticipated

Film men in New York yesterday read into cable news of the new Austrian revolt leading to death of Chancellor Dollfuss further disturbance in

L. A. Board Hears Demand for Singles

Los Angeles, July 25.—Dual bills received another blow today at an open meeting of the zoning board at the Wilshire Theatre when sentiment was shown to be opposed to I. E. (Continued on page 16)

Percentage Selling At Peak, Says Ross

Chicago, July 25.—More percentage pictures have been sold this season than in any previous time, according to Harry Ross, whose organization, (Continued on page 16)

More Salary Moves Hinted By Rosenblatt

Silent on Details, But Will Confer on Coast

ALBUQUERQUE, July 25.—There will be further developments on his salary recommendations, but no further report, declared Division Administrator Sol A. Rosenblatt today.

He was silent on what direction the developments would take, although he admitted he would confer with producers on salary angles while on the Coast. He was westbound on the Chief when interviewed.

His recommendations regarding further suspension of the star raiding classes of the code will be the subject of an exequatorial conference or an administrative order by Administrator Hays, he asserted.

The order will be issued upon his return from the Coast.

On his return trip Rosenblatt will (Continued on page 4)

Fox New List Start Is Set for October

Chicago, July 25.—Fox will swing into its new production season in October with "One More Spring," starring Janet Gaynor and Warner Baxter, and "In Old Kentucky," said Winfield Sheehan, production head of Fox, between trains here today on his way to New York and a European vacation.

Sheehan will sail from New York Saturday. In addition to his usual stops at London and Paris he will spend considerable time in Italy, Sicily, Hungary and Asia, combining business with pleasure. He may sign players and acquire several stories.

Loew's and Warners Disregard Petition

Loew's and Warners are not wary of the petition for reorganization of Fox Metropolitan Playhouses under

New Title

Hollywood, July 25.—Affiliated with a plethora of titles, one by the relative of a specific producer has been referred to as "the kin you love to touch."
T. P. Drew To Take Register Job Here

Thomas P. Drew, general sales manager for Western Electric in England, has resigned to take over general representation in this country of his German counterpart, Corp. which Percy Phillips is president.

He sails from the other side on August 1st and takes over his new duties, Sept. 1. With affairs thus set, Philip- lison will remain until the end of that month and then return to London.

Drew joined Western Electric in 1929 as assistant sales manager during the regime of W. A. Beach, now President of Great Western. In September of that year, he was named general sales manager, F. C. Leach, at present Drew's assistant in London, succeeds him.

Philadelphia IEPA Opens New Quarters

Philadelphia, July 25.—The I. E. P. A. has dedicated its new head- quarters at 1313 Vine St. Morris Roberts, president, conducted the dedication.

The following directors opened the dedicatory session, followed by a few remarks from the toasts of the B. M. B. M. News, formally acknowledged the various or- ganizations which had contributed time and material to the new building.

Right after the dedication, in Vine St. belt, the new headquarters are con- veniently located. In addition to an auditorium for open meetings, there are two office private and a reception room.

Mundus Adds Seven To Selling Forces

Seven additional sales representa- tives have been added to the Mundus sales force handling the company's 27 feature releases throughout the country.

The latest additions to the staff in- clude: Arthur Abele, New York; Rubin Brenner, Philadelphia; Moe J. Patter, Pittsburgh; Harry H. Silver, Washington; Herman Booth, Cin- cinnati; Moe Geiger, Cleveland, and M. S. Epstein, Los Angeles.

Hal Roach Coming East


H. K. Davis, Court Referee Here, Dead

Henry K. Davis, referee in bank- ruptcy, who presided over Paramoun- t, Publix and Publix Enterprises bank- ruptcy proceedings from early in 1933 to 1936, died at Cor- nell Medical Center yesterday follow- ing a long illness. He was 68 years old, with- drew from activity in Paramount and other bankruptcy affairs last spring in order to rest and recuperate at At- lantic City. His condition grew steadily worse and he was taken to the Medical Center several weeks ago. He was constant companions, attended the services which were held Saturday from the Fordham Manor Reformed Church at 10 a.m.

Talley, Stallings, Back, Busy on Plans

Truman H. Talley, Fox Morivone News general manager, and Laurence Stallings, new editor, are rapidly whipping into shape details of the new production that has been scheduled when Fox and Hearst Metrotone split Sept. 1.

On the European trip just finished Talley and Stallings held a conven- tion in Paris attended by Benjamin Miggins, European director; Russell South, European supervisor, and the cameramen and editors from every country on the continent.

In London Gerald Sanger, editor of Exhibitor's Trade Journal, will take his staff for another discussion of policies.

Heart Reel Deals Are Set in Europe

Newsreel bureaus, working in close conjunction with International Service News, were set up in Rome, Berlin Paris for Service News while he was abroad, declared Edgar B. Hattrick yesterday. At the same time, one of the news bureaus was created, strengthened and augmented in other European capitals.

The first issue of Heart's new service is slated for Oct. 2.

The new equipment, in many in- stances, will be Eprig's new lightweight recorder.

Trading Light on Big Board

Columbia Pictures, etc., 10-17-21 2.44 all 2.40 400,000

Consolidated Film Industries, 10-17-21 2.26 2.26 213,000

Eastman Kodak, 10-17-21 971 970 1,225,000

Fox Films, 10-17-21 5 920 5 53,000

Loew's, Inc., 10-17-21 935 935 2,000,000

Loew's, 10-17-21 93 93 4,000,000

Paramount Public, 10-17-21 3 25 3 3,100

Paramount, 10-17-21 2 25 15 1,500

Warner Bros., 10-17-21 339 329 329 2,000

Technicolor Up % on Curv

High Low Change

Columbia Pictures, etc., 10-17-21 2.44 2.40 400,000

Consolidated Film Industries, 10-17-21 2.26 2.26 213,000

Eastman Kodak, 10-17-21 971 970 1,225,000

Fox Films, 10-17-21 5 920 5 53,000

Loew's, Inc., 10-17-21 935 935 2,000,000

Loew's, 10-17-21 93 93 4,000,000

Paramount Publich, 10-17-21 3 25 3 3,100

Paramount, 10-17-21 2 25 15 1,500

Warner Bros., 10-17-21 339 329 329 2,000

Bond Market Slump Sharply

High Low Change

General Theatre Equipment 60 29 6 36 460

Keith B. P. 46 6 6 36 10

Loew's 6s 41, 77 777 38 28 4 145

Paramount Broadway 5 1 38 38 38 38 38

Paramount P. L. 47 38 38 38 28 38 38

Warner Bros. 6s 59 , wd 351 351 351 351 351 351 351

Purely Personal

ARLORO GARDEL, Argentine star, who has just completed his second feature in Spanish for Para- mount at the Eastern Service Studio, will be host at an Argentine bazaar at the studio tonight. He leaves shortly for Hollywood to appear in "Big Broadcast of 1934.

R. C. SHERIFF, writer, left yester- day for the coast with the unfinished manuscript of "Within This Present Frame" to his editor.

VINCENT LOPES and his band ar- rive in town tomorrow morning from Pittsburgh in time to start a week's engagement at the Four Winds Club.

CHARLES WILLIAMS and Nancy KLAUSER are completing the final draft of the songs and lyrics for "Gigoliot," which Select starts soon.

R. A. McGUIRE, assistant to H. M. DOHERTY, Warner auditor of ex- changes, has been out for two weeks on a visit to London.

FRANK C. WALKER left last night for Glacier Park, Mont., to spend the month of August.

BESSIE MACK at the Capitol is back from a short visit with upstate rela- tives.

ALAN DINEHART is in town from the coast and is stopping at the Alamac.

Johnsons May Quit African Film Trips

CHANUTE, Kan., July 25.—Mr. and Mrs. Martin Johnson have complete- ly decided to return to Africa while they made their first picture: "Camelot of the South Seas." The Johnsons expect to arrive in New York about Aug. 15. Mrs. Johnson has been ill in a Natori hospital and will undergo a surgical operation on arrival in New York.

Fedor to Open New Spoo

DETROIT, July 25.—Jules Fedor, op- erator of the Cozy, LaPorte, Ind., will open a new theatre in the fall at S. W. 12 and 14th Street in the past dozen years. The theatre is to seat about 1,000.

P. A. Powers Signs Mac

Wellington Mack, who writes comic- edy pantomime for circus clowns, has been signed by P. A. Powers for the Comicolor cartoon story department. Mack has himself been a clown.
THE MOST BEAUTIFUL THING IN AMERICA TODAY

DAMES

WARNER BROS. WILL PRE-RELEASE IT AUGUST 18TH
Campi’s Funds: To Date Total At $124,303

The Breakdown
Independent and state right exchanges are assessed in proportion to the amount of film sold by each and are collected into four groups, one each of $36 per month, $12 per month, and $6 per month.

<table>
<thead>
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<th>Exchange</th>
<th>Assessed Amount</th>
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<td>New York, Majestic, (Capital)</td>
<td>$36</td>
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<tr>
<td>New York, General Pictures Exchange, Inc.</td>
<td>$24</td>
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<tr>
<td>Boston, America’s First</td>
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<tr>
<td>Boston, Cameo Screen Attractions</td>
<td>$12</td>
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<tr>
<td>Alabama—First Division, Franklin Prod., Hollywood Films</td>
<td>$6</td>
</tr>
<tr>
<td>Alabama—First Division, Exchange Film Sales</td>
<td>$6</td>
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<tr>
<td>Peterson, Inc.</td>
<td>$6</td>
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<tr>
<td>San Francisco—Cooperative, International Magazine</td>
<td>$6</td>
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<tr>
<td>Baltimore—Interstate Film (Universal)</td>
<td>$6</td>
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<td>$120</td>
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MOTION PICTURE DAILY
Thursday, July 26, 1934

More Salary Moves Hinted By Rosenblatt

(Continued from page 1)

The proposal to limit theatre building was turned down on the ground that it would lead to similar requests from other industries and that new building was a “risk of loss from competition” common to business generally.

Amercian Quotas Favorably: In Report

Syracuse, N. Y., July 25—Impor- tunities to provide for the purpose of fostering production in New South Wales and a refusal to limit theatre building in the Commonwealth were the positions taken by Commonwealth Markers on the government inquiry into the industry.

Before proceeding with the quota, the report suggests, agreements should be reached with other Australian governments, so that any action taken may be uniform. Percentages for dis- tributors suggested are: First year, five per cent; second year, seven and one-half; third, 10; fourth, 12 1/2; fifth 15.

The proposal to limit theatre build- ing was turned down on the ground that it would lead to similar requests from other industries and that new building was a “risk of loss from competition” common to business generally.

Fourth Exhibitor in Nebraska Trust Suit

Omaha, July 25—Supplements from another plaintiff filing suit against 13 distributing companies and the Omaha Film Board of Trade are expected shortly.

The additional plaintiff is Clarence J. Kremer, exhibitor at Stantton, Neb., who filed his suit Thursday in Federal court. He is seeking $61,500 damages and makes the same charges contained in petitions filed by G. G. Griffin, Platt's- mouth, and W. F. Bullard, whose pa- titioner C. N. Robinson of Blair, all Nebraska towns, two days earlier.

The latter asked a total of $156,000 damages, making a total of $217,500 with Kremer’s suit.

Flash Reviews
Oro y Plata (Gold and Silver)—A creditable piece of work. . . . Now and Forever—Wide audience appeal seems assured.

These films will be reviewed in full in a later issue of Motion Picture Daily.
MAKE WAY FOR U.A.
WITH ITS BIG PARADE OF HITS

LINE UP FOR 1934-35
TEN from 20th CENTURY

Presented by JOSEPH M. SCHENCK

RONALD COLMAN in
"BULLDOG DRUMMOND STRIKES BACK"
with LORETTA YOUNG, CHARLES BUTTERWORTH, WARD KELLY, UNA MERKEL
Directed by ROY DEL RUSSELL

"Will play an even merrier tune at the box-office than the first "Bulldog Drummond"!"
— HOLLYWOOD REPORTER

Constance Bennett Fredric March
in
"THE AFFAIRS OF CELLINI"
with FRANK MORGAN
Directed by Gregory La Cava from the Broadway play, "The Hermit." by Edwin Justin Mayer

"The best picture 20th Century has turned out!"
— Los Angeles Daily News

George Arliss
in
"THE LAST GENTLEMAN"
with EDNA MAY OLIVER, CHARLOTTE HENRY
Directed by Sidney Lanfield

"An answers the exhibitor's demand for family entertainment!"
— ASSOCIATED PUBLICATIONS

"A mighty story! A mighty cast!"

"THE MIGHTY BARNUM"
with WALLACE BEERY, FREDRIC MARCH
written by Gene Fowler

Released thru.
RONALD COLMAN
in the story of the bravest man
who ever lived!
"CLIVE
OF INDIA"
the picturization of the play now in
its 9th capacity month in London!

CLARK CONSTANCE
GABLE BENNETT
in
"IT HAD TO
HAPPEN"
Forward! America! Forward!

GEOGE ARLIS
"CARDINAL
RICHELIEU"
will be the best picture of 1935!

JACK LONDON'S
"CALL OF
THE WILD"
with a cast as big as the story!

INTRIGUING TITLE!
ASTRONOMOUS STORY!
"THE
RED CAT"
The European stage sensation
by Rudolph Letmer and Hans
Adler! Opening on Broadway
this fall!

LEAPING TO LIFE FROM THE
BLOWING PAGES OF THE BOOK
THE WHOLE WORLD KNOWS!

DARRYL F.
ZANUCK
PRODUCTIONS
3 from Samuel Goldwyn
THE GREATEST INDIVIDUAL PRODUCER IN THE INDUSTRY

ANNA STEN • FREDRIC MARCH in "We Live Again"
based on Tolstoy's immortal "RESURRECTION"
Directed by Rauben Mamoulian

ANNA STEN in an additional SAMUEL GOLDSWYN production...
A sweeping story of modern Russia by Vicki Baum (author of "Grand Hotel") and Eugene Lyons!

EDDIE CANTOR in "KID MILLIONS"
with ETHEL MERMAN • ANN SOOTHERN • BLOCK and SULY
PAUL EELLY and the GORGEOUS GOLDSWYN GIRLS
Directed by ROY DEL RUTH

RELEASED THRU UA
DOUGLAS FAIRBANKS
in
"The Private Life of
DON JUAN"
with the beautiful leading ladies of "Henry VIII!"
MERLE OBERON BENITA HUME
JOAN GARDNER Binnie Barnes
NATACHA PALAY ARLENE SANGER
Directed by ALEXANDER KORDA
written by
Frederic Lansdale and Lojas Biro

LESLE HOWARD
MERLE OBERON
in
"The Scarlet Pimpernel"
(New Tale To Come)
Directed by Rowland Brown

What is the world coming to?
One man has the daring to predict!
One man has the daring to produce
H. G. WELLS'
"100 YEARS FROM NOW"
Directed by LEWIS MILESTONE

Through death-filled jungles
to capture one man... alive!
"CONGO RAID"
Based on Edgar Wallace's best-selling
thriller... "Sands of the River"
Directed by ZOLTAN KORDA

"They gave us
HENRY VIII!"

"and Catherine
the Great!"
"The Count of Monte Cristo"

with
ROBERT DONAT • ELISSA LANDI
O. P. Heggie • Louis Calhern
Sidney Blackmer • Irene Hervey
William Farnum • Raymond Walburn

Directed by
ROWLAND V. LEE

Alexander Dumas' unforgettable classic!
Gorgeously produced on a lavish scale!

"TRANSATLANTIC MERRY-GO-ROUND"

with
JACK BENNY • NANCY CARROLL
GENE RAYMOND • SIDNEY BLACKMER
SID SILVERS • SYDNEY HOWARD
PATSY KELLY • JEAN SARGENT
FRANK PARKER • Directed by Ben Stoloff

"OUR DAILY BREAD"

the epic of a million hearts!

"A stirring picture! A privilege to show it."
— HOLLYWOOD REPORTER

2 from RELIANCE who gave you "THE BIG PARADE" "THE CHAMP" "STREET SCENE" 2 from BRITISH & DOMINION

The world-famous story of a lowly girl who won... and held... a king!

Anna Neagle
Newest of stars

"NELL GWYN"

with SIR CEDRIC HARDWICKE
Lovishly produced in epic style!
Directed by HERBERT WILCOX

EXTRA ANOTHER FROM Band D Anna NEAGLE The QUEEN'S AFFAIR
18 from WALT DISNEY

9 MICKEY MOUSE PRODUCTIONS all in Techni-COLOR for the first time!

9 SILLY SYMPHONIES as TECHNICOLOURFUL as ever!

RUE SAID IT!

Oh Boy! will our faces be RED

and GREEN and BLUE and YELLOW
Get in (and on the) line with UNITED ARTISTS

22 FEATURES!
18 WALT DISNEY PRODUCTIONS

Contract and Book Now for 1934-35
**PITTSBURGH MUDDY; “CLOWN” LEADS CITY**

Pittsburgh, July 25.—Although Pittsburgh is down to three first runs, business hasn’t yet shown the expected pickup. The last week went to “The Circus Clown” at the Stanley. It did $11,000. The Penn took it on the chin with “Kiss and Make Up,” gathering $6,000, while the Warner pushed a bit above par with “Here Comes the Groom” and “Whirlpool” at $11,000.

A fourth first run downtown will show up in another few weeks when the Alva gets started under the management of the Harris Amusement Co. August 15 is now the tentative opening date. The first run grosses were $22,800. Average is $25,000. Estimated takings for the week ending July 22:

- **KISS AND MAKE UP** (Param.)
  - PENN—$12,000
  - $6,000
  - Average: $9,000

- **HERE COMES THE GROOM** (Param.)
  - WARNER—$12,000
  - $6,000
  - Average: $9,000

**Will Instruct Writers**

Hollywood, July 25.—As a means of enlightening writers on the technical side of picture making the Writers’ Guild plans a series of open meetings at which head leaders of each branch will be invited to explain problems. It is expected that such a service will be especially useful to new writers coming from the East.
"Baby" Gets $20,250 for Fourth Week

"Baby Take a Bow," in its third stanza at the Roxy, was among the top ten in a week of sagging Broadway grosses. The take was $20,250, good enough to keep it going for a fourth week.

The figures were pretty close to the first week of "Stamboul Quest" and a stage show headed by Willie and Eugene Howard, which took $22,000, and not far behind the $24,500 taken by "Old Fashioned Way" and a stage show at the Paramount.

"Whom the Gods Destroy" took $62,000 at the Music Hall. "The Wonderful Wizard of Oz" had its highest gross in its fourth week at the Criterion.

Estimated takings:

**Week Ending July 12:**
**RETURN OF THE WORLDS END** (Warners)
Rialto—(2,300), 25c-65c, 7 days. Gross: $31,000. (Average: $4,429)

**WHOM THE GODS DESTROY** (Col.)
Rialto—(2,200), 25c-65c, 7 days. Stage show. Gross: $32,600.

**Week Ending July 19:**
**STAMBOL QUEST** (M-G-M)
Chicago—(4,000), 35c-50c-65c, 7 days. Takeovers and limited stage. Gross: $43,000. (Average: $6,143)

**HOUSE OF ROTHCHILD** (U.A.)
Bengal—(2,500), 25c-55c, 7 days. Gross: $18,000. (Average: $2,571)

**SHOOT THE WORKS** (Para)
Second Loop Week
Roosevelt—(2,300), 25c-50c, 7 days. Gross: $6,500. (Average: $1,171)

**Week Ending July 26:**
**BABY TAKE A BOW** (Fox)
Roxy—(6,200), 25c-55c, 3rd week, 7 days. Stage show. Gross: $38,500.

**MAN WITH TWO FACES** (Warner Bros.)
Paramount—(2,000), 25c-65c, 7 days. Gross: $11,631.

**Week Ending July 23:**
**SHOOT THE WORKS** (Para)
Curtiz—(2,500), 25c-55c, 7 days. Stage show. Gross: $6,500.

**Week Ending July 30:**
**STAMBOL QUEST** (M-G-M)
Chicago—(4,000), 35c-50c-65c, 7 days. Takeovers and limited stage. Gross: $43,000. (Average: $6,143)

**HOUSE OF ROTHCHILD** (U.A.)
Bengal—(2,500), 25c-55c, 7 days. Gross: $18,000. (Average: $2,571)

**SHOOT THE WORKS** (Para)
Second Loop Week
Roosevelt—(2,300), 25c-50c, 7 days. Gross: $6,500. (Average: $1,171)

**Week Ending July 29:**
**MURDER IN TRINIAD** (Fox)
Warner Bros.—(2,500), 25c-50c, 7 days. Reis & Dunn, Dodge Bros., Revue, Mabel, Madge, stage. Gross: $11,000.

**We're My Love** (Univ.)
Mayfair—(2,500), 25c-55c, 7 days. Gross: $6,500.

**Bondage** $5,600
Grosser in Omaha

OMaha, July 25—"Of Human Bondage" gave the Brandies their best run of the summer with $5,600 for nine days. Normal is $3,800. At the close of the run the house went back to duals. The Paramount closed for the summer after an average week on "Old Fashioned Way," leaving only three runs down town, all double feature. The career has been in a heat wave, with one record broken at 110. It was the twelfth consecutive day over $2,000. Total first run business was $23,950. Average is $2,125. Estimated takings:

Week Ending July 18:
**OLD FASHIONED WAY** (Para)
Curtiz—(2,500), 25c-55c, 7 days. Gross: $11,000. (Average: $1,571)

**THE KEY** (Warner Bros.)
Podgolder—(1,800), 25c-65c, 7 days. Gross: $8,500. (Average: $1,214)

**BAYERN** (C.T.)
Lafayette—(1,800), 25c-65c, 7 days. Gross: $4,800. (Average: $685)

"Bengal," Schenck
Strong in Buffalo

BUFFALO, July 25—With Harry Schenck appearing in person with the film and lecturing, "Beyond Bengal" at $1,000 was the week's best comparative take in the reopened Hollywood Splendor Theatre. "313 Day Princess" and "As the Earth Turns" at $620 gave the Century a $200 average. All others were below normal in a hot, dry week. Total take was $29,400. Average is $33,500.

Estimated takings for the week ending July 20:
**MIDNIGHT ALIBI** (F.N.)

**THIRTY DAY PRINCESS** (Para.)
Century—(2,500), 25c-55c, 7 days. Stage: Leon Belasco and others. Gross: $24,000.

**BABY TAKE A BOW** (Fox)
Roxy—(6,200), 25c-55c, 3rd week, 7 days. Stage show. Gross: $38,500.

**MAN WITH TWO FACES** (Warner Bros.)
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**MAN WITH TWO FACES** (Warner Bros.)
Paramount—(2,000), 25c-65c, 7 days. Gross: $11,631.
1934 continues to be history making. All over the world the character of the motion picture business has undergone profound changes. Agitation at home has turned all eyes toward the industry. Production, distribution and exhibition are being markedly altered to meet the requirements of a new age. The 1934-35 Motion Picture Almanac presents all this in a dazzling panorama of facts and figures. Year by year its growing size indicates its increasing usefulness.

MOTION PICTURE ALMANAC

$5.00 the copy

Special combination rate with year's subscription to MOTION PICTURE DAILY—$8.00

1790 BROADWAY, NEW YORK
Giannini Will Insist Upon O.K.'d Stories

(Continued from page 1) expected to be box-office smashes have been held up pending Breen's approval, Giannini said.

He expressed the opinion that the current cleanup movement is no flash in the pan and that it will permeate the industry with permanent effects on production policies.

"After all the public is the final arbiter of the quality of pictures if they are demanded," Giannini continued.

Under the new policies, he said, future pictures will not glorify or condone crime, wrongdoing, or breaches of morality, but will show these punished, and depict the two opposite lessons. The protest is timely and will prove the salvation of the industry, he declared in a personal appeal made for the 1st O. A. meeting which took over the legitimate theatre, which was wrecked when the public stopped supporting indecent drama. Producers, realizing this, he said, are willing to make changes in policies and writers likewise will have to alter their plots.

Effects of the campaign will be to correct and amend, he said, and hence there will be many benefits accruing to the industry.

Dr. Giannini, with Mrs. Giannini, is headed for a three-months European trip. He will study British production with a view to getting information for comparison with American methods. He was chairman of the executive committee of the Bank of America, N. A., and prominent in film financing in Hollywood.

I TOA Delays Move On Film Campaign

(Continued from page 1) when the Legion of Decency declared that no new pictures were fit for the screen. Next fall, it was decided yesterday at a meeting of the local independent organization at the M. P. C. Club.

Stated the Officers of the Legion of Decency that the impression that the drive to date has had no serious effect on box-office receipts.

Acquisition of the Fox Metropolitan circuit by Loew's and Warners, as indicated in the progress of negotiated labor union contracts and the bondholders' committee of the circuit, came in for lively discussion and eventually was agreed to by the I. O. A. meeting, although no action was voted on the subject. Members foresaw the effect of acquisition of the Fox Met houses by Loew's and Warners a sweeping relignment of first runs in the Loew's holdings which would select present availability schedules to numerous setbacks throughout the affected areas.

Broder-McConnell Debate Film Drive

In furthering the campaign being waged by the Association for the Preservation of the First Run in Stage and Screen against the interfaith committee and other similar organizations, I. Robert Broder, founder and president of the association, debated with Tom F. B. Miller right to night over radio station WEVD. The subject was "The Wave of Movie Censorship."

Percentage Selling At Peak, Says Ross

(Continued from page 1) Ross Checking Service, is holding a two-day meeting of Middle Western branch managers at the Knickerbocker Hotel.

Reports from 3000 representatives reason for optimism over business. The upturn has been marked in the past two weeks, he asserts.

Attending from the home office are: Ross, Frank Miske, auditor; D. A. Ross, director of branch operations; W. E. McKee, sales manager; C. B. Ross, director of production manager and O. M. Young, Branch managers present are: H. W. Donaldson and V. Richardson, of St. Louis; S. T. Marcy, of Harrington, W. I. Brown and W. G. Caldwell, Chicago; R. W. Thayer, Cincinnati; R. T. Jolley, Indianapolis; E. C. Giovanetti, Kansas City; H. Schiffen, Des Moines; Charles Warg- er, Milwaukee, D. W. Mills, St. Louis; H. miał, Omaha, and Ray Ollinger, Washington.

Loew's and Warners Disregard Petition

(Continued from page 1) the new bankruptcy laws which was granted last week. In court circuit late last week, a spokesman said yesterday.

The hiders for the circuit, Loew's and Warners, believe that bondholders would realize less under a reorganization than they will from the $4,000,000 offer to be tendered the Fox Met bondholders' committee, which represents more than 85 per cent of the bonds outstanding. If such a proposal were adopted, the Federal court would deny the minority holders' petition for reorganization.

Meanwhile, the hiders and bondholders, with the bondholders' committee are proceeding almost daily and a final agreement is expected in advance of the scheduled court hearing, Aug. 6.

Allied Owners Goes Into Para. Affairs

Allied Owners, one of the principal Paramount Publicity creditors, was granted by the right to serve as a representative on the organization proceedings of Para- mount by Federal Judge Alfred C. Harle at a hearing yesterday, 14th. As a part of the hearing, three creditors who have been obstructing the settlement which seeks to have the banks adjudged or- dinary rather than preferred creditors.

Meanwhile, the hiders against the banks which week to week have the banks adjudged or dinary rather than preferred creditors.

Secondly, He was scheduled to be scheduled to hear an agreement in- volving claims against the Third & Broadway Bldg., Corp., Los Angeles, Paramount subsidiary, today.

Billy Montgomery Dead

William (Billy) Montgomery, former vaudeville star with the team of Montgomery and Moore, was found Tuesday in a vacant lot in Paterson, N. J. Death was attributed to alcoholism.

L. A. Board Hears Demand for Singles

(Continued from page 1) Chadwick's protest that the local board had no jurisdiction setting up a dou- ble feature clause in production schedule. Among those in the audience were 250 representatives of major and independent producers, distributors and exhibitors.

The only one to testify for Chadwick in behalf of duals was Sam Ber- covitz, representing the Farwest Ex- change.

All other testimony was in favor of singles. It pointed to the fact that production and profit for the entire industry should duals be continued, whereas the loss suffered by the handful of independent producers fighting for the continuance of twins would be negligible in comparison.

The hiders who testified included Ben Shipman, representing Hal Roach; Milton Arthur, Perk Swope, Dave Bershon, Jennie Dodge, R. D. Whit- ton, Simon Lazarus, George Briner, Jake Milstein, all independent exhibitors; Lou Halper, Warners; Cliff Work, RKO; Jack Gass, RKO-Hill; Harry Evans, Columbia; Howard Gans, Representatives of the University M. P. Council, New England Women's Councils, D.A.R., Jewish Women's Council, Federation of Western Clubs, and the California P.T.A. also spoke against duals.

Chadwick declared he would appeal. Ben Bernstein was chairman. The hearing will continue tomorrow.

E r n i t o D i s t r i b u t e P i c t u r e t o C o l l e g e s

(Continued from page 1) Chicago. July 25—Erni Picture Consultants, Inc., non-theatrical film subsidiary of Erni's, will distribute "The Human Adventure," an eight-reel educational film produced by the University of Chicago. "Road to the Red," in the legend of the United States, is the university's present goal.

The picture depicts the rise of man from primitive culture to the present, and was made in the Far East during exploration work by the Chicago university's Overseas Instructional Films Committee.

The picture is narrated by J. H. Breasted, Jr.

San P i d B i g K i d P a r t y

PITTSBURGH, July 25—Variety Club and Leo G. Alweg, known as the "Watermelon King," will hold Sunday as hosts for 20,000 children with enough watermelons lined up to take care of 18 institutions. Junior Mayball will lead a 90-piece orchestra. Lowell Thomas will talk in ad- dition to Catholic, Protestant and Jewish clergymen while a choir of 2,500 voices will sing.

Attmayer devised the idea 15 years ago. He has been working with him on the plan for Sunday are John H. Harris, James G. Bowser, James M. Mayball, Mayfield and George Tyson.

Mau Get Extra Salaries

Two RKO theatre companies have made arrangements whereby members and press representatives of their theatres will receive a week's salary if they achieve quota business during August.

Los Angeles Lease Widens F. & M. Power

(Continued from page 1) strengthens the new operating position of the company considerably.

Tie-in with the Paramount lease is the 20th Century-Fox film franchise for the Los Angeles house and a reciprocal guarantee that the Los Angeles company would play only where in Los Angeles during the term of the lease.

F. & M. lease expires Aug. 31, 1939, and calls for an average annual rental of $107,500 against 125% of the gross receipts. A provision of the lease agreement is that Marc Wolf, J. A. Partington and Harry C. Arthur will not dispose of their major stock control in the Paramount in the event the F. & M. subsidiary fails during the term of the lease on the Paramount.

The Paramount film franchise for the house calls for the playing of 52 features annually and embodies a term deal covering the first 78 weeks of the term. The term deal calls for the playing of 22 Class A pictures at 25 per cent of the gross up to $14,000, and 50 per cent of the gross thereafter, and 26 Class B pictures for deducting $4,000 from the gross receipts for stage show costs before computing the percentage. In addition, 26 Class B pictures are to be shown at 15 per cent of the gross up to $18,000 and 50 per cent of the gross thereafter, and 31 Class C pic- tures to be played at $1,000 each.

The franchise also makes 150 short subjects available for the 78-week period at $100 per week and 78 issues of the Paramount newsletter at $150 per issue.

Fay's 'Fool's Advice' For Warner Release

(Continued from page 1) Warner program. The picture, in which Fay stars, incidentally, is un-Mountain. Practically all conditions there have been upset for some time, but the latest outbreak, carrying with it ramifications of further events to come, was viewed last night as more serious than any which has prevailed there in recent years.

"I'll" Workers Recover

Universal employees are recovering from their annual outing to Bear Mountain. Practically all office employees and a number of their friends made the trip by boat on Tues- day and went through a program of swimming, baseball, tennis, etc.
Campi to Set Up Emergency Appeal Bodies

Will Function in Field To Conserve Time

Emergency boards to hear appeals from local clearance and zoning boards rulings will be despatched to or set up in the field by Campi, it was decided yesterday by Code Authority. The boards will hear all appeals led in any single clearance and zoning board territory, whether by signers or non-signers of the code. In addition to expediting the settlement of troublesome clearance and zoning board applications in 125 cities in 23 of the local clearance and zoning board territories, the new appeal machinery will save exhibitors all over the country.

(Continued on page 6)

Campi Refuses to Reopen 3 Rulings

Code Authority yesterday denied petitions for rehearings of three cases in which the original findings of local code boards were sustained by Campi on appeal to it. The cases were an overbuying complaint against Jefferson Amusement Co., Victoria, Texas, decided in favor of Rubin Freis, the complainant; clearance and zoning ruling by the Atlanta board involving the Miami, Fla., situation, appealed by E. J. Parks, and an overbuying complaint.

(Continued on page 6)

New Type Censoring Proposed for N. Y.

ALBANY, July 26—Under the terms of an education law amendment just submitted by Charles H. Breithard, Brooklyn Democratic assembyman, it is planned to show children under 16 the $225,000,000 in television and radio program material that is being approved by the board.

(Continued on page 6)

Nine Censors Named By Seattle's Mayor

Seated, July 26—An entirely new board of censors, nine in number instead of five as formerly, has just been named by Mayor Earhart to take the place of the old one.

(Continued on page 7)

Code-Approved Features Reach 50 with 52 Shorts

The Code-Approved List

Hollywood, July 26—This is a breakdown of the product, feature and short, which has passed through the strengthened Production Code Administration under Joseph I. Breen. The administrator began issuing new certificates for these pictures on July 13. By the close of business on July 21 this is how the lineup stood:

Columbia—5 features, 5 shorts.

Fox—11 features.

M-G-M—2 features, 8 shorts.

Paramount—7 features (one to undergo title change and release so not set).

Radio—5 features, 14 shorts.

United Artists—4 features (all 20th Century), 1 short.

Universal—3 features (title of one to be changed), 4 serials and 13 shorts.

 Warners—13 features, 9 shorts.

This makes a total of 50 features, 52 shorts and four serials.

Labor Trouble Is Held to Be Local Problem

KANSAS CITY, July 26—Violence in labor disputes is for state and local authorities to handle, but where it assumes aspects of racketeering it becomes a Federal problem, asserted Division Administrator Sol A. Rosenblatt here while on route to the Coast. He said any evidence of racketeering submitted to him would be forwarded to the Department of Justice.

Rosenblatt made the assertion in connection with recent outages involving Kansas City theatres and the bombing of the home of Ed Dubinsky, head of Dubinsky Bros. Theatres. He was of the opinion the fight for supremacy in St. Joseph, Mo., between the I. A. T. S. E. local and the.

(Continued on page 6)

“Gambling” Will Be First by Franklin

Harold B. Franklin will produce “Gambling,” starring George M. Cohan, as his first picture. Rowland V. Lee, who has just completed “The Story of Monte Cristo” for Reliance—United Artists, will direct and production will be centered at Eastern Service Studio.

Bella and Sam Spewack have been borrowed from M-G-M to write the script. Work starts Aug. 13. n.

“Winters” Defended In Depinet Letter

A defense of “The Life of Vergie Winters,” included on several lists of “disapproved” pictures since the opening of the church decency campaign and refused a permit by the Chicago censor board, is undertaken in a letter to exhibitors sent yesterday by N. E. Depinet, president of RKO Distributing Corp. Depinet’s letter cites favorable

(Continued on page 7)

Breen Goes Through Big List in 11 Days From July 13

Hollywood, July 26—Fifty features, 52 shorts and four serials have been approved since the strengthened Production Code Administration since Joseph I. Breen began work July 13. All of these were passed in the 11 days up to and including July 24.

Warners heads the list of major companies with number of features ready. It has 13. Fox is second with 11, Paramount has seven, and Columbia and Radio trail along with five each. United Artists has four from 20th Century and Universal three.

Radio heads the list with available shorts, having 14. Warners have nine, M-G-M has eight, and Columbia five.

(Continued on page 7)

Report 87% Opposed To Duals in Oregon

PORTLAND, July 26—More than 87 per cent of Oregon exhibitors are against duals, it was stated at a clearance and zoning board meeting.

According to estimates, there are 272 cities in Oregon with zoning laws which could be strengthened by the clearance and zoning board.

After hearing the complaint of the Ritz Theatre, Payette, Idaho, against M-G-M for alleged failure to deliver film, the grievance board dismissed the case.

Gilbert, Fairbanks May Sign with BIP

By BRUCE ALLAN

London, July 26—John Gilbert and Douglas Fairbanks, Jr., will sign starring contracts with British International, if deals now pending materialize.

Walter Mycroft, director for B.

(Continued on page 6)

F. & M. Para. Lease In L. A. Is Approved

Leasing of the Los Angeles Paramount to Panchon & Marco for a five and one-half year term was approved yesterday by Special Master John E. Joyce. Included in the agree-
HOLLYWOOD—turnover with consequences very apt to take a damaging turn, eddies back and forth over indecision on what to make and what not to make. The studios simply don’t seem to know how to complicate their existence. It’s far more a question of treatment than it is of stories, although this is not to be construed as implying dramatic situations won’t have to be given the eagle eye. However, the popular reaction to the church campaign appears to be voting sex out of the picture and so out of pictures. That’s the smart thing entirely. The facts of life are what they are. Nobody can do much about them. ▼

As we get the slant, the fuss over the part of various religious groups is to clean up where the broom should have been applied by the industry on its own many months back. This is not to say that Clark Gable will have to do his acting while dancing around a May pole, although Mae West and Jean Harlow, it is true, may find trouble finding places to go. The movement means what this column pointed out some days back: That Hollywood will have to prove its brain superiority by finding the middle course which is the safe course. Those who discover the answer have nothing to worry about. Those who flounder may have to look for other territories. It’s as simple as all that.

Up front in the news columns where nobody can miss it, Mr. Harry, Eisner, has been giving the church campaign plenty of attention so that anyone who reads may not miss any of it. The publisher, in his New York American and other papers elsewhere, recently editorialized on clean pictures, et al. Yet, if any portion of the film industry attempted to include in newsreels death shots of Dillinger such as those blown up and spread over the columns of the Journal, we ask you what the consequences would be. This is one point on which the trade will not find itself divided. ▼

Distributors are being warned with anticipation over projected plans of J. J. Franklin to build a circuit in Hawaii where Consolidated Amusement has long held sway. This company, for years, has been buying pictures outright for the territory while distributors have had an idea the large importer has been keeping rentals at a figure which they say ought to be lots higher. At the same time and in the same breath, in fact, sales executives assert they don’t know what sort of prices would satisfy them. The reason for this is the islands are far removed from San Francisco out of which shipments are made. Distributors, from time to time, have sent emissaries over to check on possibilities, but the investigators went in for swimming and golf, not investigation. With Loew planning to build in Honolulu, the situation seems headed for a change—distributors’ way—by the time the next selling season rolls around. ▼

Growth of the Utopians, a Los Angeles secret society, with allegedly 1,300,000 dollars of imported membership of over 100,000, is giving the locals there some serious thought waves because of their non-aggression policy. [Continued]

## All on Big Board Decline

<table>
<thead>
<tr>
<th>Stock</th>
<th>High</th>
<th>Low</th>
<th>Change</th>
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<td>Columbia Pictures, etc.</td>
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<tr>
<td>Consolidated Film Industries, pfd.</td>
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<tr>
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<td>9050</td>
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</tr>
<tr>
<td>Fox Film</td>
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<td>8030</td>
<td>-120</td>
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<tr>
<td>Goldwyn</td>
<td>1750</td>
<td>1600</td>
<td>-150</td>
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<tr>
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<td>-80</td>
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<tr>
<td>Paramount Public, Inc.</td>
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<td>-550</td>
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<tr>
<td>Paramount, Inc.</td>
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<tr>
<td>Pathe Exchange</td>
<td>5115</td>
<td>4940</td>
<td>-175</td>
</tr>
<tr>
<td>RKO</td>
<td>1345</td>
<td>1315</td>
<td>-30</td>
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<tr>
<td>Warner Bros.</td>
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## Technicolor Stumps 2% on Curb

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<tr>
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<tr>
<td>Goldwyn</td>
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<td>Paramount, Inc.</td>
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<td>-50</td>
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<tr>
<td>Warner Bros.</td>
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<td>-25</td>
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## Bond Issues Take Heavy Losses

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<td>General Theatre Equipment 6s 60%</td>
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<td>615</td>
<td>-20</td>
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<tr>
<td>General Theatre Equipment 7s 55%</td>
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<td>605</td>
<td>-20</td>
</tr>
<tr>
<td>Keef. B. E. 6s 65%</td>
<td>625</td>
<td>615</td>
<td>-10</td>
</tr>
<tr>
<td>Loew’s 6s 61%</td>
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<td>6875</td>
<td>-100</td>
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<tr>
<td>Paramount Broadway 5s 51%</td>
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<td>3450</td>
<td>-100</td>
</tr>
<tr>
<td>Paramount F. L. 6s 60%</td>
<td>3900</td>
<td>3700</td>
<td>-200</td>
</tr>
<tr>
<td>Paramount Public 5s 50%</td>
<td>3850</td>
<td>3700</td>
<td>-150</td>
</tr>
<tr>
<td>Pathe 7s 17/32, wd.</td>
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<tr>
<td>Warner Bros. 6s 30%, wd.</td>
<td>4750</td>
<td>4700</td>
<td>-50</td>
</tr>
</tbody>
</table>

Data compiled by Mr. Ken Ross and Mr. Ken Ross, Jr. (Continued on page 8)
Selected

TO OPEN THE NEW SEASON at RADIO CITY MUSIC HALL

FOX FILM Presents
THE WORLD MOVES ON
THE LOVE STORY OF A CENTURY
MADELEINE CARROLL FRANCHOT TONE

CRITERION THEATRE
“THE WORLD MOVES ON”

FOX FILM Presents
THE WORLD MOVES ON
THE LOVE STORY OF A CENTURY
MADELEINE CARROLL FRANCHOT TONE

FOX FILM PROUDLY PRESENTS
THE WORLD MOVES ON
LOVE STORY OF A CENTURY

While SHIRLEY TEMPLE in “BABY, TAKE A BOW” goes into 4th WEEK at ROXY, N. Y.
JOIN THE WORLD AN

HIPPODROME

JAMES CAGNEY   PAT O'BRIEN
"HERE COMES THE NAVY"
GLORIA STUART  FRANK MCHUGH

"HERE COME THE NAVY"

WE'RE ON OUR WAY TO SEE

HIPPODROME
BREAK YOUR RECORD!

TOPPED "WONDER BAR" IN MEMPHIS IN HOTTEST WEATHER IN 60 YEARS

DOUBLED ANY PREVIOUS MIDNIGHT OPENING OF SEASON IN HOUSTON

ONLY $6 UNDER "WONDER BAR'S" RECORD FOR '33-'34 IN SAN ANTONIO

TOPPED "TWENTY MILLION SWEET-HEARTS" IN PITTSBURG, CLEVELAND

MORE THAN DOUBLED GROSS IN ALBANY, AKRON & ERIE OPENINGS

WAY OVER "TWENTY MILLION SWEET-HEARTS" AT NEW YORK STRAND

S THE NAVY" from WARNER BROS.
Campi to Set Up Emergency Appeal Bodies

(Continued from page 1)

 campaña the necessity of coming to
 New York for the purpose of informing
 Campi or its designated committees.

 The new boards will begin to func-
 tion as soon as the numerous peti-
 tions for appeal hearings can be tab-
 ulated and personnel appointed to
 make up the new field groups. Per-
 sonnel in some instances will be mem-
 bers of Code Authority or designated
 alternates or representatives of that
 body. In other cases, the personnel
 will be sought among the ranks of
 state exhibitor association officers and
 field executives of distribution com-
 panies.

 George Schaefer of Paramount and
 Charles L. O'Reilly of the T. C. C.
 Corporation will be in charge of the
 clearing and zoning committee, will
 have charge of the setting up of the
 new field appeals machinery.

 Campi Refuses to Reopen 3 Rulings

 (Continued from page 1)
 decided against Atlantic Theatres, Bridgeton, N. J., by the Philadelphia
 grievance board.

 Campi yesterday held, in denying the
 requests to reopen three rulings of the
 cases, that no facts had been brought
 out to warrant reopening of the cases
 and noted that the original Campi
 findings on the appeals were unani-
 mous.

 Jefferson Amusement Co. notified
 Campi immediately that it would take
 steps to comply with the original de-
 termination which directs the com-
 pany to prepare two lists of 30 pic-
 tures each under contract to it and
 submit them to Frels for a choice of
 one of the lists.

 The Price, Waterhouse audit of
 Campi administration costs was sub-
 mitted to Code Authority and will
 be made public Monday.

 The recent manifesto sent to Campi

 by 36 of 40 Denver metropolitan ex-
 hibitors, declaring that the signa-
 tories would refuse to recognize Code
 Authority or its local boards unless
 "home rule" in exhibition affairs was
 granted the exhibitors was submitted
 to the new three-day court. Forth-
 ecoming meeting was that the Denver
 exhibitors should be notified that if
 they refuse to sign an agreement to
 make up local board's findings it should be-
 directed to Campi according to the
 machinery set up in the code for ap-
 peals.

 Charles L. O'Reilly presided at yest-
 erday's meeting. In attendance were
 George Schaefer, Newton, W. C. Michel, Leslie E. Thompson, J. Robert Rubin, Harold
 S. Bareford, Ed Golden and Lewen
 Pizar, the latter alternates for the.

 The decision of the board was that
 the appeals were a futile attempt to
 avail themselves of a method of
 absorbing the cost of the code as it
 became effective.

 Labor Trouble Held
 To Be Local Problem

 (Continued from page 1)
 dependent M. P. Operators' Union had
 something to do with the Dubinsky
 bombing. Dubinsky employs opera-
 tors from the independent group at
 his St. Joseph theatres; Rosenblatt
 was similar situation. The two
 unions have arisen in another city.

 It is immaterial to the code ad-
 ministration which union the theatre
 gives preference. They are no longer
 used so long as code provisions are
 complied with," Rosenblatt said.

 The division administrator denied
 he had received any appeal from Lo-
 cal 170, I. A. T. S. E., from the
 decision of A. W. DeBirney, NRA
 arbitrator, reducing the booth man-
 power at Dubinsky's local houses.

 Union officials assert the appeal was
 filed several weeks ago and had been
 denied a reply.

 Rosenblatt explained he had taken
 no action on complaints of rackete-
 ering connected to him several months
 ago by Jay Means, I. T. O. president
 here, because Means did not present
 any direct evidence. He said Means
 gave him a file of clippings from Kan-
 sas City newspapers.

 Premiums Outlawed
 By K. C. Code Board

 (Continued from page 1)

 Kansas City, July 26—Premiums
 were outlawed today by the local
 grievances board when it accepted a
 petition containing the signatures of
 more than 75 per cent of circuit and
 independent theatres demanding their
 elimination. The board set the effec-
 tive date as Oct. 27 to permit exhib-
 itors to fulfill their present contracts.

 Jay Means, I. T. O. president and
 board member, circulated the petition
 himself in six counties, Jackson, Clay
 and Platte in Missouri and Wyand-
 otte, Leavenworth and Johnson in
 Kansas.

 E. S. Young of the Roanoke, this
 city, today filed an appeal with the
 board for forwarding to Campi pro-
 testing the board's decision against
 him holding bank nights a lottery.

 Three Decisions Set
 By the Albany Board

 Albany, July 26—Two complaints
 have just been disposed of by the
 grievance board and one has been re-
 turned from Code Authority and up-
 held.

 The complaint of Minrose Amuse-
 ment Corp., State Theatre, Carthage,
 against Schine Theatrical Co., oper-
 ator of the Strand, on premature ad-
 vertising was upheld, and the prac-
 tice of putting change on in advance
 of the show is offensive.

 A reduced admission complaint
 charging operation of a lottery by
 Schine as operator of the Strand, for
 the benefit of the Make-A-Wish
 Smalley, operator of the Smalley, that
 town, also was upheld and a stop
 order added.

 An overruling complaint by Smalley
 against Schine on the same theatres
 was sent back by Campi was heard
 again, and Schine was ordered to
 release 10 features, two each from
 Fox, M-G-M, Paramount, Universal
 and Warners, on the current season's
 list.

 Code Change
 Was Secret,
 Myers Finds

 Washington, July 26—A charge
 that the June 13 amendment to the
 code, providing for the hearing of
 complaints against existing clearance
 and zoning schedules, rather than the
 drafting of complete new schedules
 for this year by clearance and zoning
 boards, was "handled very sur-
 ruptitious," is made in a letter to
 Sidney Samuelson, Allied States pres-
 ident. All, he said, was an under-
 taking to general counsel, made public
today by the latter.

 Myers' letter charges that the
 amendment was designed to perpetu-
 ate existing schedules as the code does
 not authorize the setting up of boards
 to regulate clearance and zoning, he
 says.

 The formulation and putting into
 effect of a new schedule which injured
 any subsequent run would have exposed everyone connected
 with the transaction to a suit for treble damages," the latter states. It adds
 that so far as Myers is aware, no
 mention of the amendment has been
 made in the trade press.

 The June 13 amendment to the
 code has been continuous publicity in the
 trade press since it first came into be-
 ing last Feb. 16 as a resolution unani-
 mously adopted by Code Authority on
 motion of Harold S. Bareford, sec-
 onded by Nathan Yamins, an Allied
 States national vice-president and
 president of Consolidated Films. It was
 stated at Campi headquarters yester-
 day in reply to the Abram Myers let-
 ter.

 The amendment was necessary, it
 was stated, because of "unavoidable
 delay in establishing clearance and
 zoning boards in time to prepare new
 schedules prior to Jan. 1, as prescribed
 in the code, and because the
 approach of the new selling season
 made it imperative to simplify and ex-
 pedite the work of the local boards."

 Colonel Kann Leaves

 Col. Red Kann left early this morn-
 ing for his vacation. He expected to
 be in Portland early this afternoon
The "Seal of Purity"

This is to certify that Fox Film Corporation has compiled with the self-imposed regulations of the industry as administered by the Production Code Administration of the Motion Picture Producers and Distributors of America, Inc., to maintain right standards in the production of motion pictures as a form of entertainment.

In Witness Whereof: J. Joseph I. Cohen, Director of the Production Code Administration of the Motion Picture Producers and Distributors of America, Inc., have hereunto set my hand and caused the seal of the Production Code Administration to be hereunto affixed this 16th day of July, 1934.

Director, Production Code Administration

Cancelling Called 'Hoodwink' by Myers

WASHINGTON, July 26.—Cancelling privileges accorded in response to public protests in the current film drive are designed to "hoodwink the press and public" and "mean exactly nothing," declares Abram F. Myers, the latest Allied bulletin.

Before a picture can be canceled in response to a protest, an exhibitor must have exhausted its cancellation privileges under the code. "This means," he says, "that the exhibitor can only cancel one picture out of each group of 10, provided he has bought out the entire output of the producer, and he must limit himself to the tenth picture in each group unless he is willing and able to advance to the producer the entire film rental for the pictures canceled, such advance payments to be applied to the tenth picture in each group as and when such picture is reached in the regular order of release.

CHICAGO, July 26.—More than 1,200 women, in a mass meeting at the Grand Opera House, pledged their support to the Legion of Decency campaign after hearing talks by the Most Rev. B. J. Sheil, Rt. Rev. T. V. Shannon, Rev. James C. Corry and Miss Madge Rogers, director of continuation schools in Chicago.

Nine Censors Named by Seattle's Mayor

(Continued from page 1)


M-G-M

(Features)

Paris Interlude and "Treasure Island."

(Shorts)


Paramount

"Clearmar," "Fires and Elek," "Ladies shouldn't Listen," "The Notorious Sophie Lang" (to be changed, no release date), New and Forever, "Great "Empress" and "She Loves Me Not."

Radio

"Bachelor Bait," "Hat, Coat and Glove," "Hill of Human Bondage" and "Their Big Moment."

(Shorts)


United Artists

"Affairs of Cellini," "Building Drums," "The Last Gentleman," "Our Daily Bread" (35th Anniversary) and "Orphans' Benefit."

Universal

"Ransom $1,000,000," "Romance in the Rain" (to be changed), "There's Always Tomorrow."

(Serials)


(Warners)


"Buddy, the Woodman" (Schlesinger), "The Girl at the Ironing Board" (Schlesinger), "Good Badminton," "Good Morning, Mr. Wrong," "Oh, Soldier, Behave!" "Radio Scout," "Rhythm on the Roof," "Service With a Smile" and "What, No Men?"
Behind the Make-Up

Wax, Joe Penner Heavy Draw in L.A.

T HERE is a real story behind the scenes of "Elmer," the new Paramount picture that stars eastward Joe Penner. The story is one of the most interesting and unusual in Hollywood history. It is the story of a picture that was planned and made at the Paramount Pictures studio, but was then sold to a New York distributor, who turned it over to the studio and asked for its return. The studio then took the picture and made it into a feature film, which was released under the title "Elmer." The story is a classic example of how Hollywood can take advantage of a situation and turn it into a successful film.

Another Carnera

St. Louis, July 26.—Bill Kostro, 226-pound mainte-
nance man for the St. Louis Amusement Co., and Al Zim-
balist, advertising manager, who is five feet, four inches
tall and who weighs exactly 111 pounds, got into a playful
feud, the result of which is that Kostro dropped his six-foot
frame on the floor.

Bill claimed his ribs were
fractured. The statement
is borne out by a medico
who answered Zimbalist’s call and who wrapped Kostro’s
ribs with yards of adhesive tape.

Columbia Is Given
New Stock Listing

Stock Exchange permission has been given by Columbia for listing of 31,536 additional voting trust certi-
ficates and for cancellation of listings on 66,310 certificates, a net reduction of 34,974. This leaves the total
at 200,895.

Of the new securities, 4,234 cer-
tificates are for payments of a stock dividend and 27,302 for holders of Series A warrants for common stock. The option has been extended to June 30, 1937.

Next for Sten Picked

Hollywood, July 26.—Samuel Goldwyn will star Anna Sten in "Romance in Moscow" upon her com-
pletion of work in "We Live Again." Vicki Baum and Eugene Lyons wrote it. United Artists will release.

Giannini Set to Sail

Dr. A. H. Giannini, chairman of the executive committee of the Bank of America, N. A., arrived from Los
Angeles yesterday and plans to sail tomorrow on the "Ile de France" with his wife and son, Bernard.

Para. Renews on Three

Hollywood, July 26.—Jack Oakie Katherine DeMille and Harlan Mason, the last named a director, and writer, have had their contracts extended by Paramount.

Form Tribune Theatre

Albany, July 26—Tribune Theatre Corp. has been chartered here by Ben-
jamin Rich, Abraham Scheiner and Jacob S. Aaronson.

MOTION PICTURE DAILY
Friday, July 27, 1934

Denver Weak, "Baby" Pulls Only $6,000

Denver, July 26.—"Baby, Take Bow" was the only attraction in tow last week to reach par, with $6,990, at
the Denver.

Business took a nose-dive all along the line, with heat adding to the popu-
larities of outdoor attractions.

Total first run business was $17,257.

Average was $20,500.

Estimated takings for the week end-
ing July 19:

CHARLIE CHAN’S COURAGE (Fox)
ALADDIN (RKO) (3,000), 25c-50c—7 days

THE OLD FASHIONED WAY (Par.)
DENHAM (RKO) (3,595), 30c-55c—6 days

BABY TAKE A BOW (Fox)
DENVER (RKO) (2,500), 25c-50c—7 days

STADCRAFT (Par.)
ALBERTA (RKO) (3,000), 7c-10c—3 days

AFFAIRS OF A GENTLEMAN (Uni.)
SOUTH (RKO) (2,000), 25c-50c—7 days

Gross: $6,000. (Average, $800.)

D. MONICA (Warners)
WARNER BROS. (Hollywood) (2,000), 25c-50c

D. MONICA (Warners)
WARNER BROS. (Downtown) (3,595), 25c-50c

ORDER ON THE BLACKBOARD
(RKO)

THE PARTY TAKER (Col.)
PANTAGES—13,000, 25c-40c—7 days

Gross: $3,900. (Average, $325.)

Private: Lease

In L. A. Is Approved

(Corresponded from page 1)

and is a Paramount film franchise for a like number of years.

Also approved was a plan of set-
tlement of claims against the Third & 
26.—Revenue from the Los Angeles, a
Paramount subsidiary.

The F. & M. lease on the Los
Angeles Paramount gives that company its first franchise house. Others under consideration for operation are the Missouri, Am-
bassador and Grand Central, St. Louis, and the Oregon, San Fran-
cisco. F. & M. stage shows will not be shown elsewhere in Los Angeles except at the Paramount during the term of the lease.

Gilbert, Fairbanks May Sign with BIP

(Corresponded from page 1)

I. P., today informed Motion Pic-
ture Daily the company has signed Wm. Beaudine to direct "Funny Face" from a screenplay by Grace" to be made from a screenplay by Grace

Tom Geraghty will do the script while Gloria Stuart, Myrna Loy and Tilley Loesch are being considered for the feminine lead.

Says Court O. K. Needed

Cleveland, July 26.—Because the local film companies have come to an com-
mise agreement the decision in the appeal brought against the schedule, which was to be submitted to a Cleveland court for approval, Martin Smith, head of the T.O. of Ohio, today told members of the Cleveland M. P. Exhibitors’ Ass’n.

Inspectors’ Outlook

(Continued from page 2)

separate cover, your commis-
sion as colonel on the staff of the
Governor of Kentucky.

And let that be a lesson to you.

With kind regards

Very truly yours,

Allan S. Moritz

July 26, 1934

Colonel Allan S. Moritz,
Columbia Pictures Corp.,

Dear Colonel: I was immedi-
ately Laffooned into action upon
receipt of word from you that I
had been named a mint julep

Here I am heading for a vaca-
tion on an island off the coast of
Maine and you make me a colo-

I am very happy that actu-

At any rate, the appointment
puts me on the same sort of sa-
luting basis with Al Lichtman,
Charlie Pettijohn, Cincinnati
Chief Billings and the entire per-
sonnel of the picture business. It
makes it necessary to salute Will
Hays, who is a general, but un-
necessary to take any guff from

If you are going to be in the

Red Kann

P. S.—Please send me a sou-
thern accent.
National Fight Looms
On Higher Music Taxes

Say Fraternal Groups to Act
In Film Drive

Seek Code Aid
To Fight Free
Picture Shows

Hays Gives Report
Upon Film Cleanup

Duals Again Up in
L. A. Zoning Talks

Grainger Sets Two
Big Canadian Deals

Support Clean Pictures,
Urges a Woman Exhibitor

New Pathé Finance
Plan Made Public

Car Strike in Omaha
May End by Sunday

Invite Clergy

Warners’ 39
Week Report
Shows Gains

Loss Down to $558,836
Before Erpi Payment

For the 39 weeks ending May 26, Warner Bros., Pathé, Inc., and subsidiaries show a marked improvement in operating income over the same period last year. The net operating loss was $588,836,69. For the same period in the previous year the loss was $5,021,774.78.

This statement does not reflect the current position of the company, as a settlement of the Vitaphone-Erpi litigation has been reached since that time. In this settlement, made late in June, the company received $2,500,000 in cash and three notes for $1,300,000 each. These notes are payable in installments in 1935, 1936 and 1937. The operating loss reported for the
(Continued on page 3)

Hays gives Report
Upon Film Cleanup

M. P. P. D. A. directors heard a report yesterday from Will H. Hays on the progress to date and future plans of the major studios in connection with the industry’s film cleanup campaign.

The Hays office meeting was also advised of what was expected of individual companies in the campaign. Hays returned from the coast by plane late Wednesday after supervising the setting up of the new production regulatory machinery. Heads or ranking executives of all major companies attended yesterday’s meeting.

(Continued on page 3)

Fox Met Officers
Not Summoned Yet

Fox Metropolitan minority bondholders who are seeking a reorganization of the circuit under the new bankruptcy laws have been unable to serve summonses on officers of Fox Met, requiring them to make answer to the reorganization petition. It was stated yesterday by Archibald Palmer,
(Continued on page 3)

Section Reports

Support Clean Pictures,
Urges a Woman Exhibitor

KANSAS CITY, July 27.—Challenging
the sincerity of the reformers and
demanding that they support clean
films and not merely agitate for them,
Mrs. Gladys E. McAdoo, who oper-
Kan., presents the exhibitor’s view-
point in a letter published in “Speak-
ing the Public Mind” column of the
Kansa City Star.

While dozens of letters have ap-
(Continued on page 4)
Hollywood Personal

**Wometco Sues U. A. Over “Rothchild”**

**Atlanta, July 27.—**Entering suit in federal court, the United Artists, Wometco Theatres, Inc., of Miami, Fla., claims $50,000 possible loss on the alleged withholding of “The House of Rothschild” from the Miami, Miami Beach and West Palm Beach theaters by the former company after a contract had been entered for initial and subsequent runs. The suit sets out that, after the first and subsequent contracts had been signed, the picture was lifted into the roadshow classification and exhibited in Miami by another studio. Scientists were notified that they could not run the picture until the lapse of 120 days.

When asked to comment on this suit, Liepmann, vice-president of United Artists in charge of distribution, said that the matter had been referred to Driscoll, O'Brien and Rafferty, the company’s attorneys.

**Lesser-Zantz Select Atherton Firm Name**

**Hollywood, July 27.—**The Sol Lesser-Major John Zantz combination producing George O’Brien pictures has adopted the trade name of Atherton Prod., Inc. After completion of the first picture, “The Dude Ranger,” Lesser and O’Brien and Eddie Cline will leave Hollywood the middle of August to make a second to be called “Cowboy Millionaire.”

**Melniker Starts Back**

**Tokyo, July 27.—**Premier Mitchell Hepburn said today that the Japanese government would end its film production as an economy move.

“We have been producing only secondary films and might as well wipe it out,” he said.

The studio at Trenton, Ont., has been closed and Major George E. Cutler, director for major markets, and his staff have been given notice.

Ontario has paid $22,412 in salaries, apart from operating costs. The productions have included scenic, game, farming and industrial films.

**Motelco Set to Select Atherton Firm Name**

**Hollywood, July 27.—**The Sol Lesser-Major John Zantz combination producing George O’Brien pictures has adopted the trade name of Atherton Prod., Inc. After completion of the first picture, “The Dude Ranger,” Lesser and O’Brien and Eddie Cline will leave Hollywood the middle of August to make a second to be called “Cowboy Millionaire.”

**Columbia Up One on Big Board**

<table>
<thead>
<tr>
<th>Stock</th>
<th>High</th>
<th>Low</th>
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<tr>
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<td>775</td>
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<td>Loew’s, Inc., ptd.</td>
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<td>Paramount Public, Inc.</td>
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<td>Pathé Exchange Corp.</td>
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<td>RKO</td>
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**Technicolor Rises One on Curb**

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**Many Heavy Gains in Bond Market**

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<td>965</td>
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<td>965</td>
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<tr>
<td>Loew’s 6s 4%, 40 deb rights</td>
<td>965</td>
<td>950</td>
<td>950</td>
<td>-1%</td>
<td>950</td>
</tr>
<tr>
<td>Paramount F. L. 6s 6%</td>
<td>40</td>
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<td>40</td>
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<tr>
<td>Paramount Public 9 1/2s</td>
<td>350</td>
<td>340</td>
<td>340</td>
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<td>340</td>
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<tr>
<td>Warner Bros. 6s 3% 1/2d</td>
<td>51</td>
<td>48</td>
<td>48</td>
<td>-6%</td>
<td>48</td>
</tr>
</tbody>
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**“U” Buys McGuire Play**

**Hollywood, July 27.—**William Anthony McGuire’s unproduced play, “The Saint in the Cellar,” has been acquired by Universal.
Seek Code Aid To Fight Free Picture Shows

(Continued from page 1)

has there been any hope of stamping it out. Exhibitors report a greater number of small town exhibitors in Kansas, Iowa and western Missouri are this year seeing free shows put on by merchants to attract to their stores. There is no theatre in operation. Frequently the films are shown in the town square or park.

The grievance board here has established a precedent by ordering a local silent film distributor to cease supplying prints for free show circuits in several Kansas towns. The I. T. O. has filed a complaint that the distributor's plan of action against exchanges supplying films for a merchant-sponsored show at Lykins square in one of the communities had been announced. Exhibitors announced the free shows will be staged every Wednesday night during the summer.

Rosenblatt Summons Writer-Actor Groups

Hollywood, July 27.—A joint meeting of the recently named producers—actors' and producers-veri- cists' committees was called for Monday night by Division Administrator Sol A. Rosenblatt today. About 40 motion picture committee members are expected to attend. Rosenblatt plans to organize working of the two groups and start them functioning.

Rosenblatt showed interest in the workings of the Production Code Administration under the direction of Joseph I. Breen, but made it clear he would not enter into the matter of clean films. "I am merely going to observe the censorship plan of the Hays organization," he said.

During the day Rosenblatt conferred on various code matters.

Detroit Grievance Decisions Rendered

DETROIT, July 27.—Two decisions were rendered by the grievance board of the Screen Guild here this week. Complaint by James Minter, Minter Thea- tre, Owosso, Mich., against Butter- fields' Capitol and Strand, was dis- missed.

S. J. Marz' giveaway complaint against W. G. Sturgess, Gem, Saginaw, Mich., was upheld and the prac- tice was ordered stopped within 90 days.

Saginaw Hits Premiums

SAGINAW, July 27.—Petitions barring premiums have been circulated here and have been signed by 75 per cent of exhibitors within a three and one-half mile radius of the center of the city, it is said.

attempts to enforce its new drastically cut admission rules against a the- atre organization.

When the new demands of the or- ganization were thus made known, an offer was received for the past two weeks an emergency committee which two days ago opened negotiations with the Mutual, the general manager of the society, in an effort to have the increased assessments deferred. However, the chairman recovered more fully from the eco- nomic crisis and other disturbing in- fluences affecting exhibition had finally subsided.

Makeup of Committee


A sub-committee of this group has carried on the negotiations with Mills agreed to definite terms on the issue of their principal contention being that this is the wrong time at which to carry on the emergency committee in effect against theatres. It was also the opinion of the committee that the declarations of a strike were "wholly unre- asonable and arbitrary."

With the solicitation of publicity for the proposed new tax schedules by Mills yesterday, the sub-committee abandoned hope of obtaining consider- ation for their views. The sub-con- mittee, therefore, has decided to make report on the attempted negotiations with Mills at a meeting of the main committee Monday at which it is expected that the members of a united national exhibitor front against the proposed new incorporations will be announced.

Exhibition Forces to Mass

It is anticipated that the entire na- tional membership of M. P. T. O. A. and Allied, all of the major national affiliated and unaffiliated circuits and the local exhibitor organization, will line up solidly with the opposition as their leaders are already represented on the national committee of the old organization. Exhibitors who are non-mem- bers of national or local organiza- tions will also be enlisted in the new campaign of opposition, it was said.

Estimates place the annual amount collected from exhibitors by the so- ciety at $1,250,000. Under the proposed taxa- tion which increases the tax rate of all classes to 10 times, the society would collect $4,000,000 to $5,000,000 annually from theatre owners, it was estimated by exhibitor leaders.

The society prepared for its rate increase some time ago by including a 30-day cancellation clause, deny- ing that at time to exhibitor repre- sentatives that it contemplated in- creases in new contracts which might be substituted under the clause. A few weeks ago the society cancelled the RKO contract but presented it with the new rate schedule. The new rates were not made public by the society then, as its strategy was to have it contem- plated quiet installation of the new schedules in single organizations and theatres from time to time.

Fox Met Officers Not Summoned Yet

(Continued from page 1)

Fox Met officers are continuing their discussions with Fox Met. distributors' committee, which has deposits of more than 85 per cent of the company's bonds and has the right to reach an agreement for pur- chase of the bonds for approximately twice the face value of the bond. Scheduled court hearing on the sale, which will be before Judge Julian W. Mack in U. S. District Court Aug. 6.

New Pathé Finance Plan Made Public

(Continued from page 1)

A share held, and common stock- holders will receive one share of new common stock for each 20 of the old.

Under the plan, an issue of col- laborative trust notes will be convertible into new common on the basis of $20 per note for each new share. The directors may in their discretion use these notes to retire all or part of the preferred stock, as earnings are available therefor.

Car Strike in Omaha May End by Sunday

(Continued from page 1)

travel, it is reported. It was rumored that at box- offices, William Singer, manager of the Strand, estimated that receipts were down $10,000 in the past two weeks, the first two days of the walkout, while the Blank houses, the Orpheum and Westport, per cent had their business affected by more than a third by lack of carrier service, it is reported.

Warners' 39 Week Report Shows Gains

(Continued from page 1)

39 weeks ended July 26 was compu- ted after deducting all charges, including interest, amortization, depre- ciation and provision for Federal in- come taxes.

The net profit from operations before amortization, depreciation and Federal income taxes was $245,000, or 174 1/2. A total of $1,043,816.60 was credited to the deficit account. This represents a profit on the redemption of funded indebtedness, adjustment of income tax reserves of prior years and profit on sale of capital assets. The net profit for the current year and the deficit account carried to the balance sheet totals 195,334,345. Total assets and liabilities are listed as $160,465,950.25.

Trendle Organizes New Booking Firm

DETROIT, July 27.—In addition to the new Detroit Theatre (Publicx), which was announced last week for the purpose of booking vaudeville acts to theatrical houses, George W. Trendle, presi- dent of the United Detroit Theatres (Publicx), has announced formation of United Detroit Service, Inc., which will book pictures into his own and other theatres here.

The new company will operate in opposition to Mid-States Theatres, Inc., which is now booking nearly 100 local and state theatres.

L. H. Gardner is in charge, with Arthur Elliott, former film salesman, as his assistant. The combine starts off with three Charles Komier the- atres, the Colony, Whittier and Red- ford; six Sol Krim houses, subse- quent runs, and Julius Fischer's Plaza, another subsequent. Trendle refused to say how many other houses had joined.

First booking was George Ober's band into Westwood Inn Park.

Another new venture launched by Trendle is a weekly public broadcast for club women in connection with his radio station, WXYI. Each week he sends 75 women at a luncheon which is broadcast, with the women and several style experts and a local society editor taking part.

Loew's Canada Unit Shifts Fiscal Year

(Continued from page 1)

meeting here today of the share- holders of Marcus Loew's Theatres, Inc., at its headquarters here, M. Kinhairk and J. W. Bicknell, were named to fill vacancies on the board. It was also announced that eight of the five given that current dividends would be paid and shares covered as soon as an improvement in business warranted.

Leopold Friedman was here from New York to attend the meeting.
Say Fraternal Groups to Act In Film Drive

MOTION PICTURE DAILY

“Million Dollar Ransom” (Universal)

Hollywood, July 27.—This is fast-moving, breezy comedy, typical of Damon Runyon’s writings. The film could easily have been mediocre because of the worn gangster theme, but this has been overcome.

The gangsterism is of the uppercrust type and the story lacks bloodshed, but the final volume.

A beer baron is forced out of business through repeal. His associates try to prevail upon him to seek the supposedly more lucrative field of kidnapping, but he turns thumbs down, deciding to play a lone hand and devote the rest of his life to his daughter.

His intentions are disrupted by an elderly and wealthy man who is protecting his overwrought and unprofitable saving of $25,000 to prevent his going from Europe to marry a gigolo.

The ex-beer baron goes through with the deal, but his former associates muscle in. A thread of youthful romance creeps between Phillips Holmes, the lead, and his Galadriel.

It is well balanced screen fare.

Director Murray Roth has done a good job and William R. Lipman, adaptor, deserves credit. The supporting cast is strong. It includes Edward Arnold, John Leisch, Andy Devine, Marjorie Gateson and Edgar Norton. Running time, 64 minutes.

“Ladies Should Listen,” Thursday’s preview at the Paramount, was reviewed from Hollywood on July 27.

“Paris Intervale,” yesterday’s offering of the Capitol, was reviewed by wire from Hollywood on July 27.

“She Learned About Sailors,” Thursday’s preview of the Roxy, was reviewed by wire from Hollywood on July 27.

“Hat, Coat and Gloves,” Thursday’s offering of the Radio City Music Hall, was reviewed by wire from Hollywood on July 27.

Ciney Church Drive Hits Neighborhoods

CINCINNATI, July 27.—Although the church drive is said to have had more or less effect on downtown houses, the aggregate reaction is considered negligible by the local neighborhood spots, however, especially those located in communities where the Catholic element has been the strongest and who have been seriously affected. No approved or “black” lists are published here, but those aligned with the crusade feel that the local church is being affected.

NEW ALBANY, Ind., July 27.—The Legion of Decency has earned 2,000 more backers in this city when members of the parishes of St. Mary’s and Sacred Heart, and other neighborhoods, have added their names to the petition circulated here.

WASHINGTON, Ind., July 27.—The chancery offices of the diocese of Indianapolis report 1,475 Legion of Decency pledges have been signed by the members of St. Simon’s Church here. Many non-Catholics have also signed the pledges.

EVANSVILLE, Ind., July 27.—The Legion of Decency is being backed in this city by both Protestant and Catholic groups. Mayor Frank W. Gries is in sympathy with the movement and has expressed wishes for its success.

RICHMOND, July 27.—The church drive for films is taken shape in various sections of the state, but has not become violent. In this diocese Mgr. Felix F. Kaup, vicar-general, has sent an appeal by Rev. William V. Dunn in vain for attending indecent films and to endeavor to learn what films are being shown.

In Winchester more than 1,000 members of Catholic and Protestant churches have signed pledges to “retract away from all motion pictures except those which do not offend decency and Christian morality.”

HACKESSACK, N. J., July 27.—Several thousand additional members for the Legion of Decency are expected Sunday in various sections of Bergen County with the announcement that the Bergen Federation of the Holy Name Societies has endorsed the crusade. A further explanation of the Federation’s stand will be made at the special session in Ridgefield N. J., on Aug. 5.

PASSAIC, N. J., July 27.—Nearly 2,000 members of St. Nicholas Catholic Church here have been enrolled in the Legion of Decency, following an appeal by Father John A. Murphy and his assistant, Rev. Joseph A. Murtagh. More than 1,000 pledges were signed at the Sacred Heart Catholic Church, in Lyndhurst, where Rev. Thomas J. McDermott is pastor.

EASTON, Md., July 27.—The Delaware Lutheran Pastors’ Conference has passed a resolution calling upon members of churches of the denomination to stay away from theatres until better pictures are produced. The resolution sets out that no concerted action has been taken by producers to produce better material and that in some instances advertisements have been more objectionable than the pictures.

WILMINGTON, July 27.—Rev. Dismon W. Jacobs, D.D., superintendent of the Wilmington district of the Methodist Episcopal Church, issued a statement urging his people to refuse to patronize salacious films.

ALLEGAN, O., July 27.—Hollywood itself is making efforts to free pictures of salaciousness, Dr. W. H. McCormack, president of Mount Union College here, told the summer school upon his return from the Pacific Coast.
MOTION PICTURE DAILY

NEW YORK, MONDAY, JULY 30, 1934

TEN CENTS

The Leading Daily Newspaper of the Motion Picture Industry

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

Vol. 36, No. 24

Big Meeting Set Here on Music Fight
Expect 8,000 Theatres To Be Represented

Representatives of exhibitor organizations and circuits comprising approximately 8,000 theatres throughout the country are scheduled to meet here today to map a campaign of opposition to the new scale of music seat taxes which the American Society of Composers, Authors and Publishers is attempting to put into force and which it is estimated would increase the music tax of virtually every classification of theatre three to 10 times over the present rate of 10 cents per seat.

Exhibitor organizations and circuits already lined up in opposition to the proposal that "on advice of their local authorities".

Wisconsin Showmen Work on New Unit
Milwaukee, July 29.—Organization of a statewide independent exhibitors’ organization has been given impetus here with the appointment of a committee consisting of Ross Baldwin,

Cincy’s Employment Has Gain of 49.5%
Cincinnati, July 29.—Employment in 18 selected local industries shows an increase in June of 49.5 per cent as compared with June of last year, according to a survey by the Chamber of Commerce.

The report shows department store sales for May 13.2 per cent ahead of the corresponding period last year.

Exhibitors feel that this improvement will be reflected in greater attendance as soon as the heat wave subsides.

Marie Dressler Rites Are Set For Tomorrow

Body of Actress, 61, to Lie in Glendale

Hollywood, July 29.—The Sabbath was subdued in Hollywood today as preparations were being made for the funeral of Marie Dressler, which will take place on Tuesday morning with only those most intimately connected with the actress in attendance.

Miss Dressler will be laid at rest in a crypt at Forest Lawn Memorial Park, Glendale, following services at the Wew Kirk of the Heathen there. The

(Continued on page 2)

No Church Boycott Is Seen in Boston

Boston, July 29.—As a result of a 12-hour committee here between Rep. Russell M. Sullivan, S.J., and Martin J. Quigley of New York, representing the organized industry, it is

(Continued on page 2)

MPTO Not to Advise Upon Cancellations

St. Louis, July 29.—Exhibitor members are to be allowed to use their own judgment on cancellation requests, says Fred Wehrenberg, in explaining titles lists sent out by the M.P.T.O. of St. Louis, eastern Missouri and southern Illinois.

Members have been informed, Wehrenberg says, that "The Life of Ver- gie Winters," "Laughing Boy," "Born to Be Bad," "Kiss and Make Up" and "Here Comes the Groom" are on the disapproved lists of the St. Louis Better Films Council and the Legion of Decency, but that action is taken on whether showing them is entirely up to individuals.

Mexico City Actors Threatening Strike

Mexico City, July 29.—The actors’ and theatre attaches’ union is staging a fight here to prevent conversion of

(Continued on page 4)

New Clearances Possible If Demanded, Says Campi

Exhibitors in any clearance and zoning territory may obtain new schedules from their local clearance and zoning boards for the 1932-33 season when the boards reconvene next November if there is a sufficient representative demand for such schedules, it was indicated at Code Authority Saturday in response to mounting criticism in exhibitor circles of the June 13 amendment to the code.

(Continued on page 4)

Gaumont Plans U. S. Theatres And Exchanges

By BRUCE ALLAN

London, July 29.—Not only do Gaumont British intend to establish the first British nationwide exchange system in the United States, but it also intends to have a Broadway show window and possibly other houses in key spots. Declared Jeffrey Bernerd, general manager, yesterday, prior to sailing on the Aquitania:

Production is also to be placed on a competitive basis in the United States, be declared, as he considers America 60 per cent of the world market and worth going after.

Bernerd has complete authority to select personnel and organize an exploitation force. A minimum of 25 pictures a year is planned.

According to Bernerd, Gaumont

(Continued on page 8)

New English Films Investments Heavy

London, July 29.—Nearly $5,000,000 has been invested in film and theatre enterprises during the first six months of this year, according to statistics compiled by Jordan & Sons, Ltd.

During this period 120 film companies have been registered with a capital of approximately $3,366,500. Theatre enterprises started are capitalized for $1,344,500.

Wolff Out of Deal For Denver Theatre

Denver, July 29.—Marco Wolff of Fanchon & Marco, is out of the Denver theatre picture. This happened

(Continued on page 2)

Campi Spends $70,846 for First 6 Mos.

Code Authority collections for the first six months of 1934 aggregated $107,145 and total expenses for the same period amounted to $70,846.59 according to the Price, Waterhouse audit just submitted to Campi.

Such audits are required of all Code Authorities by the NRA under an executive order issued recently, Campi, the first of the code authorities to submit its audit.

Economical operation of the industry’s code body, including its local boards, is emphasized throughout the Price, Waterhouse report. Total expenditures of the head office here, including rent for the Radio City headquarters and salaries for the staff of 22 employed, were $34,094 for the half-year period. Included in the dis

(Continued on page 4)

Bank Nights Called Lottery in Missouri

Kansas City, July 29.—Latest angle on the bank night agitation here is that the Missouri attorney general has rendered a formal opinion that the nights are a lottery in this state. The opinion was written by Frank E. Reagan, assistant attorney general, and approved by Roy McKirtrick, at- torney general.

As the situation now stands the

(Continued on page 4)

Cameramen to Seek Rosenblatt’s Help

Hollywood, July 29.—Cameramen are waiting to lay their troubles in Division Administrator Sol A. Rosenblatt’s lap. Herbert Allen, business

(Continued on page 4)
No Church Boycott
Is Seen in Boston

(Continued from page 1)
understood assurances were given ec-
clesiastical authorities that the indus-
ty is prepared to assume responsi-
bility for any project completed prior to July 15 when Joseph L. Breen began censoring all Hollywood output.

Quigley is understood to have re-
fused to accept a proposal of Father
Sullivan that the industry appoint an
industry representative for the Boston
archdiocese who would have full
power to censor films and stop their
production if certain objections were
raised by the church. This proposal
was to cover New England, it is under-
stood. It was pointed out to Father
Sullivan that he was inviting the
industry to break its contracts with
exhibitors, that the proposal would
set a precedent for other
105 Catholic archdioceses and would
be an unnecessary expense.

Most of the long controversy, it is
understood, was devoted to the
problem of how possible objectionable
featu-
res of films made prior to July 15
would be handled. Church authori-
ties are said to be satisfied with the
Breen censorship arrangement, but
are skeptical about certain privileges recently granted on product
against which organized protest is
made.

ST. PETERSBURG, Fla., July 29.—The
Legion of Decency campaign has been
launched here with a mass meeting in
the city park. Pledge cards are now
in circulation. The cards are also be-
ing signed in St. Augustine.

In Tampa all denouncements have
joined in the move.

CHICAGO, July 29.—Five hundred
thousand women will give their sup-
sport to the Legion of Decency cam-
paign, Bishop Bernard J. Sheil was
told by leaders of Catholic women's
organizations at a meeting at the
Catholic Youth Center.

In addressing the leaders Bishop
Sheil said:

"Only an aroused Catholic mother-
hood can succeed where others fail.
There are 250,000 women who have
signed the pledge of the Legion of
Decency. I say, let 500,000 women
take up the cupful."

ALLIANC, O., July 29.—"Hollywood
itself is making efforts to free motion
pictures from salaciousness," Dr. W.
W. Houlker, president of the Motion
Picture Bureau, told the summer school
here upon his return from the west coast
last week. "There has been an increased
interest in standards of taste and
decency," he declared.

Wisconsin Showmen
Work on New Unit

(Continued from page 1)
Merril Devine and James Boden to contact prospective members.

Providing they are assured of the
sincerity of exhibitors not now affil-
iated with the Allied and wishing to
join the new independent organization,
present officers and directors of the
independent Exhibitors' Ass'n of
Wisconsin will resign to permit the
election of a new slate of officers and
the selection of a new name for the
group.

The Milwaukee group is now spon-
soring its own advertising column un-
der the heading, "What Do You
Wish the Fox Theatres of
Wisconsin" with 22 houses listed as against
the same number of houses advertis-
ing under the heading, "At Your Naborhood
Theatre," which was handled by the
M. P. T. O. of Wisconsin. Six
theatres have left the latter classifica-
tion, and the column includes circuits,
join the former.

Wolf Out of Deal
For Denver Theatre

(Continued from page 1)
when the closing day of the receiver of the Orpheum, suspended
the lease held by the Welton Thea-
tres Corp., formed last year by Harry
Huffman and Marco.

Huffman and Marco entered into
partnership to furnish a Denver spot
for the M. F. M. show, but for the past
three months these have been out, be-
cause of dwindling grosses.

Huffman has formed the Centennial
Theatres Inc., for the purpose of
negotiating for the house, which has
been ordered sold by Aug. 21 for the
benefit of the M. F. M. Bank of Denver
which holds a judgment for
$550,000. The court has ordered that
bids must be at least $400,000 to be
considered. Huffman says the deal
for him to continue operation of the
theatre has practically been com-
pleted.
The attorney for the defense KNEW his client was innocent... but could PROVE he was guilty, with a HAT... a COAT... a GLOVE!

He wanted him dead!... but fought for his life!... knew he was innocent of murder!... but GUILTY of stealing his own wife's love!

RKO RADIO PICTURE

ADD ANOTHER TO RKO-RADIO'S MID-SUMMER LIST OF MONEY-MAKING ATTRACTIONS

"We're Rich Again", "Of Human Bondage", "Bachelor Bait", "The Life of Vergie Winters", "His Greatest Gamble", "Cockeyed Cavaliers", and soon "Down To Their Last Yacht", Lou Brock's successor to "Flying Down to Rio".
Campi Spends $70,346 for First 6 Mos.

(Continued from page 1) burlescures here, in addition to rent and operating items:
Transportation and hotel expenses of traveling members of Campi, $4,033; furniture and fixtures, $2,921; salaries, $1,586; printing, $2,992; postage, $1,199; telephone and telegraph, $1,402; office supplies, $769; rent, $1,075.20, T.O.V., $16,399 and rent $1,343.

Total half-year disbursements of 32 local boards amounted to $36,752, above the $4,210, ranked next to Campi headquarters in disbursements. The New York board was next with disbursements of $2,821. All other local boards were under $2,000 in expenditure for the period.

Payments by exhibitors aggregating $70,245 in first half assessments and advances from producers and distributors, are on hand. Against their first half assessments were the principal items in receipts. The basis of exhibitor assessments was changed and statements mailed out first. The basis for assessment of producers, distributors and independent right holders changed completely only recently. Statements to those code signers have not yet been sent out.

Yamin's Loan Repaid
A loan to Campi of $200 by Nathan Yamin was paid, but details of the transaction were not listed under receipts and has been repaid, the audit shows.

Since June 30, the end of the period covered by the audit, exhibitors have paid in additional assessments amounting to $7,428, and additional advances of $13,000 have been made by producer-distributors against their first half assessments.

The producer-distributor advances to Campi for first half expenses were supplied in the following amounts: $8,000 each by Fox, MGM and Warners; $4,000 each by Paramount and Universal; $2,000 each by Columbia and RKO; $300, Monogram, and the last amount was refunded to the organization.

Campi's cash balance on June 30 was $36,098. Campi's annual budget is fixed at $56,000, half of which is assessed to exhibitors and half to producers and distributors.

Monthly expenditures for the last half of the current year are expected to average between $25,000 and $30,000 against the $11,000 average for the first half, due to the fact that the organizing period is now over and operations will be in full force during the remainder of the year.

Camurra: Men Seek Rosenblatt's Help
(Continued from page 1)

manager of the L.A.T.E.S. camera- men's local, the first of the kind for some kind of an NRA stand on what he declares is an effort of producers to force cameramen, he said, to the American Society of Cinematographers.

Richard L. Strange, former member of the original studio labor board, says he intends to ask why studios are allowed to work assistant cutters overtime and to ask an explanation of the reclassification of grips as stand- bys with pay at 75 cents an hour, instead of as prescribed in the code.

Rosenblatt is having little to say about his plans. He lunched with Jack L. Warner and B. S. Kahanamoku of Radio studio following his arrival and then said he would confer with Joseph J. Breen to see how the industry's self- censorship committee would handle the present situation.

"I am merely going to observe it," he said, "as I am interested in the work."

Kansas City Board Approves Ad Passes
(Continued from page 1)

KANSAS CITY, July 29.—Because it determined that passes had been distributed for advertising, the grievance board disposed of complaints brought by Mrs. A. Baier against the Mokan.

The board held an exhibitor should have the privilege of giving passes for window space, etc., and such passes could not be considered reduced admission tickets.

Robert Rhoades, Gillham Theatre, was ordered to stop nickel admissions to the Theatre, Big Brother Club Saturday matinees.

Omaha Board Orders End of Free Shows
OMAHA, July 29.—Free admissions to children's morning matinees were ordered ended by the grievance board following hearing on a complaint against the Wall, operated by Scott Wall at Fremont, Neb. Complainant was the Central States Corp., headed by Ralph Blank.

Wall is said to have furnished free admissions, thus violating the rule, and admitting any person, without charge, to the hearing, Wall offered an affidavit from a Fremont citizen, asserting the latter was the donor of the nickels. The board refused to accept the affidavit and ordered the hearing ended with a warning to Wall to desist.

Cullum to Complain
Howard S. Cullum, receiver for the Roxy, said Saturday that he would file a complaint with the local grievance board charging that the Mayfair is continuing the practice of distributing reduced admission certificates, admitting the holder of one to the theatre for 15 cents, in violation of a cease and desist order issued by the local board following a hearing of Cullum's original complaint some time ago.

Extras' Claims $1,365
HOLLYWOOD, July 29.—According to Herbert Freeman, head of the extra code standing committee, claims totaling $1,365 have been paid extras since May 1.

More Studio Expansion
HOLLYWOOD, July 29.—With the completion of Columbia's $50,000 annex to its already extensive studio plans for the remainder of the studio's expansion program are on. The second building, to be fire and earthquake proof, will house trailers, stage effects, paper, electrical and other departments.

New Clearances Possible
If Demanded, Says Campi
(Continued from page 1)

matter has not been definitely decided.

The June 13 code amendment makes it optional for Campi to direct the clearance and zoning boards to continue to hear complaints of exhibitors, or to direct new schedules of complaints against existing schedules or to direct them to draft new schedules, if any. Whether or not to do in the matter, it was indicated, will be very likely be determined solely upon majority exhibitor wishes in individual territories.

The code amendment originated in an emergency resolution of Code Authority adopted last February in order to expedite the setting up of schedules in time for the opening of the current season. Under it, a new amendment to the code the emergency measure became a permanent fixture to be used at Campi's discretion.

The text of the amendment follows:

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE MOTION PICTURE INDUSTRY

A new subsection (c) is to be added to Article VI, Part 1 (c) Local Clearances and Zoning Boards, in addition to the powers and duties otherwise provided for in such subsection, it shall be the duty of the Code Authority, receive any and all protests from Motion Picture Exhibitors against the existing clearance and zoning as to their respective theatres alleging that such clearance or zoning be unreasonable, in length or area. The issue raised by such protests shall be decided by the Local Clearances and Zoning Boards after notice and hearing to the parties affected and pursuant to the procedure and subject to such rights of appeal as the Code Authority, provided for in the existing code. The Code Authority may direct that the duties of the Local Clearances and Zoning Boards shall be performed and discharged by the hearing and deciding of protests as provided in this Subsection, instead of formulating rules and regulations provided in Article VI, Part 1, Sections 1 and 3.

Bank Nights Called Lottery in Missouri
(Continued from page 1)
grievance board has ruled against the practice, the attorney general of Kansas says they are not a lottery, and in St. Louis the grievance board has ruled for them where it is shown ticket holders do not have to purchase admissions to theatres.

Saginaw Bars Giveaways
SAGINAW, July 29.—Exhibitors here have voted almost unanimously against giveaways of dispatches, silver, china, etc. There are 15 the- atres in the city, five own and 10 rent- tler houses. The new ruling covers a three and a half mile radius.

Kronick Joins Franklin
Howard H. Kronick, formerly vice-president of the Bank Corp. of the U.S., and recently an associate of Dime in Paramount, has joined J. J. Franklin's theatrical venture in Hawaii.

Big Meeting Set Here on Music Fight
(Continued from page 1)

Big new assessment schedule are repre- sented by some members of an emergency committee created to safeguard exhibitor interests during present emergency. A. S. C. A. P.: Walter Vincent of Warner, at 20th Century, circuit, temporary chairman; Ed Kuykendall, M. P. T. O. A.; Melville Thompson, Loew's; Frank Phelps, Warners; and Sam Dembrow, Jr., Paramount. Several thousand additional exhibitors who are not members of exhibitor organizations or affiliated with circuits represented on the committee are expected to be enrolled in the campaign of opposition to the music tax increases immediately, completing what will probably be the largest national exhibitor front ever marshalled for a single objective.

Meetings with Mills Held
A sub-committee of the exhibitors' emergency committee has held a number of meetings with E. C. Mills, general manager of E. C. Mills, during the past two weeks attempting to negotiate a formal agreement. They are again following the sounder financial footing or, that failing, to negotiate a more equitable arrangement than the one arbitrarily sponsored by it. The failure of their efforts was admitted Friday when Mills without advising the committee, sole advertisement for the new schedules. The committee had requested those trade papers to agree to a policy of not reporting the news from publishing accounts of the meetings for fear of rupturing the negotiations in progress.

Cleveland, July 29.—Enforcement by the A. S. C. A. P. of its contemplated new music tax schedule will probably lead to amendment of the copyright laws more quickly than anything that has yet developed in the music tax field, Martin G. Smith, Toledo, president of the I. T. O. of Ohio, told members at a meeting of the organization here yesterday.

Amendment of the copyright laws, he believes, would result in more equitable music assessments for exhibitors than have been enforced in the past.

Mexico City Actors Threatening Strike
(Continued from page 1)

the United Mexican film houses, partly in a protest threatening strike that might involve film houses generally.

Pay cuts, claims of being made against both houses. Some talk is heard that the National Film Alliance is considering a strike of 30 years to build and cost $5,000,000, national exhibition films to get on a paying basis. The talk is scoffed at by the Ministry of Education, which says the theatre is being subsidized for drama, symphony orchestra concerts and art exhibits.
Brilliant PERFORMANCE

Every fine performance on the screen depends upon certain earlier performances... not by the cast alone, but by the film in the camera. Because of the dependability and artistic opportunity it affords... because of its unfailingly brilliant performance... most cameramen and producers prefer Eastman Super-Sensitive Panchromatic Negative with gray backing. Eastman Kodak Company, Rochester, New York. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative
MOTION PICTURE DAILY'S
HOLLYWOOD PREVIEW

“Now and Forever” (Paramount)

Hollywood, July 29—This is a colorful romance tinged with flavor and charm. It is human and emotion-stirring yet so relieved with comedy that wide audience appeal seems assured. Story, cast and production values are intelligently and forcibly balanced.

The story, given a unique, sympathy-stirring twist, revolves around Gary Cooper, his partner in crime, Carole Lombard, and Cooper's motherless child. Father and child know the arrangement between father and child that inspires him to honesty, yet drives him to crime and death. Audiences know the arrangement between child and father cannot persist, yet they feel its power as it runs from laugh-generating tomfoolery to pathos. Even the tragic ending seems logical if not box-office, as spectators know the child will receive care.

Cooper is presented in a hitherto unrevealed characterization in a restrained role. Miss Lombard is convincing. Shirley Temple's audience appeal needs no explanation. The supporting cast, Sir Guy Standing, Charlotte Granville and Guy Emerny, is satisfactory. Running time, 82 minutes.

“Looking Em Over”

“Oro y Plata” (“Gold and Silver”) (Inter-Continental Film Corp.)

A creditable piece of work, this Spanish-language production, made in Mexico by Hispano Mexicano Cinematografica, S. A., should be first-rate entertainment for those who possess a command of the tongue. It can be of little interest to purely American audiences since it has not a single English title.

The film is beautifully mounted and reflects Hollywood technique to a substantial degree. Particularly does the production excel in photography. The camera work, credited to an American, Ross Fisher, deserves no end of praise. In this department the film challenges the best Hollywood has to offer.

The story, although extremely familiar, is well told. It tells of the children of two mortal enemies falling in love with each other. When the son of one gets the daughter of the other child, he believes he has attained his revenge. The father does all in his power to kill the boy's love for the girl.

When the youth, defying his parent, returns to the girl begging forgiveness, her father decides to settle with his enemy by slaying the boy. But he cannot bring himself to do it and makes his peace with the youth. As he embraces him, a shepherd who has been the girl's guardian fires on him. The fadeout shows the lad expiring in the girl's arms.

The players, who act capably, include Carmen Guerrero, Adolfo Giron, Alfredo Del Diestro, Antonio R. Frausto, Julio Villarreal, Domingo Soler, Beatriz Ramos and Lolita Camarillo. Ramon Peon directed. Running time, 88 minutes.

“Song at Eventide” (Butcher-Argyle Prod.)

LONDON, July 13.—This is another of the series built on popular airs that Butcher's have sold successfully here. Here the musical piece is Eastopie Martin’s “Eventide” and there is some really admirable singing, the performers including Frank Titterton, a first rank tenor, and the Lay Vicars of Westminster Abbey Choir.

The story is of a somewhat old-fashioned type, but Fay Compton has considerable appeal as a passée singer who gets down to crowd work. Too British in atmosphere and accent, probably, for America but a very little extra care in production would have made it a useful small town booking. The picture was directed by Harry Hughes and also features Nancy Burne and Leslie Perrins.

Conn Heads New Firm

Hollywood, July 29.—Norma Conn has been named as president of a new producing company to make eight outdoor drama pictures. She is in charge of the new studio, World-Film, to which the Conn name has been given. The first film will be "Footprints," starring Kermit Maynard, younger brother of Ken.

Publication House Organ

Hollywood, July 29.—The first edition of the Hot Roach Funnies has appeared and will be distributed monthly to exhibitors. It consists of 60 pages, and 10 cent pictorial and 40 cent news, on Roach activities. Sam W. B. Cohn is editor.

“Navy” Holds As Boston’s Grossest Slip

Boston, July 29.—“Grosses slipped a new low for the year last week, only one house, the Metropolitan, with Here Comes the Navy, and a stage show, recently par, $20,480.

Total first run business was $81,000. Average is $94,000.

Estimated takings for the week ending July 26:

“CHARLIE CHAN’S COURAGE” (Fox) BOSTON—$2,000; 25c-75c, days Gross $11,000 (Average, $1,600)

“CIRCUS CLOWN” (F.N.) “GREEN EYES” (Chatterfield) FENWAY—$2,000; 25c-75c, days Gross $16,000 (Average, $2,000)

“WHOM THE GODS DESTROY” (Col.) 20c-40c, days Gross $1,500 (Average, $200)

“HER COMES THE NAVY” (Warners) METROPOLITAN—$4,000; 1.900, days Gross $11,000 (Average, $1,600)

“GREEN EYES” (Chatterfield) PARAMOUNT—$1,000; 30c-40c, days Gross $7,000 (Average, $.900)

“Navy” Grabs Heavy $9,000 In Cleveland

CLEVELAND, July 29.—“Here Come the Navy” was the heavy grosser last week. It ran up to $9,000 at the Hippodrome, over the total of $4,000, and was held for a second week.

Business was surprisingly good all along the line. “Baby Take a Bow” was up $8,500 in its second week at the RKO Palace, “Bulldog Drummond Strikes Back” was over par with $8,000, and “Here Comes the Groom” was even with $4,000 a the Stillman.

Estimated takings for the week ending July 27:

“HERE COMES THE NAVY” (Warner WARNERS’ HIPPODROME—$1,900 30c-40c, 6,7 days Gross $9,000 (Average, $1,300)

“BULDOG DRUMMOND STRIKES BACK” (U.A.) LOEW’S STATE—$2,000 30c-40c, 6,7 days Gross $10,000 (Average, $1,400)

Cute Keep House Open

Seattle, July 29.—Willfulness of employees to accept a temporary salary cut in wages during the next six weeks will result in the Paramount remaining dark.

Executives of Evergreen State, however, had contemplated a six-week shutdown, but this closing run was avoided when employees advised Manager Harry Woodin that they were willing to take cuts in order to keep the theatre open.

Fisher Goes to Duels

Detroit, July 29.—For the first time a member of the film business went to duels. It’s current program is “Thunder Over Mexico” and “I Give My Love.”

To help maintenance of proper air conditions in the theatre the year round

AIR CONDITIONING CHARTS

Fit the pocket or may be tacked on wall. Only limited number available. Order now. Price 25 cents.

BETTER THEATRES

1790 BROADWAY NEW YORK
Stock Bumps Five Denver First Runs

DENVER, July 20—Competition of the Elitch Stock Co. is cutting in on first runs. The stock company had even sellouts last week, and all first runs were under normal. Best comparative showing was made by "Dr. Jocana," which took $5,500 at the Denver. This was $500 below average.

Some of the other first runs were as much as 50 per cent off. Total first-run business was $15,000, and the week ending July 20:

"MIDNIGHT ALIBI" (F. N.)
ALADDIN—(1,500), 25c-35c, 5 days. Gross: $4,250. Average, $850.
"NOTORIOUS SOPHIE LANG" (Para.)
"UPPER WORLD" (Warner)
ORPHEUM—(2,500), 20c-35c, 4 days. Cast: $2,100. Average, $525.
"THE HER WAS HER MAN" (Warners)
PARAMOUNT—(2,000), 25c-40c, 4 days. Gross: $1,250. Average, $312.
"THE CHRISTMAS GLOW" (Col.)
PARAMOUNT—(2,000), 25c-40c, 4 days. Gross: $900. Average, $225.

"Such Women" and "Chan" Buffalo Top

BUFFALO, July 29—Brutal heat drove every one to the beaches and all offices were away off. A pair of Foxers, "Such Women Are Dangerous" and "Charlie Chan's Courage," had the best comparative record, coming within $500 of normal at the Century.

First was $26,700. Average was $5,500.
Estimated takings for the week ending July 27:

"STAMBOUL QUEST" (M-G-M)
BUFFALO—(3,500), 35c-5c, 7 days. Gross: $3,000. Average, $428.
"BEYOND BENGAL" (Standard)
HOLLYWOOD—(2,500), 25c-35c, 7 days. Gross: $2,250. Average, $321.
"HERE COMES THE NAVY" (Warners)
HIPPODROME—(2,100), 25c-40c, 7 days. Gross: $1,400. Average, $200.
"THE MOST PRECIOUS THING IN THE WORLD" (Warner)
LAFAYETTE—(1,500), 25c, 7 days. Gross: $1,150. Average, $76.

Charter New Fox Unit

DORAL, Del., July 29—Fox Hutchinson Theatre Corp. has been charter here by David H. Jackman, New York City; J. N. George V. Reilly, New York City; and Arthur W. Britton of West Orange, N. J.

"Baby" Holds Up in a Dull Seattle Week

SEATTLE, July 29—Business was generally here last week, but "Baby Take a Bow" came nearest to par with $8,800 at the Paramount. This was only $200 off.

"The Thin Man" also made a comparatively good showing with $5,300 here its second week at the Fifth Avenue.

Total first-run business was $26,150. Average is $3,100.
Estimated takings for the week ending July 28:

"I GIVE MY LOVE" (Univ.)
BLUE MOVIE—(500), 15c-25c, 7 days. Gross: $785. Average, $112.
"THE THIN MAN" (M-G-M)
FIFTH AVENUE—(2,450), 25c-30c, 5 days. Total: $2,700. Average, $540.
"THE PARTY'S OVER" (Col.)
LIBERTY—(1,800), 15c-25c, 7 days. Gross: $3,750. Average, $536.
"THE KEY" (Warner)
MUSIC BOX—(250), 25c-35c, 5 days. Gross: $1,400. Average, $280.
"DR. MONICA" (Warners)
GROSS: $4,000. Average, $667.

Philadelphia Tips $10,000 To "Bulldog"

PHILADELPHIA, July 29—"Bulldog Drummond Strikes Back," taking a fair $10,000 for the first six days, will hold over at the Stanley for three days, the first holdover for this house in several weeks.

For the first time in several weeks, the Fox, which has stood up well in the face of the heat and the ban, took a shelling. "She Was a Lady" hit the skids early in the engagement and was yanked after four days. Business, however, took a definite upswing with "Handy Andy." "The Thin Man" did a nice second run at the Arcadia. Total first-run receipts were $8,650. Average was $445.

Estimated takings for the week ending July 26:

"THE THIN MAN" (M-G-M)
ARCADE—(400), 25c-35c, 6 days. Gross: $2,250. Average, $375.
"KISS AND MAKE UP" (Para.)

"LET'S TRY AGAIN" (Fox)
KARLTON—(1,000), 35c-45c, 6 days. Gross: $2,500. Average, $417.

M-G-M Buys "Prince"

Hollywood, July 29—M-G-M has acquired the talking picture rights to "The Student Prince" and is considering Norma Shearer and Ramon Novarro for the principal roles.
Gaumont Plans U.S. Theatres And Exchanges

Variety Club Chatter

Cincinnati

Cincinnati, July 29.—One of the chief features of convention here is the local tent which is the narrow escape of Chief Barker Allan Moritz and barker St. Stewart and Mike Spanakel, when they were forced to make a forcing landing in a corn field about 25 miles from destination.

Barker Spanakel, playing the center of the local tent, is the publicity ace for the forthcoming national convention of the Fraternal Order of Eagles to be held here later in the month.

Local members are busy familiarizing themselves with the new constitution recently received from the crew of the Big Top.

William Oney spent a week-end in Cleveland renewing acquaintances with his wife and young son, who have been vacationing there.

Barker John Hennegan assumed the presidency of the Hemmegan Co., local show-print house upon retirement of his father recently.

Bill Marlo, second skipper of the RKO Albee, is absent on his two-week vacation.

Kansas City

Kansas City, July 29.—All attendance records for similar events here were broken when a week-end trip to Lincoln, Nebr., attracted 2,700 fans to the Col. J. M. Relief Fund at the Variety Club. Arthur Cole, general chairman, has nothing but praise for the work of the various committees.

Chief Barker Frank Hensley was on-chairman.

Starting with a golf tournament in the morning until the last chord of the dance music floated away, there was enough doing all day to draw everyone's interest.

Barker E. Miller, branch manager's ace, noted out Bill Warner, the Distributors, captivated by Harry Hensley, cruised the exhibitors in a "kitten ball game," 15 to 0.

The kaye krock court, presided over by "Judge" Leland Hazard, dismissed in his roles was a lot of fun. Edgar Jones and Bill Warner were "coppers," Ben Hensley was "stool pigeon."

Harry Taylor's radio voice announced the races via the p.a. system. Among contest winners were: Beer drinking contest, W. E. Gregory; office managers' race, G. L. Carrington; bookers' race, Elmer Dillon; salesmen's race, RKO exhibitors' race, Clarence Milberger.


Bennie Benjamin did a swell job rounding up the money. Among donors were E. C. Rogers, Barney Joever and Bill Rinnick, George Zanuck and the Motion Picture National Television Supply. Glen W. Dickenson, John McManus, C. A. Schultz, Fintone Jones, Bill Fenton, Jack Shiner, Exhibitor's Film Delivery, Leo Finkelstein.

Pittsburgh

Pittsburgh, July 29.—Barker Morty Henderson, formerly managing director of the Duquesne Garden, has just returned from Canfield, O., where he made a forced landing in a corn field about 25 miles from destination.

He is soon to leave for California to open a new track for the Town-Wolfe Dog Show, Inc.

Barker Jimmie Lyman is completing his vacation at Atlantic City. Not much sun for Jimmie. He remembers this time two weeks ago in the hospital for sun poisoning before.

Barker George Tyson, en route to Pittsburgh from St. Louis, had a minor accident yesterday. No one injured. He is taking two weeks' vacation with his family before assuming his new job as managing director for the New Harris-Alvin.

Barker Mo Glanz in his fifth week of vacation at Atlantic City, bybr, will stay till Sept. 1.

Barker Frank Roberts, now manager for Warners at the Capitol, Steubenville.

Barker Harry Segal of the Harris-Beechey now on vacation, being relieved by Bob Kimmelman. After his vacation he will relieve H. A. Doman of Jeannette, Hoel of St. Marys and Bower of Warner. Norman Bailey, formerly assistant manager at the Stanley, will relieve Barker J. O. Hooley of the Harris-Alvin and Barker Morey of the Penn.

Barker Ben Brown back from a two-weeks' vacation in Canada.

Barker Norm Eisenberg is expected in any day now for his annual Pittsburgh summer vacation.

Washington

Washington, July 29.—A. E. Lichtman and George J. Gill were the kings-for-a-day at the weekly luncheon meeting.

Guests included Arthur Reilly, Washington Herald Globetrotter, now making a six-minute personal appearance at RKO-Keith's, Bob Hore, comedian, and Alex Morrison, trick goldshot artist, both appearing at Lewis-Orville.

Music for the occasion was furnished by the Hi-Hat Hawaiian Orches.

John Lancaster, singing clown, was special guest of honor.

Judd Joins Midwest

Des Moines, July 29.—Forest E. Judd, booker for Fox, here for the last three years, has been appointed chief booker for the Des Moines and Omaha branches of Midwest Film Distributors, Inc.

"Bulldog" Is Chicago Wow With $21,500

Chicago, July 29.—"Bulldog Drummond" headed the first run program here with a heavy $2,456 take. United Artists. This is $4,564 over par in the middle of a heat wave as is considered exceptional.

"Of Human Bondage" was also the top earner, pulling $2,600, up by $4,000, at the Palace. It was helped by a stage show.

"Dr. Jekyll and Mr. Hyde" going the run total first run business was $114,00 Average is $114,000.

Estimated takings:

Week Ending July 26:

"THE OLD FASHIONED WAY" (Paramount). chicago: $17,454, $28,200, 4 days. Gross: $11,000. (Average: $2,750.)

"OF HUMAN BONDAGE" (Radio). Palace: $3,000. $4,000, 6 days. Stage: Art Kassel & orchestra, Nan Morin, Mr. Meaningway & Dudley D. Decaros. Gross: $2,660. (Average: $443.)

"MIDNIGHT ALIBI" (F.N.). Capitol: $2,000-3,000, 5 days. Gross: $2,500. (Average: $500.)

Week Ending July 27:

"BULLDOG DRUMMOND STRIKES BACK" (U.A.). United Artists: $4,000-6,000, 6 days. Gross: $2,150. (Average: $358.)

"NO GREATER GLORY" (Col.). State-Lake: $2,600-2,800. 6 days. Gross: $1,150. (Average: $192.)

Stage Show Return

Looked for in N. C.

New Orleans, July 29.—Return of stage show here as a way of overcoming the effects of a church drive. As things stand at present downtown first run takes tough. The old show was so fit and when they get to the neighborhood it puts a finish on the boom that the act is expected to pick up.

Fox Signs Harry Fox

Hollywood, July 29.—Harry E. New York vaudeville artist, has been signed to a writing contract by Fox. The actor, who has been on the coast for the past two months, has no definite assignment.

Writers have signed Florence Fa New York character actress, to a six-term contract. Miss Fair has arrived here by boat.

Charter State Theatre

Albany, July 29.—State Theatre Dunkirk, Inc., Dunkirk, has been chartered here with capital of 20 stock a preferred stock, $100 par value, a $20 shares common stock no par value, sold $10 and a share. Manager, G. O'C. O'connor, Lucille M. Mattonnet, Broten, Y., are directors and subscribers.

Advance Warmer Men

Pittsburgh, July 29.—Dave Brow was noted to the post of shorts Booker of the Pittsburgh zone. He succeeds Bill Higginson, who was made chief booker through the transfer of M. Friedman to Albany.
Gaumont Deal
On to Acquire
Roxy Theatre

Negotiations to Resume
With Bernerd Arrival

Negotiations have been started by
Gaumont British to acquire the Roxy
Theatre in New York City. A new group,
Gaumont, will provide for a cash buy-out
and G-B interests will put up $2,000,000 to $2,500,000 and also
be the sole owner of the first mortgage bonds.

Prior to his sailing from London last
month, Jeffrey Bernerd, theatrical manager of G-B, held trans-
lantic telephone conversations with representatives for the Roxy when
a tentative plan was worked out.

Col. Roman made no mistake
like this. He took a boat to
an island off the coast of
Maine to study the tactics
of coast defense.

Court Orders
Testimony on
Fox Met Deal

Asserting that a reorganization of
Fox Met was under the new
bankruptcy law would result in
effects to stockholders and other
creditor stock in the corporation, as well
as bondholders, and another motion for
planned sale of Fox Met bonds to
Loew's and Warner's only the bond-
holders will be at the hearing.

Lab Code Hearing
Set for August 14

WASHINGTON, July 30.—A public hearing on proposed amendments to
the trade code will be held Aug. 14 by Acting Division Chairman
William P. Farnsworth. The court will be at the hearing.

Would Adjudge Slow
Payer Code Violator

Assessments to be promptly assessed
will be considered code violations, according to an amendment
proposed by Campi. No member of

Block Booking Not Evil;
Necessity, Says Laemmle

"Block booking is not an evil. It
is an economic necessity," declared
Carl Laemmle in a "Straight from the
Shoulder" talk intended for the next
issue of Universal Weekly.

"Under block booking you buy the
property of a producer who
knows you have it in
advance," he goes on.

Continuing, he says:
"Producing is a gamble. So is
exhibiting.

"You must be aware of enough
pictures to run your theatre. So you
and all your producers, are
responsible for block booking—and you
ever need to apologize about it to
you.

"You decide what producer you
have confidence in. Say you say to
yourself, 'This producer has made
money for me. He can't fulfill
100 percent, but his average is good.'
I will buy his product, knowing that
some of his
Battle Lines Are
Drawn on ASCAP

(Continued from page 1)

opposition to the society will be made up of counsel for each of the national circuits and counsel for each exhibitor organization represented at the emergency committee, with the exception of T. O. C. C., whose counsel, Nathan Burkan, is also counsel for the ASCAP.


The opinion of the meeting was that the society’s demands are “entirely unreasonable, unconscionable, and unconscionable” and that the society has advanced “no justifiable reasons” for the increases asked.

Exhibitors are being advised by the committee not to sign any license agreements with the society without first consulting their exhibitor associations and, if unable to satisfy exhibitors, they are urged to address national headquarters of either Allied or M. P. T. O. A.

Schedule Is Listed

Following is the new schedule of seat taxes prepared by the ASCAP, which, it is contended, will increase the present tax of 10 cents per seat by 300 to 1,000 per cent.

The basic rate for annual license is an amount equal to one filled capacity house at the highest rate charged for seats at any performance.

Example

Capacity of Theatre at Highest Admission

Class Number Price Total

Loge Seats . . . 150 $1.50 $150
Orchestra . . . 1,200 75 900
Balcony . . . 750 . 375
Total value of full capacity $1,275.

If the theatre presents 20 or more performances per week, the rate for annual license is an amount equal to one full capacity house.

If less than 20 performances per week are presented the rate for an annual license is as follows:

No. of Performances per week Annual License

19 95% of basic rate
20 90%  
21 85%
22 80%
23 75%
24 70%
25 65%
26 60%
27 55%

Col. Holds Schertzinger

Hollywood, July 30.—Columbia has given Victor Schertzinger a long term contract as a result of his work on "One Night of Love." His first assignment under the new pact will be "Hello, Big Boy!"

Loew Pfd Up 2% on Big Board

Columbia Pictures, etc.
Consolidated Film Industries, etc.
Fox Film "A".
Loew, Inc., etc.
Paramount Public.
Path Exchange "A".
Path Exchange "B".
RKO.
Universal Pictures, etc.
Warner Bros.

Technicolor Up 1/8 on Curb

Bond Market Inactive

For a week-end at Martha's Vineyard today.
W. Ray Johnston arrived on the coast yesterday.

THE EIGHTH ANNUAL

CONVENTION

OF ALLIED

OF THEATRE OWNERS OF N. J., INC.
You Buy
the Good Will of 1500
Theatre OWNERS!

Phone: PE 6-8447
“Hideout” (M-G-M)

Hollywood, July 30.—There is plenty of entertainment here, with comedy and romance. The premise is novel, and demonstrates nicely that a gangster idea is not necessarily defect. The big town gets too hot for a heart breaking racketeer contact man who has been wounded in a cop melee so he hides away on a Connecticut farm. In the typical rural life he falls in love with the farmer’s daughter and is set to become a farmer himself. Drama has its timing as the police catch up with him and arrange an 18 months’ sojourn for him as the guest of the state’s big house before he can claim the girl and become a real back-to-the-land convert.

Robert Montgomery does an effective job as the regenerated gangster. Maureen O’Sullivan is convincing as the girl. As the detective nemesis, Edwin Arnold provides a line that gives the yarn a big wallop. As the farmer father and mother, Whitford Kane and Elizabeth Patterson are delightful. Mickey Rooney is ideal as a little brother. The supporting cast is okay.

W. S. Van Dyke’s direction capitalizes the laughs and makes a cleverly hard picture. The picture is a good programmer with name values. Running time, 80 minutes.

“Beyond the Law” (Columbia)

This Tim McCoy vehicle is a suspenseful, attention-holding film that should have little difficulty in getting across at neighborhoods. The plot is well developed, the acting capable and the pace fast and gripping at times.

With the aid of a railroad detective, is responsible for convicting a man for a murder committed during a train holdup. After a talk with the man’s daughter (Shirley Grey), he is convinced he has made a mistake and with her assistance sets out to run down the real murderer, an executive of the road, who is at the head of a gang preying on company’s shipping money on the railroad’s trains. To make certain the executive gets what they want, McCoy and Miss Grey must establish the fact that he is left-handed, since they are convinced the murderer used his left hand in knocking out one of the men guarding the shipment of gold. How they succeed in doing so provides many an exciting moment. The end finds Miss Grey’s father free and she and Tim honeymoon-bound.

The direction is credited to D. Ross Lederman. Running time, 58 minutes.

“On Secret Service” (B. I. P.-Lou Metzger)

Despite the fact that only two members of the cast are known here, this English-produced picture should please American audiences. The cast includes Greta Nissen and Don Alvarado.

The story is laid around the Austro-Italian front during the World War. Miss Nissen is an Italian spy stationed in Vienna at the outbreak of the war. She is in love with Carl Diehl, a member of the Austrian general staff who suffers disgrace when secret military papers are found in his home. This was brought about by confederates of Miss Nissen, unknown to her. The scene shifts to Rome with Diehl as a spy, trying to win back former position by discovering the leak in the Austrian headquarters from which information is seeping over to border to Italian officials. The last three reels are packed with drama, as Miss Nissen and Diehl work against each other despite their love. The finish is novel.

In exploitation it might well be up to play the spy angle and the lack of battle scenes. Running time, 75 minutes.

First Session Held On Operator Scales

(Continued from page 1)

will be sent to all operators who will be asked to answer facts concerning affiliation, wages, number of men in booths, working hours and by whom employed.

Attending the session were Leslie L. Thompson, RKO; C. C. Moskowitz, Loew’s; Joe Blatt, Empire State Union; Murray Harsto, Allied M.P. Operators; Harry Brandt, head of the I. T. O. A.; Harland Holmden, in charge of Local 306, Charles L. O’Reilly, president of the T. O. C. C. Thompson presided.

Rosenblatt Back Soon

WASHINGTON, July 30—Assistant Administrator Sol A. Rosenblatt is expected back from his coast trek in about two weeks. He will miss the next session of Camps, set for Aug. 9, when Deputy Administrator William F. Farnsworth will attend.

Thousands of bookies, state and federal law-enforcement officers, operators and middlemen from the nine state areas met here yesterday for the first Ohio session of the Sunset Plan, to keep the industry on legs.

Saying that the plan as outlined will be enforced, Secretary Rosenblatt had been here to confer with operators of the Ohio area and the state police and to inaugurate a more efficient bookkeeping system which permits the state to know how much money is being handled through legitimate outlets.

Rosenblatt left for a trip to Wisconsin Saturday of last week. He has been operating outside the state, visiting operators in the Mid-West.

RKO Meets Payment

The Aug. 1 maturity of $30,000 RKO’s $1,800,000 gold note is being met by Consolidated Film, which has recently acquired by Consolidated Film will be paid tomorrow, it was stated today. Five remaining notes of $30,000 each are due first of each month up to and including Jan. 1, 1935.

Gala ‘Cleopatra’ Opening

A gala opening has been planned for “Cleopatra” at the Paramount P. M., Aug. 16, the day before the film begins its continuous run at a house. Cecil B. DeMille, who presented, will be a guest.
from "Best Sellers" to the Screen

Sol Lesser and John Zanft present

GEORGE O'BRIEN

September Release

"DUDE RANGER"

By

ZANE GREY

Directed by Edward F. Cline

FOX DISTRIBUTION
Court Orders Testimony on Fox Met Deal

(Continued from page 1)

and Warners for the purpose of determining the value of Fox Met assets.

The petition was filed by Archibald Palmer, attorney for a minority bondholders' group which is seeking reorganization of Fox Met under the new bankruptcy laws. Those whom the petitioners ask to examine are: Nicholas M. Schendel, J. Robert Rubin and Leopold Friedman of Loew's; Harry M. Warner, Albert W. Warner, Joseph Bernhard and Abel Cary Thomas of Warners; A. C. Blumenthal and his counsel, Saul E. Rogers; Irving Trust Co., receiver for Fox Met; and William Atkinson, administrator for the receiver; Si Fabian, former officer of Fox Met; Joseph W. Dixon, Max Horwitz, Ernest Niver, William M. Greve and Alvin J. Schlosser, members of the Fox Met bondholders' committee; Warner Marshall, Jr., former secretary of the committee, and Central Hanover Bank & Trust Co., depositary for the committee.

Judge John Wooley signed an order appointing John E. Joyce special master to hear the examination of those named and set the first of the hearings for Thursday.

Fox Theatres Corp., also in receivership, is the owner of all of the capital stock of Fox Met. The petition asks to examine those named in order to obtain from them "information to be placed before the creditors and bondholders herein as to why, in their opinion, these particular (Fox Met) properties, which would seem to earn within a period of five or 10 years of operation the full amount of the bondholders' claims, should be sacrificed for a price which would foreclose the stockholders of the debtor from all rights of participation as stockholders in the emoluments and capital of this company.

The petitioners also state that they believe these named "have information of importance to the creditors, bondholders, stockholders and even to the officers of this court" and that the examination is sought in order that the court "may be fully apprised of the fairness or unfairness of any plan or other offers that may be made under and by reason of the proceedings now pending under Section 77-B of the new bankruptcy laws."

The petition reorganizes about $14,000 of Fox Met bonds.

Palmer also alleges that the pending Loew-Warner bid of $4,500,000 for the Fox Met bonds actually represents an offer of $2,700,000 as Loew's and Warners would come into receipt of approximately $1,800,000 cash now in the possession of the Fox Met receiver when they reorganize the circuit after acquiring the bonds.

Former officers of Fox Met were served with summonses yesterday in the pending proceedings under the new bankruptcy laws which requires Fox Met to make an answer to the petition for reorganization under 77-B within the next 10 days.

Gaumont Deal On to Acquire Roxy Theatre

(Continued from page 1)

A sampling has been done by a committee consisting of John A. Bernardi, chairman of the Roxy, and Joseph Rosenfeld, a member of the committee. The committee will examine the Roxy and make an offer to the trustees. The plan for the Roxy is being held up pending outcome of the negotiations. Pictures shown on the Roxy will be scattered to other theatres.

A settlement may possibly effect the $4,500,000 deal. It is understood that Arthur Lee will continue to represent G-B in the American market.

A London correspondent reports that S. L. (Roxy) Rothafel has been consulting the Ostrer interests in the hopes of building a gigantic theatre in London. He is also said to have approached the British interests in taking over the management of any London theatre with which he might be able to compete. However, nothing could be learned of the outcome of these talks.

According to Lee, G-B is definitely set on opening its own theatre in London. Although details of this plan will be worked out before the British men are here.

Allied Meet Takes Up Trailer Problem

Trailers, the code amendment on storage and zoning, legislation for the church drive and the annual New Jersey convention were discussed by Allied Paramount leaders at the Pacific Central yesterday. Walter B. Littlefield presided.

The next eastern session will be held in conjunction with the New Jersey meeting Aug. 22-24 and the convention following this will be held either in Providence or Boston sometime in September.


The New Jersey unit holds its regular meeting today at the Berkeley-Carner in Asbury Park with Samuelson presiding. About 75 are expected.

Dresser Rites Will Silence Hollywood

Hollywood, July 30—A buzz will fall upon Hollywood tomorrow during the last rites for Marie Dresser after the Memorial Service at the Biltmore Theatre Thursday. The funeral will be strictly private.

Chiefly among those invited are persons high in civic and social life, film executives and members of the theater household. The casket will be sealed in accordance with Miss Dresser's wishes.

Pallbearers will be Clarence Brown, Jack Conway, Mervyn LeRoy, Charles Reisner, William K. Howard and W. S. Van Dyke.

Schoenfeld Censor Head

Seattle, July 30—Kenneth Schoenfeld, former censor and former president of the Junior Chamber of Commerce and Young Men's Civic Association, has just received a state charter. Morton G. Thallhimer, recently elected president, heads the incorporators.

Heinemann a Father

Salt Lake City, July 30—William Heinemann, Universal division head, has just received congratulations on the birth of a son.

Schulberg Sets Another

Hollywood, June 30—B. P. Schulberg will produce "Saint Nick," an original by Dana Burnet, for Paramount.
Complete biographies of 10,000 players, directors, artists, writers, technicians and executives—a feature of the Almanac that is valued all over the world.

Who's Who

Complete biographies of 10,000 players, directors, artists, writers, technicians and executives—a feature of the Almanac that is valued all over the world.

$5.00 per copy.

Send for Your Copy Today

The New 1934-35 Motion Picture Almanac is off the press!

Over 1,000 pages of vital information. A book for the alert showman's every-day use!

Send for Your Copy Today

Motion Picture Almanac

1790 Broadway
Cancellation Rules

KANSAS CITY, July 30.—"The procedure involved in canceling pictures on moral grounds is so hedged about with conditions and restrictions as to render it meaningless to the exhibitor," the whole thing is a "joke," he says. Thus Jay Means, president of the I. T. O. of Greater Kansas City, summed up his objections to the new plan. He said he had requested cancellation by Paramount of "The Trumpet Blows," and that the exchange has taken his request under advisement, he believed it would be granted.

"Under the procedure for reference of disputes over cancellation to the grievance board, the distributors can tell the board what to do and what not," Means, who is a member of the local grievance board, continued. "I take the position the distributors have no right to dictate to the grievance boards."

He finds further objection in the fact the exhibitor must prove there exists concerted and local protest on moral grounds and that the exchange manager can question the good faith of the protest.

"The whole procedure is accomplished in such a round-about manner and holds such troublesome features that it is doubtful whether many exhibitors will ask for 'mortality' cancellations," he added. "Furthermore, the cancellations must first be applied against the wrong exhibitor, and the eliminations to which the exhibitor is entitled, so the whole thing resolves itself into a joke."

Block Booking Not Evil; Necessity, Says Laemmle

PITTSBURGH, July 30.—The Pennsylvania censors have just passed "Of Human Bondage" and it goes into the Stanley Friday instead of Edward G. Robinson's "Man With Two Faces," which was the previous booking. "Of Human Bondage" will also be slated immediately in several Warner spots in the western Pennsylvania territory.

Although the censors have passed "Dr. Monica," they did so with so many cuts that the distributors have refused to release it. They are still holding out for a better deal.

A. C. Gets Arliss Film

ATLANTIC CITY, July 30.—George Arliss' latest for 20th Century, "The Last Gentleman," will have its world premiere at the Apollo here Friday. Picture goes in for an indefinite popular price engagement.

Production Gains; 34 Features Going

Charter Music Guild

ALBANY, July 30.—Music Guild Prod., Inc., has been chartered here to exhibit pictures, plays, vaudeville, etc. Directors are George Balie, Theodore A. Benedek and Charles H. Halley.

Warner Java Unit Set

WILMINGTON, July 30.—Warner Bros.-First National Pictures (Java), Inc., was incorporated at Dover today with $10,000 capitalization. The incorporators are L. B. Herman, D. R. Jones and W. T. Hobson of Wilmington.

Warner to Move Here

Headquarters for Warner theatre in New Jersey will be moved soon from Newark to the home office in New York. Don Jacocks, division head, will transfer his activities from across the Hudson to the main office, within the next week or so.

Trem Carr Back at Desk

HOLLYWOOD, July 30.—Trem Carr, Monogram vice-president, will return to his desk at the studio some time this week. He has been convalescing at home from an operation performed four weeks ago.

Says St. Louis Men Refusing to Cancel

St. Louis, July 30.—Exchanges here are refusing cancellations of pictures on moral grounds, declares Fred Wehrenberg, head of the M. P. T. O. unit, and are insisting that exhibitors take their requests to grievance boards. Exhibitors here feel that films on the black lists of the Better Films Council and the Legion of Decency are entitled to cancellation. The Better Films list has six features and the Legion of Decency has 11.

Simple as A B C

THAT SHORT SUBJECTS ARE A BIGGER FACTOR IN SHOWMANSHIP THAN EVER BEFORE! THAT PROGRAM OF YOURS WILL LOOK MUCH BRIGHTER TO MR. AND MRS. TICKET BUYER WITH MY NEW DE LUXE LINE-UP OF SHORTS—35% OF 'EM TECHNICOLOR.
Complexities Hit Fox Met Negotiations

The bulletin urges exhibitors to join the national move in opposition to the new music impost and sheds light on the probable course to be taken by the exhibitors' emergency committee in waging its fight against the new tax scale and the society itself.

"We think," the bulletin states, (Continued on page 12)

Court Slashes Para. Fees by $63,000 Total

A reduction of $63,000 was made by Federal Judge John M. Woolsey in the legal fees and allowances for services in the Paramount Publix three-month equity receivership which preceded the court's bankruptcy. As the receivership was revealed yesterday in an opinion filed in U. S. District court here.

The original equity receivership bill aggregated $280,000, but following protests by counsel for various creditors, the late Receiver Henry K. Davis reduced the fees and allowances sought by $40,000. Further objections by creditors' counsel brought the matter before Judge Woolsey last winter and the resultant reductions, disclosed yesterday, lower the Paramount receivership bill to $105,000.

Samuel Zira, attorney for a small (Continued on page 12)

Skouras, Randforce, RKO Pools at End

Pooling deals among RKO, Skouras and Randforce, which have been in force the last two years, ended at midnight. As a result, Fox franchise deals automatically are reinstated in the Skouras and Randforce houses formerly involved in the pools.

It is understood that in situations where the independent operators are not competitors to Loew's, the latter will get Fox instead of RKO this season.

Philadelphia Zoning Put Off for Present

Continued on page 11

L.A. Board Upholds Clause to End Duals

Continued on page 11

MPTOA Describes ASCAP As Restraint of Trade

First guns were fired yesterday in the legal squabbling over the Oct. 1 music tax increases planned by the American Society of Composers, Authors & Publishers, when a special bulletin to members was sent out by the M. P. T. O. A. in which the society was referred to as a "monopoly in restraint of trade," and an "illegal price-fixing combine.

New Soviet Policy

By BELLA KASHIN

The New era in Soviet-American film relations began yesterday when seven leading local houses opened simultaneously with first Russian's "Cabin in the Cotton," which was cut and retitled "The Chandlery of Marvin Blake."

Seider-Schwartz Deal On Pool Is Revived

On for several weeks and called off by a last-minute hitch, the pooling deal between Joseph Seider of Pru- enal and A. B. Schwartz of Cen- tury is now on again and near the signing point. Papers are understood ready for signing today. Towns in- volved are Floral Park, Riverhead and Huntington, all in Long Island.

The Splitup

If Loew's and Warners are successful in acquiring Fox Metropolitan Playhouses without offer to purchase from present plans, the former will get 63 theatres in New York and Warners 18 in New Jersey. The total 83 is the number now open.

M-G-M Makes Shifts

In Foreign Forces

Several shifts have been made in M-G-M foreign branch managerial posts. Joe C. Golz, formerly head of the Uruguay branch, has been succeeded by Paul T. Lee in Java. George Suarez, formerly in charge of the Chile office, is now in Brazil, with his slot filled by Duke F. Hale, who has been handling Ven- ezuela, is now in charge of the Chile office.

Louis Lober, manager of the company's Egyptian office, is in town for conferences with Arthur Loew and plans to return about Aug. 15, while William Meliniker, manager of the South American office, leaves on the Eastern Prince on Aug. 11 for home.

New Clearance Is Set in 23 Of Key Cities

General Hearings to Be Called for Protests

Twenty-three key centers have already established new zoning schedules.

General hearings will be called for protests, the first being the schedule for Milwaukee, where examples will follow discussion at the Aug. 9 Campi ses- sion, at which S. R. Kent will be chairman.

Exhibitors in Dallas, Memphis and Los Angeles have filed drafts for entire territories. In other centers, only handfuls of key houses have submitted new schedules.

Key centers and territories having submitted new schedules are:

TEN CENTS
Miss McNelis Gives Party for Shiro

Victor M. Shapiro, Hollywood manager of Quigley Publications, was the guest yesterday afternoon of Catherine McNelis, president of Tower Publications, at a reception at the Fifth Ave. Hotel on the eve of his return to the coast.

Among those present were:

Robert Gillham, advertising director of Paramount; S. Stedger, advertising manager of Universal; William Ferguson, ex-advertising manager of M-G-M; Paul Moss, city license commissioner; Hal Holroyd, advertising head of United Artists; Paul Gallick, advertising manager of Universal; H. Paul River, rehearsing with Milton Berle for a broad- way show; Joe Hageman, film and music writer and author-traveler; Tony Muto of the Hays office; Ted Edlin, advertising director of Monogram; Leo Short, F. J. D. Confer.

Also: Earl Winnet of Fox; Al Wilke and Alene St. John Brenon, both of Paramount; Roy Neslon of RKO; Margarette Tizard, film reviewer of the New York World-Telegram; Jerry James, manager of the Loew, and his brother James P. James, manager of Quigley Publications; Walter Eberhardt of Loew; Malay Steinberg, chairwoman of the Stage Relief Fund; Mrs. Hugh Werblin, representative of the Shubert; Alonzo Wells; and Avery of the Saturday Evening Post; Morris Halterman of the New York Sun.

Others present were the following executives of Tower Publications: Robert Flaherty, advertising manager; Bert Adley, Lucille Babcock, Frank McNelis, Betty Lenoian.

St. Josephs Unions Hit

St. Joseph, Mo., July 31.—Judge Melvin E. Oifs in Federal Court here today refused to issue a restraining order in proceedings brought by the Dubinsky brothers last March against the operators of "Ringhands" and "Ringhands." The court denied a motion to file an answer to the petition of the Dubinskys under which they originally obtained the injunction.

"Cellini" on Air Tomorrow

"The Affairs of Cellini," 29th Century picture which united Artists will play in the eastern end, has been placed in the air on a coast-to-coast hookup at 10:30 P. M. tomorrow with WABC the local outlet.

Omaha Car Strike Ended

Omaha, July 31.—Settlement of the car strike today gave a stimulus to office-boxes, which slumped severely during the five-day walkout.

Miss Dressler Laid To Rest; Rite Quiet

Glen Dale, Cal., July 31.—Marie Dressler was laid to rest this morning in Forest Lawn Memorial Park after simple rites at the Voice of the Heavens and Kirk o' the Heather. Only 200 of the actress' closest friends and associates were at the grave, while thou- sands of fans crowded around the gates to the cemetery. Neither newseers nor outside cameramen were permitted on the grounds.

Loew's Will Shift Policy in 5 Spots

Effective around Sept. 15, Loew's will change the policies of theatres in Mt. Vernon, New Rochelle, Yonkers and White Plains, and the Zieg- feld in New York.

Currently on a two-change week, the new shifts will be to three book- ings. The man of Loew is handling the bookings.

Warners Take Over 4 in Jersey Today

Warners today take over operation of four Bratter & Pollack theatres in New Jersey. They are the Rehn, Irvington; Rahway, Rahway; Ritz, Lyndhurst, and Lincoln, Appalachian. Theatres in Newark and Paterson will also be handled.

Reisman Going Abroad

Phil Reisman, head of the RKO foreign department, leaves soon for an extensive tour of the company's European offices, stopping off at Eng- land, Spain, France and Scandinavia.

Depinet Goes to Coast

Ned Depinet, president of RKO Distributors, east, is in town for home office conferences. He plans to stay about a month. Incidently, he is now the father of twins.

Szekler in from Brazil

Mr. Szekler, head of Universal's exchange in Brazil, is in town for home office conferences.

Path of "A" Up One on Big Board

Many Bond Issues Take a Loss

Guthrie, N. Y., July 31.—Many bond issues did not sell as well as in previous issues. The New York Sun.

Purely Personal

NATHAN BURKAN, LUDVIG SATZ, E. C. GRANGER, DAVID LOWE, HRISCHA, HOWARD DIETZ, LAURENCE BOWLING, EDWARD SCHENIDER, SAM KREELBERG, ARTHUR HIRSCH, LOUIS PHILLIPS, LOUIS GOLDBLATT, HERBERT ROSENBERG, JEROME SAFFRON and TONY GUREN were among M. P. Club guests yester- day.

Francis L. Sullivan, English player imported by Universal, left yester-

day for the coast for a part in Dickens' "Great Expectations." Yester- day saw the arrival in Hollywood of another Universal British importation, VALERIE HOBSON.

King Vidor will be interviewed by ED DUDLEY in a show to be tele- cast on Sept. 7 at 1:30 P. M. at SHEARER, "Morning Telegraph" critic, will inter- view the director this evening at 7:45 at the SHERMAN.
MRS. LEO LOVES TO CURL UP WITH A GOOD MAGAZINE
—isn’t she just like millions of other women (your patrons!). And so Papa Leo takes the hint and here’s what’s happening—
"Look Mama... it's the BIGGEST NATIONAL MAGAZINE CAMPAIGN EVER USED IN THE MOTION PICTURE INDUSTRY!"
"Papa you're a SHOWMAN...Imagine 40 Magazines...every family in America will read about your pictures!"
A 24-SHEET ACROSS AMERICA!

M-G-M IN 40 BIG NATIONAL MAGAZINES WITH 34,204,660 CIRCULATION REACHING EVERY FAMILY IN AMERICA!

WHAT A PUBLIC FOR LEO'S MESSAGE IN THESE MAGAZINES!

Saturday Evening Post
Colliers
Literary Digest
Liberty
Time
Ladies' Home Journal
American
Woman's Home Companion
Cosmopolitan
Good Housekeeping
McCall's
Pictorial Review
Delineator
Red Book
True Story
Fortune
Photoplay
Motion Picture
Modern Screen
New Movie Magazine
Screenland
Silver Screen
Screen Book
Screen Play
Picture Play
Shadoplay
Screen Romances
Film Fun
Movie Mirror
Movie Classic
Modern Romances
Home Magazine
Serenade
Mystery Magazine
Tower Radio
American Boy
Boy's Life
Open Road for Boys
Parents' Magazine
Life Magazine
3 Prize-Winning STARS!

Because "THE BARRETTs OF WIMPOLE STREET" was America's greatest stage thrill of the decade, its motion picture presentation becomes an event of nation-wide importance. Three foremost stars, each an Academy Prize Winner, enact the leading roles in the famed romance of Elizabeth Barrett and Robert Browning. Its sincere and exciting production represents the finest achievement of modern picture creation. Presented proudly by the Metro-Goldwyn-Mayer studios.

NORMA SHEARER FREDRIC MARCH CHARLES LAUGHTON

THE Barretts of WIMPOLE STREET

with

Maureen O'Sullivan • Katharine Alexander

From the play by Rudolph Besier

Directed by SIDNEY FRANKLIN

A METRO-GOLDWYN-MAYER PICTURE

Whether you run a theatre in Caspian, Michigan (population 1,888) or Davis, Oklahoma (population 1,705) or Harrisburgh, Pa. (population 85,500) or cities with hundreds of thousands... ask your M-G-M salesman to show you how many families in your town are getting these magazines with M-G-M's new season message. This campaign has been designed to cover every picture-goer in your city!

IT PAYS TO ADVERTISE WHEN YOU'VE GOT PRODUCT LIKE THIS...

(turn over for the very best)
MARCHES ON!

And he's not too modest to ADVERTISE the greatest line-up in the history of motion pictures!

Marie Dressler
Marion Davies
Norma Shearer
Jean Crawford
Clark Gable
Jean Harlow
Lionel Barrymore
Ann Harding
Loretta Young
Jean Parker
Gloria Swanson
M-G-M STAR SPANGLED BANNER
1934-35
AMONG THE SPECIALS

THE MERRY WIDOW
Ernst Lubitsch's production, starring Maurice Chevalier, Jeanette MacDonald, Irving Thalberg, producer.

DAVID COPPERFIELD

THE GOOD EARTH

BARRETT'S OF WIMPOLLE STREET
Norma Shearer, Fredric March, Charles Laughton in illustrious stage hit. Director, Sidney Franklin. Irving Thalberg, producer.


STAR PICTURES

ONE CONSTANCE BENNETT

ONE ANN HARDING
& ROBERT MONTGOMERY
in "Biography of a Bachelor" based on the stage hit "Biography" by S. N. Behrman. Screen writers Anita Loos and John Emerson. E. H. Griffith is director.

TWO LAUREL-HARDY
FEATURE LENGTH COMEDIES

TWO ALL-STAR COMEDIES

Produced by the two most successful comedy producers of today, Charles Reisner and Jack Canning. . . Jimmy Durante, Charles Butterworth, Louise Fazenda, Stuart Erwin, Ted Healy, Una Merkel and others in the casts.

FOUR COSMOPOLITAN PRODUCTIONS

Just an idea of the Cosmopolitan hits in past months "Peng- house," "Manhattan Melodrama" and "The Thin Man." Cosmopolitan Productions get nationwide advertising and publicity through the Hearst chain of newspapers.

FOURTEEN MARQUEE PICTURES

Showmanship pride, new slants in production, with casts of top-notch names. Marquee Pictures over a period of several years have won a high rating for consistent entertainment delivery!

SHORT SUBJECTS
(2 Reels)

HAL ROACH M-G-M COMEDIES
3 LAUREL-HARDY
8 CHARLEY CHASE
7 IRVIN S. COBB
8 TODD-KELLY
6 OUR GANG
6 M-G-M MUSICAL REVUES
IN TECHNICOLOR

(One Reel)

12 PETE SMITH ODDITIES
6 PETE SMITH GOOFY MOVIES
13 M-G-M MUSICAL CARTOONS IN COLOR
8 FITZPATRICK TRAVELTALKS
IN TECHNICOLOR
104 ISSUES HEARST METROTONE NEWS
WITH EDWIN C. HILL AS THE GLOBE TROTTER

Constance Bennett
in 1 picture, courtesy 20th Century
"Wait Mama... if you think my Magazine campaign is great... Soon I'll be able to tell you about the biggest BILLBOARD campaign...."

"You're marvelous Leo dear... but can't you ever forget business!"
Complexities Hit Fox Met Negotiations

Sources close to the bondholders' committee, however, indicated that Judge Mack may have subjected Loew's and Warners' representatives to a little plain-spoken criticism over their failure to report progress in the circuit to date. These sources hold that the court demanded more action on the part of the negotiators as evidence of good faith in order to weigh their proposal against the minority holders' action for reorganization of the circuit.

It was also indicated that Judge Mack may personally observe the condition of Loew's section of the Warners-Lowr-Werner group and the principal bondholders' committee.

There is, however, were wholly unofficial and could not be verified with those who attended the session in Judge Mack's chambers.

Final Bid Ready on Aug. 6

Loew's and Warners are expected to have a new, higher, bid reported by Aug. 6, $5,400,000 for the Fox Met bonds, in readiness for submission on Aug. 6, the date of the next scheduled court hearing before Judge Mack.

A postponement of the examination of witnesses between Loew's bondholders and officers of the main bondholders' committee by Archibald Palmer, attorney for the minority bondholders' group, was ordered yesterday. Palmer on Monday obtained an order from Federal Judge John M. Woolsey authorizing him to begin the examination tomorrow before Special Master John E. Joyce. No explanation was given for the postponement and a later date was set for up to last early evening.

Palmer contends that the examination of witnesses before Judge Woolsey will be held in court with information as to the Fox Met assets, which would indicate that stockholders of Loew's and Warners, as well as bondholders, would derive some benefits from reorganization of the circuit under New bankruptcy laws, whereas none but bondholders would benefit from a sale to Loew's and Warners.

Schine Subsidiary Wins

BUFFALO, July 31.—The Dominion Operating Co., a subsidiary of Schine Enterprises, won two cases before the local grievance board today. In one the Orpheum at Oswego was ordered to end a pony giveaway contest on a complaint brought by Capitol and Strand in the same city. In the other the Palace, Syracuse, was ordered to stop premature advertising.

Norwich Case Reopened

ALBANY, July 31.—Following instructions from Campi to admit evidence regarding terms of license agreements prior to Dec. 7, last, the grievance board has reopened William C. Smalley's overbuying complaint against Schine in Norwich.

New Clearance Is Set in 23 Of Key Cities

(Continued from page 1)

Philadelphia Zoning Put Off for Present

(Continued from page 1)

Banned Films List Reduced In St. Louis

(Continued from page 1)

Gilds Are Told to Solve Own Problems

Hollywood, July 31.—In a long conference with the five-five committee of writers and actors, Division No. 1, the RKO Reading Board was given the go-ahead in the first test case involving tying of features and shorts.

The complaint was brought by Whalley Theatre, New Haven, against Paramount and after being dismissed by a three-to-one vote by the board was upheld on reconsideration.

Decisions of local boards in three overbuying cases were also upheld by Campi prior to Tuesday openings, starting Aug. 15. This applies to all first runs.

The board also decided definitively that 50 cents should be the minimum for all preview showings where the preview is advertised. This includes shorts, as well.

Philadelphia Zoning Put Off for Present

Given its up idea of rezoning the intricate West Philadelphia setup, this decision, however, has been conferenced over by the company which may later make such action necessary.

The original West Philadelphia case was given over by the Ambassadors seeking better clearance relations with the penny. The board decided that the Ambassadors lack of co-

ness or west Philadelphia houses for an immediate decision and planned a community meeting. Though this plan is overabounded, the Ambassador has launched an appeal which may open it again.

The board, confronted with a virtual rezoning situation along the Philadelphia Main Line, revised its decision in the case with the Ambassadors to avoid a similar situation.

In the original case, the Ambassadors were cleared of several Major Writers. The Board's decision makes this case refer only to the two theatres named.

The board, up state, has appealed the board's decision in its case with the Northampton. The board named them as co-owners, giving seven clearance to the first run purchaser. Theudas is demanding day and day playings.

Weather rules all these appeal hearings will be heard in Philadelphia instead of New York, before a jury composed of a local officer and a distributor and an exhibitor not on the local clearance board. Date for the hearings has not yet been set.

Four Appeals Are Heard

Four Campi appeals were heard yesterday by a committee consisting of Neil Algeo, Joseph Seider and W. C. Michel, chairman. They were: E. B. McCurdy, Columbia, Baltimore, against Leon Zeller, Roy, same city, on reduced admissions; Wallack's, New York, against Liberty, New York, transfer of bookings; Wallack's against Liberty on negotiating for theatre with being operated by Sullivan; Elysee, New York, against Luxor-Bleecker Amuse ment Corp., New York, interference with lease.

Dillard Joins Campi

Tyree Dillard, Jr., formerly of the N.R.A. legal staff in Washington, has joined Campi. He was Division Administrator Sol A. Rosenblatt, has joined Campi, handling legal opinions on decisions handed down by appeals committees.

Ohio Passes Bounding

COLUMBUS, July 31.—Of Human Bounding, viewed with considerable indecision by the Ohio censors, and held in abeyance for reconsideration, finally has been passed and it opened at the RKO Palace, Cleveland, Friday.

It is looked at the RKO Palace there and the RKO Albe, Cincinnati, to open this week. Bookings at all three houses have been set back several times because of delay in the Ohio release.

Breen O.K.'s Some More

Hollywood, July 31.—Joseph I. Breen has added the following features to those approved by him: "Carmen," "John Brown's Body" (Fox); "Straight Is the Way," "Hindle W. (M-G-M); "Desirable," "Big-Heart- et Herbert," ( Warners); "The Lady and the Nightingale," Among the Missing (Columbia); "One More River" (Universal).

Thompson Returns Today


Report FWC-Leo Dicker

SAN FRANCISCO, July 31.—F. W. C. is reported negotiating with Jack Leo to take over the FWC.

Confirmation of the coast report was lacking at Skouras headquarters here yesterday.

FWC-Columbia Deal On

Negotiations are under way between Sporty Skouras, Edward Alberg and Jack Sullivan and Columbia home office executives whereby the latter is expected to purchase control of the entire Fox West Coast houses.

Terry, Mosher Hosts

Paul Terrr and Frank Mosher, producers of Terroontos, gave a dinner last night for all the company employees in honor of the opening of the new studio in New Rochelle.
No image provided for this document.
Laughter IS ONLY THE Half OF IT!

It has every bit of the drama, romance, thrills and humor of Clarence Budington Kelland's most popular story—plus Harold Lloyd, as you never have seen him before... and the most appealing cast he ever assembled.

HAROLD LLOYD in The Cat's Paw

with

UNA MERKEL
GEORGE BARBIER
NAT PENDELTON
GRACE BRADLEY
ALAN DINEHART
GRANT MITCHELL

From the Saturday Evening Post story by CLARENCE BUDINGTON KELLAND

Produced by the HAROLD LLOYD CORPORATION

A FOX release

Directed by SAM TAYLOR
"Navy" Heavy R.C. Draw on Double Bill

Kansas City, July 31.—“Here Comes the Navy” and “The Old Fashioned Way” drew $6,500 to the New for one of its high grosses of the summer. “Jane Eyre” clicked to the tune of $3,500 at the Uptown, while “I’ll Tell the World” and a stage show registered $6,200 at the Tower. Otherwise, the mainstream reached average levels, the Midland was several hundred dollars below par on “Stamboul Quest.”

Total first run business was $32,400. Average is $30,500.

Estimated takings:

**Week Ending July 26**

- **"REALLY AGAIN" (Radio)**
- **"HIS GREATEST GAMBLE" (Radio)**
- **"THREE BODIES" (Para)**
- **"THE VAMPIRE" (Para)**
- **"THE OLD SONG" (Para)**
- **"THE SONG OF THE DOLPHIN" (Para)**
- **"THE SONG OF THE PIRATE" (Para)**

**STAMBOUL QUEST** (M-G-M)

Midland—$4,000, 25¢, 7 days, plus Saturday late show. Gross: $6,000. (Average, $850.)

**HERE COMES THE NAVY** (Warners)

"THE OLD FASHIONED WAY" (Para)

Midland—$3,800, $25¢, 7 days, plus Saturday late show. Gross: $5,250. (Average, $750.)

**BERNIE BLUES AND SONGS** (Monogram)

"BERNIE BLUES AND SONGS" (Monogram)

Midland—$3,400, 3¢, 4 days. Gross: $4,050. (Average, $1,013.)

**MIDNIGHT ALibi** (Warners)

"A JUNE HOLIDAY" (Fox)

Midland—$2,500, $25¢-35¢-40¢, 7 days. Gross: $3,500. (Average, $500.)

**N. O. Stays Calm**

New Orleans, July 31.—Mae West’s latest, “The Gay Nineties,” has been booked into the Saenger and the city is quite calm about it.

About three weeks ago when it was proposed to call the feature “Belle of New Orleans,” women’s clubs and other civic groups got all “hot up,” claiming aspirations were being cast on the city.

**Clown** Holds Up In Montreal Slump

Montreal, July 31.—With a big top currently in town, Montreal was circus-minded and the fans went for Joe E. Brown in “Circus Clown” at the Dominion and Larry Baer and “The Groom” registered $6,500 at the Capitol, while Loew’s was up to a bit with $5,000. "Murder on the Blackboard" and "Strictly Dynamic". The Princess was steady at $5,000 for "Cockeyed Cavaliers" and "Success at Any Price."

Total business was $28,500. Average is $4,300. Estimated takings for the week ending July 25:

**JANE EYRE** (Monogram)

"HERE COMES THE NAVY" (Parra)

Capitol—$16,000, 25¢, 4 days. Gross: $20,000. (Average, $5,000.)

"BEFORE MIDNIGHT" (Fox)

Gross: $3,000. (Average, $750.)

"FISHING FOR TROUBLE" (U.A.)

Gross: $3,500.

"THE RETURN OF THE TERROR" (F.N.)

Total gross for the week ending July 25:

- **"HERE COMES THE NAVY" (Warners)**
  - Gross: $3,500. (Average, $500.)

**"WE'RE RICH AGAIN" (Radio)**

"SEA KILLERS" (Fox)

Hammick’s Music Box—$1,000, 25¢-30¢, 7 days. Gross: $2,000. (Average, $286.)

**"WE'RE RICH AGAIN" (Radio)**

"SEA KILLERS" (Fox)

Hammick’s Music Box—$1,000, 25¢-30¢, 7 days. Gross: $2,000. (Average, $286.)

**"GRAND CANARY"**

- **APOLLO**—$2,000, 25¢, 7 days. Gross: $2,200. (Average, $314.)
- **"THREE BODIES" (Radio)**
- **"THE LOST JUNGLE" (State Right)**

**"GRAND CANARY"**

- **OLYMPIA**—$2,000, 25¢, 7 days. Gross: $2,200. (Average, $314.)
- **"GRAND CANARY"**

**FASIONS**—$1,000, 25¢, 7 days. Stage show. Gross: $1,000. (Average, $143.)

**"GRAND CANARY"**

- **"ELMER & ELSIE" (Para)**

- **"WITH TWO FACES" (F.N.)

- **"UNITED ARTISTS" (Series)**

**Schreiber Sues for Booking Injunction**

Detroit, July 31.—In a suit filed in U. S. District Court here Jacob Schreiber charged price increases in the new Mid-States setup, in buying 1934-35 product away from his houses. An injunction is asked. Hearing has been set for Aug. 6.

Schreiber operates the Colonial, Majestic, Fine Arts, Blaine and Forest. Restraint of trade is alleged, and in the complaint Schreiber charges that reorganization of Mid-States about three weeks ago was illegal.

"Canary," "Elmer" Lead in Portland

PORTLAND, July 31.—“Grand Canany,” augmented by “Elmer and Elsie,” were just enough to bring Paramount’s figures up to average in what is deemed the final week of strike.

Total first run grosses hit a new low for the week, $2,400. Estimated takings for the week ending July 25:

**RETURN OF THE TERROR** (F.N.)

BROADWAY—$1,000, 25¢-40¢, 7 days. Gross: $1,400. (Average, $200.)

**DR. MONICA** (Warner’s)

Hammick’s Music Box—$1,000, 25¢-30¢, 7 days. Gross: $2,000. (Average, $286.)

**"WE'RE RICH AGAIN" (Radio)**

"SEA KILLERS" (Fox)

Hammick’s Music Box—$1,000, 25¢-30¢, 7 days. Gross: $2,000. (Average, $286.)

**EMBARRASSING MOMENTS** (Invisible)

Liberty—$1,000, 6¢-8¢-10¢. 7 days. Stage, “Penthouse Follies.” Gross: $1,000. (Average, $143.)

**SPRINGTIME FOR HENRY** (Fox)

Liberty—$1,000, 25¢-30¢, 7 days. Gross: $1,000. (Average, $143.)

**Moments**, Revue

Top in Oklahoma

OKLAHOMA CITY, July 31.—“Embarrassing Moments,” helped by a stage show called “Penthouse Follies,” put over the only big business here for the past four days at the Liberty. In the remaining three days of the week the take was disappointing.

Other first runs were off. Total first-run business was $12,600. Average is $1,580.

Estimated takings for the week ending July 25:

**"OF HUMAN BONDAGE" (Radio)**


**"CHARLIE CHAN’S COURAGE" (Fox)**

PARAMOUNT—$2,500, 25¢-35¢, 7 days. Total. Gross: $3,000. (Average, $429.)

**"MIDNIGHT ALibi" (Warners)**

"THE ELEPHANT" (Fox)

"I'm Next"—$2,000, 25¢-35¢-40¢, 7 days. Gross: $2,800. (Average, $400.)

**Frisco Picks Up: “Bondage” Gets $16,200**

SAN FRANCISCO, July 31.—“The Bondage,” following the worst third week of the summer, downtown showed a decided improvement last week. The Stanley, after “Here Comes the Navy,” had a gross of average $2,000 at $11,000 for its best gross in several months.

At the Paramount, “The Old Fashioned Way” had Vincent Lopez and his unit to bolster it on the stage and did very nicely at $30,000, while the Warners turned in a little profit with "Return of the Terror" and "I Give My Love." The gross was small at $5,500, which is all right here.

Total grosses in three first runs were $37,000. Average is $3,400.

Estimated takings for the week ending July 25:

**"THE OLD FASHIONED WAY" (Para)**

PARAMOUNT—$2,500, 25¢-35¢, 6 days. Stage, Vincent Lopez unit with Staxton Sisters, Godkindn Brothers, Florence and Avera. Total. Gross: $3,600. (Average, $600.)

**HERE COMES THE NAVY** (Warner’s)

Palmer—$2,000, 25¢-40¢, 6 days. Gross: $3,000. (Average, $500.)

"RETURN OF THE TERROR" (Warners)

WARDEN—$2,000, 25¢-40¢, 6 days. Gross: $3,000. (Average, $500.)

"Penthouse Follies" (Invisible)

"HAPPY LANDING" (Monogram)

"VICTOR'S BONDAGE" (Radio)

FASIONS—$1,000, 25¢-30¢, 7 days. Total. Gross: $1,400. (Average, $200.)

"MIDNIGHT ALibi" (Warners)

"THE ELEPHANT" (Fox)

"I'm Next"—$2,000, 25¢-35¢-40¢, 7 days. Gross: $2,800. (Average, $400.)

**``WARFIELD''—$2,000, 25¢-35¢-40¢, 6 days. Band. Gross: $3,000. (Average, $500.)

Mrs. MacLevy Dies

SYRACUSE, July 31.—Mrs. Irene MacLevy, 24, wife of Monty MacLevy, publicity and exploitation director with S. & R. and Rheimer circuit, Brooklyn, died here today. Burial will take place tomorrow.
June 13th, 1934.

Dear Mr. Kann:

Just as I like to receive letters of praise for Universal, just so do I assume you like to receive them yourself about your own work. Hence this note. I simply want to tell you that I read your Daily religiously and I derive a special enjoyment from the fair and understanding treatment you give to all news matters, including those involving Universal. If all trade editors showed the same understanding of the needs of the business as you do, my lot would be a much happier one. You have panned us when we deserved it, but you have never been afraid to give us a boost when we were entitled to it. I'm for that! So thanks!

Sincerely yours,

[Signature]

Mr. Maurice Kann,
Motion Picture Daily,
1790 Broadway,
New York, N. Y.
Paramount's
"She Loves Me Not" is Bing Crosby's best picture
Court Moves Seen Clouding Fox Met Title

Testimony of Minority Group Held Vital

The charge that no clear title to Fox Metropolitan Playhouses can be delivered until the minority bondholders' actions for reorganization of the circuit under the New York City law had an examination of representatives of Loew's, Warners and Fox, as reported final hearing before Federal Judge Julian W. Mack. Judge Mack on Tuesday vacated a order signed by Federal Judge John M. Woolley the day before.

(Continued on page 6)

Fox Unit Acquiring Wisconsin Theaters

Milwaukee, Aug. 1.—Wisconsin newspaper Enterprises, Inc., Fox subsidiary, is strengthening its hold here as well as in the state with the acquisition of the Alhambra, operated until a closing a month ago by Fred S. Feyer; the Oriental and Tower, and the Downer and Shorewood, all neighborhood houses. The Oriental and Tower were formerly part of the original Fox Milwaukee circuit and have been operated the past year by John Jones, while.

(Continued on page 6)

RKO Acquires Four More Local Houses

Continuing its local expansion program, RKO has closed deals for four theaters. At the same time the circuit is restoring vaudeville in eight higher houses.

New theaters to come under the RKO wing are: Utica, Brooklyn; St. John, Jamaica; Hollywood and Golgo in lower Manhattan. Houses restoring vaudeville are the Paladin, Yonkers, New Rochelle, St. Vernon, Fordham, flushing, Kent and Franklin.

Mexico City Shifts Delayed by Strike

Mexico City, Aug. 1.—Inauguration of the Iris and Politeama as film houses, scheduled for Aug. 3, has been halted as a result of a strike of employees who will be dismissed when.

(Continued on page 8)

Agreement Is Reached to Drop Dual Bills in Jersey on Sept. 3

Twin bills will be dropped in New Jersey Sept. 3 as a result of an agreement reached between Allied of New Jersey members and major circuit operators.

At the regular meeting of the unit in Asbury Park Tuesday, practically all Allied members signed a compact to drop second features. Warners have agreed to the plan, and it is understood Loew's and RKO, Parke, and have already agreed to join the move. Signatures of the circuits are expected any day.

Only two Allied members have not gone along on the plan. They are Leon Rosenblatt, who operates 10 houses, and Nathan Meyers, who has the Court, Newark.

Newman Puts Clean Films Move on Air

SEATTLE, Aug. 1.—Clean films are a certainty, declared Frank L. Newman, head of Evergreen States, in a special broadcast following his return from Hollywood. He asked his hearers to believe that producers were making a genuine effort to eliminate causes of criticism.

His frank statements are generally approved in this territory in the industry, as it is felt his formal assurances will help soften the effects of the agitation.

Orders have been issued by practically all major companies to halt.

(Continued on page 7)

Report Union Fund Shrinks to $2,000

In a report to the membership of Local 306, Harland Holmen, vice-president of the I.A.T.S.E., now in control, asserted that funds totaling $1,017,000 had been dissipated and that the union has $2,000 in the treasury in 10 bank accounts.

No discussion was permitted. The meeting began early yesterday morn.

(Continued on page 7)

Union in Sheboygan Appeals Picket Ban

SHEBOYGAN, Wis., Aug. 1.—The operators' union has appealed from an order entered by Federal Judge Frank Geiger granting a temporary injunction against picketing the Rex. The case is slated to be heard in the Circuit Court of Appeals in Chicago this fall.

A complaint has been sent to the

(Continued on page 7)

Seasonal Decline in Key Grosses Checked in July

Steady seasonal declines in grosses from 22 key cities which set in during the middle of May and continued through the final week of June were checked slightly during the first week of July.

For the final week of June the total of $1,076,284 was $96,753 under the preceding week, or $1,017,000 had been dissipated and that the union has $2,000 in the treasury in 10 bank accounts.

(Continued on page 8)

Cancellations of ASCAP Facts Is Threatened

New Exhibitor Weapon In Higher Tax Fight

Wholesale cancellations of contracts with the American Society of Composers, Authors & Publishers is threatened by exhibitors throughout the country in protest against the new tax schedules which the society plans to make effective Oct. 1 and which, it is estimated, will mean that music tax now paid by theatres from 300 to 1,000 per cent, it was reported yesterday.

Exhibitor leaders here report that moves are on foot in virtually every key city proposing the cancellation by exhibitors of their ASCAP contracts. The move calls for the elimination of films containing copyrighted music from exhibition schedules, the exhibitors to pay for but not play such pictures so that no liability to the society is engendered and, at the same time, film contracts are not broken.

In addition, the campaign will extend exhibitor influence to Hollywood.

(Continued on page 6)

Seek to Join in Para.B'way Revamp

An action to permit the Paramount Publicis trusts and Paramount subsidiaries to participate in the reorganization of Paramount Broadway Corp., the subsidiary holding title to the Paramount Building and theatre, will be heard by Special Master John E. Joyce on Aug. 9.

The petition filed yesterday also asks approval of the plan of reorganization for the Broadway property and authorization for the Paramount trustees to advance funds required for the reorganization and to take other action to consummate the plan.

The reorganization plan for Para.

(Continued on page 7)

Trendle Takes Over Detroit Paramount

Detroit, Aug. 1.—George W. Trendle has taken over control of the Paramount from the Kettering Land Co. and intends to reopen the house Sept. 1. The policy has not been settled, but other theaters and films are regarded as probable.

The State, another de luxe spot in the Trendle string, will reopen at the same time and probably will show first run dual bills.

(Continued on page 6)
Looking 'Em Over

"The Most Precious Thing in Life"
(Columbia)

A variation of the "Madame X" theme with Jean Arthur in the top spot. It is fairly entertaining with Miss Arthur doing unusual characterization work. Richard Cromwell is next in line for honors. Other players lending able support are Donald Cook, Anita Louise, Mary Forbes, Jane Darwell, Ben Alexander, John Wray, Paul Stanton and Dutch Hendrian.

Marrying out of his class, Cook weds Miss Arthur, a waitress, whom he divorces shortly after a son is born due to family pressure. Because the baby will get the luxuries with which Cook's family can endow it, Miss Arthur leaves him with Cook and goes out on her own. She has a hard time of it, ultimately landing at her husband's alma mater as a dormitory baby.

Spoiled by his luxurious surroundings, Cromwell enters his father's former college and is immediately recognized by his mother, who holds to her secret. Miss Arthur mothers the boy along and watches him gain the ranking previously enjoyed by Cook.

One week falls in love with Miss Louise and when Cook tries to break off the impending marriage, Miss Arthur sways the boy to heed his father's advice. He loses the closing football game of the season and then decides to guide his own destinies by marrying the girl.

Lambert Hillyer directed. Running time, 70 minutes.

"The Great Defender"
(B. P. - Lon Metzger)

An English produced effort that should provide good fare as a production. The production is good and the direction effective in spots, but some members of the cast are ineffective and out-moded in their acting.

The story concerns a philandering artist who becomes involved with his model and is on the verge of being divorced by his wife whose intentions are exemplified by his more efficient lawyer. A row with the wife, the artist goes to visit his model, only to find her saddled with a dagger he had given her. He is accused of her murder. The last half of the film concerns the trial and the defense by the lawyer. The finish is obvious when it is discovered that the fiancé of the model is the murderer.

The cast, all English, includes Margaret Bannerman, Arthur Margetson, Richard Bird, Jeanne Stuart and Matheson Lang. Running time, 65 minutes.

"The Girl from Missouri," tomorrow's preview at the Capitol, was reviewed by wire from Hollywood under the title of "Born to Be Kissed," on July 10.

The Personality Kid," Tuesday night's preview at the Rialto, was reviewed by wire from Hollywood on May 29.

"Handy Andy," tonight's preview at the Rialto, was reviewed by wire from Hollywood on May 1.

"Elmer and Else," tonight's preview at the Paramount, was reviewed by wire from Hollywood on July 14.

(Additional reviews on page 8)

Stocks on Big Board Advance

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</table>
Gentlemen, I ask you! What is the one topic that is uppermost in the minds of the motion picture exhibitors of this great nation today? . . . . . . . My friends, the answer is .
WARNER BROS.' "GOLD RUBY KEELER • DICK P ZASU PITTS • GUY KI Hundreds of Girls in Busby Berkeley's Most Ai "20 Million Sweethearts" Fame ... 5 Song Hits
DANCE CREATIONS FOR 1934 WITH
ELL • JOAN BLONDELL
EE • HUGH HERBERT

Directed by Ray Enright of
Irren & Dubin, Fain & Kahal, Dixon & Wrubel
CANCELLATION OF ASCAP PACTS IS THREATENED (Continued from page 1)

In an effort to get producers to eliminate copyrighted music entirely from future productions, replacing it with either music written and composed by the producers' own music staffs or music designated to be in the "public domain" and therefore not subject to copyright licensing, exhibitors have presented their case point by point that the bulk of the copyrighted music now employed in production is ordinarily contained in short subjects and newswipes and that the exhibitor who pays for but does not play these pictures will incur only a modest cost with, in many instances, may be even less than he would be required to pay the A.S.C.A.P. under its new tax schedule without forgetting that exhibitor associations throughout the country will have the plan broached to them for discussion and action within the near future, it was said.

ITOA PLANS OWN DRIVE AGAINST MUSIC TAX RISE

Complete cooperation with the exhibitors' national emergency committee and an independent campaign of its own to oppose the new music tax schedules being imposed by the American Society of Composers, Authors & Publishers was voted yesterday at the regular meeting of the I. T. O. A. at the M. P. Club here.

The I. T. O. A.'s own campaign of opposition to the new tax schedules will be submitted to members by Harry Brandt, president, at the next meeting of the organization, or sooner if such circumstances warrant, it was said. Members were advised not to sign any contract with the society without submitting it to Milton C. Weissman, attorney for the organization, and obtaining his advice.

ALLIED MAPPING PLANS TO FIGHT ASCAP BOOST

Abram F. Myers, general counsel, and Sidney Samuelson, president of Allied, are now mapped plans to fight increased taxes planned by the American Society of Composers, Authors & Publishers. A bulletin is being prepared for Allied members and will probably go out within the next few days.

The M.P.T.O.A. has already sent out a bulletin to its membership in which it is declared the society's move is a "monopoly in restraint of trade" and an "illegal price-fixing combine."

MARK E. CORY IN HOSPITAL

PORTLAND, Aug. 1.—Mark E. Cory, manager of the Radio Exchange here, is in the Coffey Clinic for observation. Mrs. Cory was here recently from the south by plane.

FINISH MAE WEST FILM

Hollywood. Aug. 1.—Paramount has completed remaking of the Mae West film and it will be released Aug. 31 as "Belle of the Nineties."

SECATIONAL DECLINE IN KEY GROSSES CHECKED IN JULY

(Continued from page 1)

$75,285. Others which showed slight gains were Cleveland, Chicago, Denver, Kansas City, Minneapolis and St. Paul, Oklahoma City and Washington. A number of the others showed losses.

Comparative grosses for the latest available periods:

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<th>Week Ending</th>
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<th>Gross</th>
<th>Week Ending</th>
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(Continued from page 1)

Court Moves Seen Clouding Fox-Met Title

(Continued from page 1)

authorizing Palmer to proceed with his examination of the Loew's, Wanamaker and Shubert organization's books before Special Master John E. Joyce. Palmer asserted yesterday that he would appeal from Judge Mack's decision in the U. S. Circuit Court of Appeals today, asking an immediate hearing of the appeal. The new acquisition of July that was outside his jurisdiction in vacating Judge Woolsey's order and that in doing the District Court judge really acted as an appeal court.

Details of a final Loew-Warner bid for Fox Met, were expected to be laid before Judge Saxe today in hearing for preliminary scrutiny prior to the court hearing scheduled for Saturday, but representatives of the bidders reportedly to take over the Richfield-operated houses in the event their acquisition of Fox Met is consummated prior to the expiration of the Ranfor contract.

Fox Unit Acquiring Wisconsin Theatres

(Continued from page 1)

the Downer and Shorewood have been operated by Etta Weisner. At Meadville the circuit the Brin, Shubert and the Brin, also operated by Weisner.

The Alhambra will be reopened Aug. 15, its policy still to be determined, and the Brin was to be sold over today by the new operators, the remaining houses to revert Sept. 1. The new operator would be able to sell the circuit's holdings to more than 20 houses, six of which are in Milwaukee.

Whether Fox's control of the Alhambra will bring about a change in the management at the Wisconsin, downtown 3000-seat key house here operated by the Fox-Wisconsin Co., remains to be seen. Saxie Amusement Management, Inc., has been in the courts attempting to secure this theatre, also originally one of the old Midwesco circuit, and with Fox now assured of a first run outlet through the Alhambra, it is possible that the Wisconsin may revert.

BARNSTYM CLOSES DEALS

Jack Barnstym, head of British & Continental Trading Co., Inc., just back from the coast, reports he has closed deals for world distribution of a film for the site George O'Brien scenes now being made by Principal for Fox release, and has also taken over "Chicago," now in work; "Hollywood on Parade," Paramount, and "Young Eagles," controlled by Harry Thomas.
Newman Puts
Clean Films
Move on Air
(Continued from page 1)
production of salacious pictures," he said. "Several million dollars worth of film have been junked, others have been purchased on the open market. Forms of scripts have been pigeonholed indefinitely.

Obviously the effect of this new policy will not be immediate because of the many thousands of dollars invested in productions finished or partly finished, but it is certain the public will recognize a change within a few months.

In our organization we are going to make a conscious effort to eliminate scenes, and even whole pictures which we consider beneath the level of a good taste. Instead of being mere producers, we are going to secure, advertise and feature weekday family type of picture.

CICERO, O. Aug. 1.—Using the current crusade against objectionable pictures as a campaign issue, Daniel Morgan, Cleveland, a candidate for the Independent state committee, endorsed the movement in an address here.

If elected Governor, I shall put all power of the state behind those efforts of the clergy to improve our movies," he promised.

KANSAS CITY, Aug. 1.—The Missouri Screen Employees, through its better films committee, has endorsed the clean films campaign.

A resolution adopted requests that members of the state committee give their support to wholesome films by attending theaters where they are shown.

HOUSTON, Aug. 1.—Baptists here have joined the Legion of Decency campaign through the Protestant ministers’ Alliance committee, cooperating with the Catholics, and have distributed pledges in their churches.

"This faith has reserved the right to make its own ‘black and white’ decision," Mr. Thomas said.

Pledges have been distributed in all Catholic and in most of the Baptist, Methodist and Presbyterian churches and a few ministers have preached on the ‘decency’ theme. But the move has not been militant, and exhibitors claim there has been no effect on business.

Three of the Catholic blacklists have shown here to normal business. These were "The Life of Very Winter," "Born to Be Bad" and "Laughing Boy."

COLUMBUS, Aug. 1.—Despite the Acme short film drive, the Lyceum, the city’s leading burlesque house, is now including films. Its current screen attractions is "The Purpose of Nudism" and is being advertised as "startling, sensational" and "daring."

NEWPORT NEWS, Va, Aug. 1.—Rev. Edwin T. Welford has been named chairman of a committee representing the Peninsula Ministerial Assn. to map out a program for cooperation in the drive against objectionable films.

CLEVELAND, Aug. 1.—Local Catholics have adopted the procedure of the Cleveland Acme in order instead of publishing a list of banned pictures, now publish only lists of approved pictures.

PALESTIS PARK, N. J., Aug. 1.—The little committee still gone on record in favor of a film clearing house has appointed a committee to confer with the local theatre manager.

Report Union Fund Shrinks to $2,000
(Continued from page 1)
in the Central Opera House, George E. Brown, international president, informed the membership that a report would be presented on the proceedings of three weeks of investigation since the I.A.T.S.E. S.T.C. took control.

When Harry C. Sherman, who resigned recently as president, became head of the union in Feb., 1933, the Pacific Coast union treasury had $360,000. Up to Jan., 1934, $637,000 was collected in dues, assessments and initiation fees. An old age fund of $300,000 was tied up in the courts, he said.

Holmden urged members to join in the rehabilitation of the union and put the union back in a better shape. He also announced that the successor to Sherman was mentioned and it is likely none will be named until election time.

Struss Files Suit Over Union’s Funds
LOUISIANA, Aug. 1.—Carl Struss, former member of the local Camera-
men’s Union, has filed suit in Superior Court here against the organization of the welfare fund committee, he alleges, has been misappropriated through the settlement of a contract with the former business manager, Howard Tudor. This settlement called for $11,995, of which $2,000 has already been paid. Hurd has news for the balance.

Herbert Aller, present business manager, said any member in good standing could hold the union’s books at any time, inferring that Struss was not in good standing, but declared he had the purpose of strengthening the A. S. C.

Union in Sheboygan Appeals Picket Ban
(Continued from page 1)
NRA administrator in Washington charges that 'Rex' will involve viola-
tions of the labor provisions of the code, and the union has requested that the code be modified so as provided for in Article 4, division (C), Part 1, Section 6, of the code.

Because Code Authority is not yet equipped to handle labor complaints at this time, issues of this nature are being referred to Washington. Camp branches are handling only unfair trade practices at present.

Seek to Join in Para. B’way Revamp
(Continued from page 1)
amount of money will be spent in the next several months, according to the union’s issue now outstanding, to bear interest at the rate of 7 per cent per year for a period of 10 years and five and one-
quart per cent for the second 10-year period.

A new office space and theatre lease is also involved in the plan, calling for the payment of a $25,000 annual rental for office space for a first 10-year period and a rental to be fixed by appraisal for the two additional five-year periods. The Motion Picture Associates, with the banks set aside, will be heard in U.S. District Court here Aug. 7.

Federal Judge Alfred C. Joyce, president of the motion picture company, has asked for a "sensational" special master on all Paramount bankruptcy matters which were pending and that the appointment of a master be made by the court when the master is appointed to another case.

4 More Appeals Heard
Four more appeals were heard yester-
day in a Campi committee com-
bining Leslie E. Thomas and Smith and William Yoost. They were:

1. Low’s Rio against Heights, both in New York, on preliminary advertising; 2. Scenic, Lake Wales, Fla., against Mountain Lake Corp., same city, involving non-theatricals; 3. Cortado, Pasadena, Cal., against Fox West Coast and United Artists on buying; 4. Rialto, Jersey City, N. J., against Apollo, same city, on over-
buying.

Katz-Furman on Tour
Harry Katz and Roy Furman have left by automobile for a tour of Mon-
arch theatres in Indianapolis, New-
castle, Shoals, Lebanon, Crawfordsville, Youngs-
town and Akron, Ohio.

Having acquired the Penn, New Castle, the circuit plans to add six to its present six houses by Sept. 1, when the Penn will be reopened.

Thompson in Code Post
Hollywood, Aug. 1.—Kenneth Thompson has been named to replace Charles Miller of Equity as a member of the code committee.

Thompson, who has returned from a tour of the East and Midwest, was appointed a member of the code committee by the Board of Directors of the Motion Picture Producers and Distributors of America after it was decided that the code committee needed another member to handle the code’s southern section.

New Termer for Gibney
Hollywood, Aug. 1.—Sheridan Gibney has been named to a new long-
term writing contract by Warners.

Johnston Hits
Coast Board's Duals Stand
(Continued from page 1)
defined in restraint of trade, as such will remain on the list of the Department of Justice on their heads.

The zoning board here, in my opinion, have set the archetype for what has now been set out for it in the code. The provisions of the code setting up those boards definitely define the functions that they are to perform, and the local board has gone far ahead of its duties set forth under the code.

I have no doubt that most of the restrictions placed by this board as far as they pertain to duals will be thrown to the trash-bucket when they reach Campi.

Word has repeatedly gone out that no exhibitor can be penalized by the zoning board because he has fallen short of features instead of one, and the atten-
tion of the board has been called to the fact there is nothing in the code that makes the showing of two features an unfair trade practice any more than that there is a provision making it an unfair trade practice the showing of pictures and vaudeville in one house as against a straight picture policy in another in the same zone.”
With Broadway grosses generally in the doldrums, "House of Rothschild" demonstrated its continued drawing power. In its third popular week on the main stem, the Rivoli took of $33,820 was about the best showing on the street.

"Here Comes the Navy" took the only other honors of the week by running up $31,000 at the Strand, although "Of Human Bondage" was satisfactory at $12,000 in its second stanza at the Palace. "Baby Take a Bow" held up to $18,000 in its fourth week at the Roxy.

Estimated takings:

Thursday, Aug. 1:

**HIS LATEST CARRIAGE** (Radio Broadway) RIALTO—(2,800), 26c-65c, 7 days. Gross: $7,560.

**GRAND CANARY** (Fox) RADIO—CITY MUSIC HALL—(6,945), 8c-61c, 7 days. Stage show. Gross: $63,180.

"HOUSE OF ROTHSCHILD" (U. A.) RIVOLI—(2,200), 40c-90c, 7 days. Gross: $33,650.

Week Ending July 21:

**MIN AND BILL** (M-G-M) Revival CAPITOL—(3,700), 9c-16c, 7 days. Stage show. Gross: $13,000.

**OF HUMAN BONDAGE** (Radio Broadway) PALACE—(2,500), 26c-75c, 2nd week, 7 days. Vaudville. Gross: $12,000.

**NOTORIOUS SOPHIE LANG** (Para) Pantages—(3,000), 26c-90c, 7 days. Stage: Jimmy Savo and others. Gross: $12,260.

**BABY, TAKE A BOW** (Fox) ROXY—CITY MUSIC HALL—(6,945), 8c-61c, 7 days. Stage show. Gross: $18,000.

**HERE COMES THE GROOM** (Warners) STRAND—(2,000), 26c-81c, 7 days. Gross: $3,900.

Week Ending July 30:

**WILD GOLD** (Fox) MAYFAIR—(3,000), 26c-6c, 7 days. Gross: $7,500.

**MEXICO CITY** Shifts Delayed by Strike

(Continued from page 1)

stage shows are dropped. The strikers are parading with black and red banners.

Mexican organized labor guards are mounted in front of the doors of the theaters, and the Federal labor department is trying to mediate.

Build at Sturgis, Mich.

Detroit, Aug. 1—C. J. Lambiotti, Mishawaka, Ind., exhibitor, is building a new theatre in Sturgis, Mich. The new house, to be named the Roxy. Lambiotti also plans another at Benton Harbor, Mich., for years a tight Butterfield town.

Werner Gets New Post

Hollywood, Aug. 1—David C. Werner, Universal casting director, has been named to succeed Robert Harris, who recently resigned as the company's eastern story head. Dan Kelly will succeed Werner.

Schulman in Detroit

Detroit, Aug. 1—E. Manuel Schulman, former theatre manager and publicity man in New York, has joined the Sol Krim circuit as a manager and publicity man.
Loew 40-week Profit Is More Than Doubled

Lumps $3,414,723 to a Total of $5,750,750

Loew's, Inc., profits more than doubled for the 40 weeks ending June, as compared with the same 40-week period in 1931. Profits for this year, after subsidiaries' preferred dividends, is $5,750,750. Last year it was $2,386,027.

The improvement is even more striking when expressed in terms of earnings per share. This year's 40-week total is equivalent to $3.45 per share on the common stock. Last year was $1.11.

L. Mason in Capital;
Believed on Code

WASHINGTON, Aug. 2.—Possibilities of further controversy over the film code were seen today in the arrival here of Lowell Mason, former chief counsel for Clarence Darrow's NA review board, who is now acting as counsel for the I. T. O. A. While nothing could be learned regarding the purposes of Mason's visit, it was pointed out that the Industrial Appeals Board of the NRA, created to deal with complaints against codes and code authorities, was slated to begin operations yesterday and suggested that he might be looking for ground over with a view to filing charges on behalf of the independents.

WARNERS AND M-G-M HIT L. A. SCHEDULE

LOS ANGELES, Aug. 2.—Among a number of last minute protests against the clearance schedule are two from Warners and M-G-M. They charge clearance for adjacent and outlying subsequent run houses is insufficient protection.

They also claim customers, knowing they can see pictures a week or (Continued on page 4)

Ontario Censors Are Requested to Resign

TORONTO, Aug. 2.—Three members of the Ontario censor board, Chairman J. C. Boylen, Mrs. Edmund Phillips, and Mrs. Pearl Thornhill, were slated to resign today by Premier Mitchell Hepburn.

Boylen has been on the board since 1921, except for three years when he served with the Canadian overseas (Continued on page 6)

Dual Problem Will Be Aired Before Campi

Clauses in New Clearance Plans to Be Tested

Restrictions against duals in clearance and zoning schedules will be aired at the next Campi session, Aug. 9, when S. R. Kent will act as chairman.

All of the schedules filed by 32 key centers have clauses in them penalizing duals in one form or another.

The first test case on the calendar will be Milwaukee.

Exhibitors from the area are being called in for the next Campi session to air their views on the schedule and twin bills.

Edward Golden, champion of the double bill, will defend twin programs at the session. His contention is that there is no clause in the code dealing with duals. The Monogram sales manager, it will be recalled, led the fight by independent (Continued on page 4)

Agree to End Dual Bills in St. Louis

ST. LOUIS, Aug. 2.—Duals will be eliminated in this city in advent of new season's oppressive. An agreement has been signed by Fred Wehrenberg, president of the M-F-P-O, of St. Louis, for his members; Nelson Coniff, head of the St. Louis Amusement Co., representing 23 houses, and Fancher & Marco, with five houses.

Current prices of 35 cents matinees (Continued on page 4)

Tough on Picket

PORTLAND, Aug. 2.—It was far from union principles even from the picket to view a picture that he had been advising the public to avoid.

At the end of the day, however, his curiosity overcame his scruples and in an aside, he asked the manager to slip him into the back seat when the coast was clear. Just as he was about to pass through the portals, however, he was grabbed by the arm and a well-known voice hissed in his ear: "Where are you going? How about me, too?" It was his wife.

See No Chance Of Agreement

In Music Row

No plan of compromise on the music tax increases procured by the American Society of Composers, Authors & Publishers is being formulated by the exhibitors' national emergency committee which is leading the opposition to the new tax schedules, it was stated by members of the committee yesterday.

The committee's position, it was stated, is that any plan of compromise it might offer would be, first of all, an admission that an increase in the music tax was justified at this time. Any compromise proposal which does (Continued on page 4)

More Delays Seen

In Fox Met Deal

Litigation being pressed by minority bondholders in Fox Metropolitan is expected to result in further delay on the sale of the circuit to Loew's and Warners and will probably result in an adjournment of the court hearing before Federal Judge Julian W. Mack on Monday, it was stated yesterday by those close to the situation.

Meanwhile, Fox Met, bonds, listed on the producer's exchange, sold off nine points to $33, giving rise to (Continued on page 4)

Producers Enforce Ban on Broadcasts

HOLLYWOOD, Aug. 2.—No formal action has been taken by producers, but it is understood most of them are now making an effort to prevent contract players from broadcasting. Concreted action to make the ban unimamous is expected shortly.

M-G-M is the latest to take action, and it is understood that Robert Montgomery's broadcast last night will be his last.

Majors Plan Protest on Schedules of Code Costs

Protests against assessment schedules for the first half year as prepared by Campi are being made by major distributors.

Three companies already have voiced dissatisfaction with the figures prepared, United Artists being one of them.

Because the assessment angle is a government matter, the three distributors are now working on formal complaints which will be sent to Division Administrator Sol A. Rosenblatt.

Assessments from producers-distributors are due by Aug. 15, according to an administration order, and protests must be filed by that date.

All major companies are expected to join in the protest when it is sent to Washington. A hearing will be asked for possible revision.

Under provisions of the code, producers-distributors are assessed $180,000, the like amount being levied against exhibitors. Numerous exhibitors and exhibitor associations have protested the six months' levies, but no action has been taken by Campi or the government.

Rosenblatt is expected back from the coast in about two weeks. No complaints by independent producers or distributors have yet been made.

Zirn's Para.
Appeal Delays
Moves on FWC

Reorganization of Two Units Interrelated

Reorganization of Fox West Coast and completion of an elaborate plan of settlement of claims involving that company and Paramount Publix are being held in abeyance by litigation attacking the Paramount settlement, it was learned yesterday.

The litigation is authorized by Samuel Zirn, attorney for a small group of Paramount bondholders. He opposed the claims settlement plan which approved by Reference Oscar W. Ehrhorn and the U. S. District Court here two months ago over his objections. Recently, Zirn filed an appeal from the order approving the plan with the U. S. Circuit Court of Appeals. The higher court recessed in June for the summer and does not reconvene until Oct. 1. No action on Zirn's move for an appeal can be had before that time.

In his application for appeal, Zirn opposes the Paramount-Fox W. C. claims settlement on the grounds that (Continued on page 6)
Looking 'Em Over

"Dames" (Warner)

"Dames" furnishes a pleasant one and one-half hours of diversion with plenty of production values to satisfy the eye and some tuneful songs that linger in the memory. Practically all of the singing is done by Dick Powell, with one number done by Joan Blondell.

The story is carried along consistently, so that the music becomes incidental and the backstage scenes are used to build up to a climax, with dance numbers introduced by Busby Berkeley.

Guy Kibbee, Hugh Herbert and Zasu Pitts keep the comedy well out front. Kibbee visits the office of his wife's cousin, a wealthy eccentric with a reform complex, played by Herbert. Miss Pitts is the wife. Herbert agrees to settle $30,000,000 on Kibbee's family if he finds. After his toughs have stopped the dance and Kibbee and Miss Pitts wind up in the housekeeping have a fine time.

The song numbers are: "I Only Have Eyes for You," "Dames," "Try to See It My Way," "The Girl at the Ironing Board" and "When You Were a Smile on Your Mother's Lips." Running time, 90 minutes.

"Adventure Girl" (Van Beuren-Radio)

Joan Lowell, who first gained fame as the author of "Cradle of the Deep," is both star and narrator in a fact and fiction camera story of a trip to an unannamed Carribean country. Miss Lowell has a vivid imagination and a shrewd appreciation of dramatic values. It's a good outdoor action picture for family audiences.

One of the interesting members of the untrained cast is Miss Lowell's father, a 76-year-old sea captain.

Some fine sea photography features the opening sequences. In the calm tropic waters Miss Lowell begins to develop a story. She finds a wreck, left by a Spanish ship in a storm and the crew of the schooner, lands in some place with big ruins and desecrates the gods of the Indians' ancestors seeking an emerald. This furnishes material for a chase sequence, in which she is captured. The natives are about to burn her alive when a member of her crew rescues her.

In the final escape scene she and her sailor spread gasoline on the waters and light it to foil the Indians pursuing in canoes. These are hand-colored shots done by Gustav F. O. Brock and are very effective pictorially. Running time, 76 minutes.

"Name the Woman" (Columbia)

Another of the newspaperman cycle in which the dumb cop reporter gets the sensational scoop. "Name the Woman" ought to do good business in small towns and neighborhoods if properly exploited. With Richard Cromwell, Arline Judge and Rita LeRoy featured, Albert Rogell seems to have directed with a concentration on the chase finish.

Columbia Up 1 on Big Board

<table>
<thead>
<tr>
<th>Columbia Pictures</th>
<th>High</th>
<th>Low</th>
<th>Close</th>
<th>Net Change</th>
<th>Sales</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consolidated Film Industries, etc.</td>
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<td>25.00</td>
<td>26.50</td>
<td>-1.00</td>
<td>1100</td>
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<tr>
<td>Fox Film &quot;A&quot;</td>
<td>10.50</td>
<td>9.00</td>
<td>10.00</td>
<td>+ 0.50</td>
<td>5100</td>
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<tr>
<td>Paramount Public</td>
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<td>6.00</td>
<td>6.50</td>
<td>+ 0.50</td>
<td>1200</td>
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<tr>
<td>Warner Bros.</td>
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<td>3.75</td>
<td>4.00</td>
<td>- 0.25</td>
<td>1600</td>
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Technicolor Off 7⁄8 on Curb

<table>
<thead>
<tr>
<th>Warner Bros.</th>
<th>High</th>
<th>Low</th>
<th>Close</th>
<th>Net Change</th>
<th>Sales</th>
</tr>
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<tbody>
<tr>
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<td>10.00</td>
<td>10.50</td>
<td>- 0.50</td>
<td>1200</td>
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</table>

M-G-M After Brahan

M-G-M understood considered Horace Brahan, currently appearing in "Musical Chairs," for a role of "David Copperfield." Brahan recently appeared in "Lee Bank" and "Street Scene."
FOR on that date ... at popular prices ... in Radio City Music Hall ... one of the great productions of this great industry came within the reach of the movie-going millions ... to give them far more than an hour's glorious entertainment ... inspiring them with a new faith in themselves, a new courage to face the future!

THE WORLD MOVES ON
THE LOVE STORY OF A CENTURY
See No Chance Of Agreement In Music Row

(Continued from page 1)

velops will have to be authored and submitted by the society, it was stated.

Meanwhile, plans for opposing the tax proposal, estimated to boost present levies from 300 to 1,000 per cent, are proceeding within exhibitor or-
ganization through the efforts of the ASCAP. Members are being instructed to make no new contracts with the society without first obtaining the advice of counsel for the various exhibitor or-
ganizations. Regional legal moves are also being studied with some organ-
izations considering the advisability of sponsoring state legislation patterned after the Mississippi law which re-
quires any organization operating within the state to be a royalty collec-
tion body to obtain a $1,000 license for each county in which it proposes to engage in collection activities.

Legal Contests Discussed

At a meeting discussed in an intensive campaign of legal contests designed to place upon the society the burden of proof that all or any of its copyrighted music is actually used in the composi-
tion. It is pointed out that virtually all modern music is "borrowed" from earlier works and told that their copyrights have expired and they have come within the "public domain." Under the exhibitor plan it would be up to the ASCAP and the court that its copyrighted music was not derived from such sources.

Still another subcommittee discussion in exhibitors circles calls for cancella-
tion by exhibitors of their ASCAP contracts and refraining from exhibit-
ing the copyrighted music. This procedure, it was pointed out, would make it necessary for the ASCAP to place a more realistic value upon its copyrighted music and to maintain an army of checkers to make cer-
tain that the copyrighted music was not played in the public domain.

With the meeting of the main legal commit-
tee of the exhibitors' emergency body and of the main exhibitors' committee are scheduled for early next week.

Walters and M-G-M Hit L-A. Schedule

(Continued from page 1)

two after first runs at half the price will wait.

Long Beach, Pasadena, Huntington-
Park, Inglewood, Whittier, Bever-
ly Hills and others follow Los An-
geles from seven to 14 days.

Los Angeles, Aug. 2.—With the deadline for all zoning protests set for 3 P.M. today, more than 95 have been filed within the last three days, making a grand total of 163 since the start of the hearing.

The local board will go into action tomorrow morning in an attempt to clean up the complaints by Aug. 10.

Charter Cathay Studios

DOVER, Del., Aug. 2—Cathay Stud-
ios, Ltd., has been chartered here to deal in films, etc., listing capital of $1,000,000. The incorporators are S. L. Mackey, J. Sviravin and E. M. Lathe of Wilmington.

Dual Problem Will Be Aired

Before Campi

(Continued from page 1)

Producers and distributors for elimina-
tion of dual clauses at public code hav-

ings in Washington.

Tomato.

also.

and other majors have voluntarily agreed to drop twin bills Sept. 3. The reason given here is high cost of filling up when it is claimed, makes it impossible for independents to play two pictures on one program.

Agree to End Dual

Bills in St. Louis

(Continued from page 1)

and 55 contracts each will be main-
tained by first runs. Subsequent also will hold to present scales. Some are charging 30 cents and others 40 cents. F. & M. recog-
ized, also.

nected with the Grand Central in about 30 days. The first two houses will be closed while the last one will be put on a subsequent run single feature policy.

The plan for quitting duals was moti-
M., who confronted with Weihem-
berg and Cuthill for several days.

Also.

Back to New York Thurs-
day.

Marco Wolff, Arthur's partner and
Marion, is New York, leaves for the coast
at the end of the week.

Cleveland, Aug. 2.—First break in the ranks of Cleveland exhibitors, who signed an agreement to eliminate twin bills, occurred yesterday when the Family, operated by Family The-
"The Stove"

worth, the Haltmair, a tem-
porary injunction prohibiting further showing of duals at the Family until the case is heard Friday at 2 P. M.

One Settled, One to Go

MEXICO CITY, Aug. 2.—The Poli-
peana, which has been playing legit-
mate shows, has settled a strike with its employees and adopted a picture policy. The first film to be shown is "Elvisa," nudist picture.

The Irus, which also plans to go to a film policy, has not yet made peace with its striking employes.

Hollywood Personalities

Hollywood, Aug. 2.—Peter Smith will make a short based on Donegan baseball. eil, will be directed by Don Donegan, of New York. . . . Urs Merkel and family have left for Del Mar for two weeks. . . . Helen Morgan has gone to New York, following the completion of her role in "Mary of Scotland," at F. & M., near the Ambassador.

Jobs are Back from Arrowhead. . . . Magde Evans has postponed her trip to Broadway again. . . . Bing Croshy has named their twin sons Philip Land Crosby and Dennis Michael Crosby. . . . W. H. and Beverly Sumner, of the 20th, have been assigned an important role in "Lives of a Bengal Lancer" at Paramount . . . Paul Lukas will play opposite Claudette Colbert in "Imitation of Life" at Universal.

Publix Unit Builds 2 Colorado Houses

DENVER, Aug. 2—H. L. Cooper Enter-
tprises, Publix company in Colo-
rado, is building one theatre and plans to start another early in September.

The one under construction is at Pueblo. It will cost about $50,000 and will seat 1,300. No opening date has been set. A subsidiary company, Inc., has been formed to carry it. Directors are: L. J. Finske, district manager; J. H. Roberts, assistant district manager, and H. L. Cooper, manager of the Pueblo Publix the-

atres.

Publix has bought the Rialito for $20,000, and will dismantle it after Labor Day and build a $1,350-

Theatre Tax Jumps

Urged in St. Louis

ST. LOUIS, Aug. 2.—Increased the-
tax rate from 37 one per cent to 40 one per cent was urged by the St. Louis City Circuit Court of Appeals yesterday.

Judge Mack, with the approval of the city's tax commissioner, set the rate for the coming year at 40 one per cent.

At present rates pay $25 for one month, $75 for three months, $150 for six months, and $150 per year regardless of size. Under the proposed scales theatres up to 2,000 seats would pay $100 per year, from 2,000 to 3,000, $250, and over $400.

Giving Studios Overcover

HOLLYWOOD, Aug. 2.—Gordon Slo-
man, attorney general for British Columbia, in charge of all censorship of that domain, arrives by plane Sun-

day. The day looksee of studio open that day.

More Delays

Seen in Deal

For Fox Met

(Continued from page 1)

to reports that Loew's and Warners

are withdrawing their bid because of an impasse in negotiations with the깉 the tax appeal committee and the newly arisen legal complications. These reports were im-
mediately denied by spokesmen of Loew's and Warners, who de-
scribed the current state of their nego-
tiations with the committee as "the-
most hopeful they have ever been." The Fox Met, bonds were last offered for sale in Los Angeles, Aug. 19, and jumped with the opening of the Loew-Warner negotiations.

Archibald Palmer, attorney for the minor bondholders, who are seek-
ing a reorganization of the circuit under the new bankruptcy laws, already filed an appeal with the U. S. Circuit Court of Appeals from Judge Mack's action denying Palmer the right to examine officers of Loew's and Warners.

The order was promptly vacated by Judge Mack, and as promptly appealed by Palmer.

Examination Necessary

Palmer contends that the examina-
tion is necessary to show the true value of the Fox Met, assets and offer. "We are in a position," he says, "that the Loew-Warner bid in its present form is too low. He also maintained before Federal Judge Martin, in the Circuit Court of Appeals, yesterday that Judge Mack has no further right to examine the records, or to take further action in the company's receivership until officers of Fox Met. have filed an answer to the petition for reorganization of the circuit under the new bankruptcy laws. Palmer asked for an extension of time of filing of his appeal by the higher court.

Prisch & Rinzler, present operators with Skouras of the Fox Met. circuit, are objecting to a recapture clause in the new temporary employment contract being offered them by the principal bondholders' committee. The clause would give Loew's and Warners the right to take possession of certain Randforce-operated houses if and when the Loew-Warner deal is consummated. The contract is for six months. Judge Mack is scheduled to rule on the Randforce objection on Monday.
AND STILL THEY COME!

FAMOUS PLAYERS CANADIAN THEATRES

N. L. Nathanson, President,
Operating eighty situations throughout Canada, from Coast to Coast—

UNITED THEATRES OF MONTREAL

George Ganetakos, President,
Operating twenty theatres in Montreal, Lachine and Sherbrooke,

sign for

UNIVERSAL

- Features, News, Shorts and Serials for 1934-35

Thanks, Messrs. Nathanson and Ganetakos, for your confidence in Universal Pictures. We will do our part!
Friday, August 3, 1934

**Looking 'Em Over**

"Name the Woman" (Continued from page 2)

That makes up, in a small way, for the film's deficiencies in the first half.

Cromwell, as the reporter, aids Miss Judge in clearing her name after she has been implicated in the murder of a district attorney, who had been on the verge of aiding her father in his campaign for mayor. By observing obvious details Cromwell finds clues pointing to the identity of the real murderer and pursues them through several sequences, finally winding up with a chase that starts up in the hills, winds down and ends on the desk of the city editor. He marries the girl. Running time, 60 minutes.

**MOTION PICTURE DAILY'S**

**HOLLYWOOD PREVIEW**

"British Agent" (Warner)

Hollywood, Aug. 2.—As a chronicle of the Russian revolution during the World War and the efforts of the Allies to prevent Russia from signing a separate peace with Germany, this picture takes its place among the powerful dramas of this screen era. Excellently produced in all departments, the film is charged with realism and emotional appeal.

The theme centers around the conflict between the patriotic feeling for his country and the romantic love of a British agent (Leslie Howard) for a Soviet leader (Kay Francis). Howard, stranded in the evacuated English embassy, is finally assigned unofficially to prevent Russia from signing the peace treaty with Germany. The mutual romance, menaced by Miss Francis' devotion to the Red cause and Howard's patriotic fervor, grows in intensity as the girl betrays the agent.

Unable to keep his promises to the Soviet, Howard becomes the motivating power behind strong revolutionary cliques in Moscow.

The climax finds Howard accused of the attempted assassination of Lenin. Miss Francis, finishing her work for her country, prepares to accept the sentence of death with Howard when Lenin is pronounced out of danger, releasing all political suspects and sending the lovers to England and happiness.

Powerful characterization by Howard, Miss Francis, William Garigan, Phillip Reed and Irving Fichel balance the cast. The scene play and dialogue by Lauren Doyle is of the highest caliber. Michael Curtiz' direction is excellent. Ernest Haller's photography is an asset. Running time, 72 minutes.

"One More River" (Universal)

Hollywood, Aug. 2.—Class rather than mass appeal is this portrayal of the John Galsworthy novel. The atmosphere and characters are completely British. The driving theme is intelligently handled and preserves the basic moral core. There is little smash action. The limited, effective comedy is of the situation variety.

The plot centers on the American woman, Diana Wynyard, whose love for her husband (Colin Clive) is dead, returning to England to escape his suspicious cruelty. Abroad her boat love Mossows with Frank Lawton. Atmospheric sequences reflect the typical British divorce detention. The lovers' romance is spurred upon by Clive's agents. With divorce as the only solution, the drama builds powerfully in court. Lionel Atwill and Allan howray, as the opposing barristers, give dramatic impetus. Miss Wynyard, though mercilessly provoked, maintains her honor, defends her husband's dignity and protects her lover. With the divorce granted, Miss Wynyard would surrender to Lawton in payment of her debt, only to have the sanctity of pure love prevail.

Miss Wynyard, Lawton and Clive give masterful performances. Atwill and Mowbray are effective. The comedy relief is handled by Mrs. Pat Campbell and E. E. Clive. Beneficed by handsome mounting and unusual photography, John Whale's direction is a decided asset. Intelligent showmanship should overcome the handicaps almost sure to be found in the domestic market. Running time, 90 minutes.

**Zirn's Para. Appeal Delays Moves on FWC**

(Continued from page 1)

Charles E. Richardson and Eugene W. Leake, Paramount trustees, are disqualified from acting in the matter because of former affiliations with Fox Film and Chase National Bank. Richardson, a former vice-president and treasurer of Foluex, took no part in the negotiations from which the claim settlement plan resulted. The claim settlement involves a dispute over a large theatre in San Francisco, Oakland and Portland which all three censors, Mrs. Eva Richardson, Leake, dispensaries from acting in the matter because of former affiliations with Fox Film and Chase National Bank. Richardson, a former vice-president and treasurer of Foluex, took no part in the negotiations from which the claim settlement plan resulted. The claim settlement involves a dispute over a large theatre in San Francisco, Oakland and Portland which all.

**Ontario Censors Are Requested to Resign**

(Continued from page 1)

force. He has been chairman for 10 years. Three other censors, Mrs. E. J. Byrne and J. B. Hardwick, are listed as on temporary service. It is intimated that the board will be reduced under the economy wave now sweeping the government.

If that decision is adopted, former chairman and party worker, will be officially named soon as the new chairman.

**Randforce Takes Another**

Randforce has taken a lease on the new 750-seat theatre now being completed at Church St., Brooklyn. The house opens the latter part of next month.
(By telegraph to Metro-Goldwyn-Mayer)

"Just received information that JEAN HARLOW in THE GIRL FROM MISSOURI opened to biggest business Apollo Theatre Atlantic City has ever done stop for the first time this season even the balcony was jammed stop this is not only unusual but phenomenal and one of the few times in motion picture history that the word COLOSSAL can be used truly"

"DID I HEAR YOU SAY 'COLOSSAL!'"
Toepplitz to Aim Product For America

By BRUCE ALLAN

LONDON, Aug. 2 (By mail)—Prospects of a further supply of quality films from England for America are advanced by the announcement that Toepplitz Bros., Ltd., has started preliminary work on "The Dictator," its first film.

Toepplitz de Grand Roy, managing director of the new company, was co-principal with Alexander Korda at London on "Henry VIII" and previously piloted the "Cine-Pittalunga" Rome. He is definitely working for an American outlet.

Harold Huth, well known British stage and screen actor, has joined Toepplitz as personal adviser on production. Huth made a big hit in the stage production of "The Outsider" and in the film of the play, produced by Eric Hakim and distributed by M-G-M here.

Consolidation of the Maxwell group of companies, completed by the acquisition Associated British Pictures Corp., Ltd., of the shares of Associated British Cinemas, Ltd., and British Instructional Films (Proprietors), Ltd. Ninety-five per cent of shareholders accepted the reconstruction scheme, which gives A.B.C. a capital of $14,667,785, of which $13,833,357 shares are cumulative 6 per cent preference of 85 cents and 6,200,000 ordinary of $1 A.B.C. now controls B. J. P. of Elstree, British Instructional of Welwyn, Wardour Films, Ltd., and Patrie Pictures, Ltd., as well as the A. B. C. circuit of 200 theatres.

August 20, George Arliss begins rehearsals for "Wellington" for G-E and will have the studio to himself for a fortnight. Mechanical overhaul has given the technical staff a holiday.

Alistair Cooke will be British Broadcasting Corp.'s next film critic. He succeeds Francis Birrell in the fall. Cooke has written a lot for English papers about Hollywood where he recently worked on the script for Chaplin's new film. Appointment, in effect, carries sole right to radio criticisms of films, B. U. having a monopoly of the British air.

Brooksville House Burns

BROOKSVILLE, O., Aug. 2—Fire believed to have started by an explosion of combustible materials backstage in the Pastime, completely destroyed the house and guttered the building which houses it with loss estimated at $60,000.

H. J. Chapman Injured

OMAHA, Aug. 2.—H. J. Chapman, Columbia exchange manager, has three broken ribs. He was injured making a dive at a local beach.

LEO, JUNIOR SPEAKING

Variety Club Chatter

WASHINGTON

WASHINGTON, Aug. 2.—The last luncheon of the present season called forth the largest number of barker's so far. More than 100 gathered. Carter T. Barron and Sam N. Wheeler were kings-for-a-day.

The next luncheon will be held on Sept. 10. On Aug. 20 the tent will gather at the cottage of A. Julian Brewis on the Wiconisco river for a brief outing.

George Marshell, publisher of The Washington Times, was guest of honor. Other guests included C. Dorsey Warden, business manager of the Times, and Gene Ford, Loew's production expert in Washington.

Featured was a pseudo-radio program, "Variety on Review," wherein the early days of the national organization were dramatized and various barker's awarded "24 sheets," or "eggs," according to whether praise or censure should be given.

Arthur Gordyne, CBS announcer, was master of ceremonies, with Evelyn Tyner, Three Radio Aces, and Bert Granoff assisting.

Further diversifications were added by Hal Lerro, Phil Harris, Leah Ray, Charlie Foy, company, and Sammy Lewis and Patti Moore.

CINCINNATI

CINCINNATI, Aug. 2.—Col. Arthur Frudenfeld and the better half are vacationing via motor in Michigan and Canada. It's a two-week tour.

Peter Wood, J. Real Neth and Max Stearn of the Columbus team were among those present around local headquarters last week.

F. T. Carroll and Sam N. Wheeler were kings-for-a-day.

Cleveland

CLEVELAND, Aug. 2.—Frank D. Drew, local M-G-M branch manager, has been elected president of the Variety Club. He succeeds Edward Fontaine, who has been transferred to Chicago as Paramount district manager.

Nat Holt, RKO district manager, has been elected first vice-president; succeeding H. M. Anderson, transferred from Cleveland to the Boston division. Nat Wolf, Warner's manager, is the second vice-president. I. J. Schmertz, Fox branch manager, continues as secretary-treasurer.

Due to this shift of officers and also to a vacancy in the board of directors, the election of Harry Howlett, Jack Schulman, Utopia Theatre, Painesville; Nat Lepton, Modogram franchisee and warning War were elected to the board.

The first fall luncheon meeting of the club will be held Sept. 10 with Jack Schulman and Mike Specials as kings.

Film Shortage Hits Czecho-Slovakiens

WASHINGTON, Aug. 2.—Shortage of American films in Czecho-Slovakia is affecting theatre business in Prague, says Commercial Attaché Sam E. Woods in a report to the U. S. Department of Commerce. The decrease for the first six months this year is estimated at 30 per cent.

New American films, while being imported cannot meet the demand. American pictures brought in three or four years ago are now being run in first run houses, as the local public prefers old American pictures to new German ones.

NEBRASKA HOUSES CLOSE

OMAHA, Aug. 2.—Seven theatres in Omaha trade territory have been closed within the past week. The houses folded for reasons ascribed to the extreme drought, heat, clean film drive and lack of product. They include: Chicago, Neb.; Valparaiso, Ind.; Grand Island, Neb.; Stromberg, Neb.; Scribner, Neb.; Lawrence, Neb.

PETER MALLERS EXPANDS

DEFTANCE, O., Aug. 2.—Peter Mallers, owner of the Riley and Family in Ft. Wayne, as well as houses in Warsaw, Portland and Bluffton, Ind., has taken over the Valentine and Elite here in association with William Thomas of Auburn, Ind. The Valentine is the only local deluxer.

CAMP RISTY

Camp's appeal committee will not meet today, the session being limited to three this week.
MOTION PICTURE DAILY

NEW YORK, AUGUST 4, 1934

TEN CENTS

ITO A Denied An Injunction Against Campi

The following is a newspaper clipping of an article from the Motion Picture Daily. The article is about the FOX Met Bid Withdrawn by Loew’s and Warners.

The article is written in a formal tone and includes news updates, legal debates, and financial details of the movie industry.

The article begins with a headline stating, “ITO A Denied An Injunction Against Campi.” This is followed by a subheading, “Non-Assessors Must Go To Trial, Is Ruling.”

The body of the article discusses the legal proceedings involving the independent film exhibitors and their付き年と対決している。裁判所の決定により、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されています。この裁判所の決定が、非承認者たちは裁判所に訴え、裁判所が送信を行ったことが通報されている。
Half-Year Profit for Fox Leaps to $1,199,241.77

(Continued from page 1)

shares of Class A and B stock, the consolidated net for the period after all charges, amounts to 49 cents per share.

On Dec. 30, 1933, the consolidated earned surplus was $1,674,584. Addition of the $1,199,241.77, with $39,716 realized from foreign exchange accounts, puts the consolidated surplus for June 30 at $2,913,312, all of which has accumulated, according to the report, since the reorganization of the company April 13, 1933.

Wesco Corp. theatre operations are not included because operating subsidiaries of that company are in bankruptcy.

Gross income from sales and rentals of films and literature, dividends and other sources totaled $18,084,958.03 for the 26-week period. Ex- penses, including operation of exchange and advertising, amortization of production costs and participation in film rentals totaled $16,985,954.26.

Fox to Hit August Peak With 9 Films

(Continued from page 5)


Dillinger Short Flips

CINCINNATI, Aug. 3.—The Strand, downtown independent, this week applied the "Life of Dillinger" as a short, displaying it over the feature, "Let's Talk It Over." The lobby was plastered with stills on the gangster, but the public failed to show much interest.

Rabell Quits Consolidated

William Rabell has resigned from Consolidated Film Industries. His plans to go into business for himself.

Eastman Off 1/2 on Big Board

High Low Close Net Sales

<table>
<thead>
<tr>
<th>Stock</th>
<th>High</th>
<th>Low</th>
<th>Close</th>
<th>Net</th>
<th>Sales</th>
</tr>
</thead>
<tbody>
<tr>
<td>Columbia Pictures, Inc</td>
<td>2700</td>
<td>2650</td>
<td>2650</td>
<td>+50</td>
<td>490</td>
</tr>
<tr>
<td>Eastman Kodak</td>
<td>1850</td>
<td>1850</td>
<td>1850</td>
<td>+50</td>
<td>350</td>
</tr>
<tr>
<td>Loew's, Inc</td>
<td>2550</td>
<td>2500</td>
<td>2500</td>
<td>+50</td>
<td>100,000</td>
</tr>
<tr>
<td>Paramount</td>
<td>350</td>
<td>350</td>
<td>350</td>
<td>0</td>
<td>1200</td>
</tr>
<tr>
<td>Pathé Exchange</td>
<td>135</td>
<td>135</td>
<td>135</td>
<td>0</td>
<td>600</td>
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<tr>
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</tr>
<tr>
<td>RKO</td>
<td>230</td>
<td>230</td>
<td>230</td>
<td>0</td>
<td>1200</td>
</tr>
<tr>
<td>Warner Bros</td>
<td>315</td>
<td>315</td>
<td>315</td>
<td>0</td>
<td>1000</td>
</tr>
</tbody>
</table>

Technicolor Up 1/2 on Curb

High Low Close Net Sales

<table>
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<tr>
<th>Stock</th>
<th>High</th>
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<th>Net</th>
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<td>123</td>
<td>123</td>
<td>+10</td>
</tr>
<tr>
<td>Trans Lux</td>
<td>132</td>
<td>132</td>
<td>132</td>
<td>+10</td>
</tr>
</tbody>
</table>

G. T. E. Bonds Soar 1 1/2 Points

"Flu" Gets Miss Allwyn

HOLLYWOOD, Aug. 3.—Astrid Allwyn, Fox player, is ill at her home here of influenza.
**TOA Denied An Injunction Against Campi**

(Continued from page 1)

suffer or was threatened with irreparable injury. The motion also prayed for an order restraining Campi (T. O. A.) as a matter of principle.

Aside from the fact that the position of the plaintiffs (T. O. A.) is simply an assertion that they are not subject to the conditions they alleged complaints of its violations by the ITOA are not subject to the conditions was not a proper issue to be considered in the case, nor was it a proper matter for the court to consider.

The ITOA, acting as the local, helped to clear the way for the decision. It was understood that the complaint would be dropped if the ITOA would agree to the terms of the agreement.

Order Stoppage of Film for a Church

CINCINNATI, Aug. 3.—The Indianapolis grievance board has ordered Cincinnati and other exchanges to discontinue furnishing product to the Thayer Church in Cincinnati, Ky. The order is a result of the local's dissatisfaction with the Thayer Church at the Pittsburgh Thayer Church at the Pittsburgh

The bill of complaint filed by the ITOA is set forth in the following case. The complaint seeks to enjoin the Thayer Church from the exhibition of any motion pictures. It is based on the ground that the Thayer Church is not in compliance with the regulations of the ITOA.

The Thayer Church is located in the Thayer District, and is a member of the ITOA. The complaint charges that the Thayer Church is not in compliance with the regulations of the ITOA, and seeks to enjoin the Thayer Church from the exhibition of any motion pictures.

Amusements Report Will Be Ready Soon

WASHINGTON, Aug. 3.—The U. S. Census Bureau next week is expected to make public its report on the nation’s amusement industries. The report will be based on a survey of the industry, and will be published next week.

The survey included 1,000 companies, and was conducted by the Public Works Administration. The survey was conducted in order to provide information on the amusement industry for the government.

The inquiry was concerned with the distribution of the amusement industry, and was confined to the retail end of the amusement industry, which includes theaters, parks, and amusement parks in cities, large and small, throughout the country.

Lockout in Alliance

ALLIANCE, O., Aug. 3.—The Alliance Theatre operators have been locked out as a result of a controversy with the management. The union claims the house broke its contract.

Moorehead Made Mgr.

Baltimore, Aug. 3.—Harry P. Moorehead is back in town as manager of the Embassy.
Theatres May Join in Radio ASCAP Action

(Continued from page 1)

organization would share in costs of the broadcast.

Newton D. Baker, former Secretary of War under President Wilson, is counsel to the broadcasters in their anti-trust suit against the society. The suit was initiated here about a year ago by Station WIP, Philadelphia, and now involves Broad- casting Ass'n. It is understood to have the support of all principal broadcasting companies and radio stations. Its principal allegation is that the ASCAP is a monopoly in restraint of trade. The suit asks that the ASCAP be enjoined.

Spokesmen for the exhibitors’ legal committee indicated yesterday that the dissolution sought in the broadcasters’ action is not a suit against industry’s functioning in collection of seat taxes from theatres, as radio broadcasting is an intangible while films are commodities in interstate commerce.

It was made plain, however, that clause of the ASCAP contract that may be referred to and the ASCAP might successfully be brought before the committee by the national right against the new schedule of music taxes fostered by the ASCAP which, it is estimated, will increase theatre music imposts from $100 to $1,000 per cents, when they become effective Oct. 1.

The national exhibitors’ legal committee is comprised of counsel for Alied States, S.P.T., E.T.M., and several of the national circuits. When this committee has completed its plan of action, it will not be a firm that will be retained to prosecute the suit.

Vlasak Now June Long
Hollywood, Aug. 3.—Fox has changed the screen name of June Vlasak to June Long. The actress has been on the contract roster for nearly three years and is now doing a featured role in “Music in the Air.”

Sutherland Re-Signed
Hollywood, Aug. 3.—Eddie Suther- land has received a new contract from Paramount. His first assignment is as an extra-director on “Mississippi,” featuring W. C. Fields, Lanny Ross and Evalyn Venable.

Kuykendall in N.O. Talk
New Orleans, Aug. 3.—Ed Kuyken- dall, M. P. T. O. A. head, has informed the Committee of “Here Comes Yer Owners’ Ass” that he will be here Monday to address city and state theatremen.

RKO Men Visit Levy
Walter Branson, mid-west district manager, and Charles C. Coleman, west- ern district head for RKO, are on the town for conferences with Jules Levy.
RKO Receiver
Bills Pruned
To $105,000

Feas More Than Haltered
By Judge Bondy

The petition for $225,000 interim
allowances filed by John I. McKean,
Leisure, Newton & Lambrand for services in the RKO
receivership were more than halved by
Judge James V. Warden and he is enter-
ing a final order on the petition
Saturday.

The total fees allowed by the court aggregated $100,000. Irving Trust,
receiver for RKO, had asked for
$300,000 and was allowed $150,000. The Leichman firm, attorneys for the
receiver, petitioned $125,000 and was allowed $70,000.

The fees are for partial allowances
(Continued on page 6)

G-B Conference on
Roxy Is Initiated

First of a series of conferences be-
tween Gaumont British and interests
affiliated with the Roxy whereby the
former would acquire the house as its
Broadway show window was held over
the week-end. Jeffrey Bernard spent yesterday with two men inter-
ested in the theatre at Howard S.
Cullman's home in Purchase, N. Y.
If and when G-B acquires the
home, it is not planned to list the
showing to British product.

Asked whether S. L. (Roxy)
Bostialle would be connected with G-B in any way, Bernard stated
"definitely no."

Auten-B. I. P. Suit
Is Ended Amicably

Before sailing for England Sat-
urday on the Championship
vacation-business trip, Harold Auten
stated he had withdrawn his suit
against British International Pictures
for "services rendered" and he is on
friendly terms with the company
again.

Negotiations for settlement were
handled directly by Auten and John
Maxwell, the latter head of the
English company.

Spokane Amusement
Report Returns Up

SPokane, Aug. 5—Locality spent
more for entertainment during the first
half of '34 than they did in a similar
(Continued on page 5)

Gaumont May Produce in
U. S., Too, Says Bernard

Plans are under consideration by
Gaumont British to produce in Am-
erica, following invasion into the
exchange field, Jeffrey Bernard, man-
aging director, stated Saturday. Part of
the British production force will be
brought over for the venture, he said.
First in his mind at present is the
development of a Gaumont district-
British exchange system in every key city. He
said the company will have 100 per
cent distribution here and that the
initial moves will be under way the
latter part of the month. The entire
sales force is expected to be lined up
by Sept. 15.

No franchise deals will be consid-
ered, Bernard stated. "We will have
our own exchanges operated by
(Continued on page 6)

Cancellation
Rows Fail to
Reach Boards

Despite numerous complaints by
exhibitors that exchanges in at least
five key cities have refused to au-
torize cancellations on moral grounds
of pictures released July 15, in
accordance with the recent order of
large distributing companies, no such
complaints have been brought before
local grievance boards in any of
the cities in which the complaints have
been most numerous, it was deter-
mmed over the week-end.

The complaints of refusals to can-
cel on moral grounds have originated
(Continued on page 3)

Philadelphia Board
Bans Park Showings

PHILADELPHIA, Aug. 5.—The griev-
ance board has extended its recent
non-theatrical ruling with a prohi-
ition to distributors against serving
amusement parks which give free film
showings.

The situation is not acute in Phila-
delphia proper, but is fairly wide-
spread over the week-ends.

The case of Harry Freed vs. Stan-
ley-Warner on the charge of illegally
negotiating a lease for the Sieve, Bryn
Mawr, has been withdrawn by
B. M. Goldner, attorney for the
plaintiff.

Kansas Employment
Gains 4.2% in June

TOPEKA, Aug. 5—Employment in
Kansas gained 4.2 per cent in June
over May, while payroll totals were
17 per cent, according to a report
by the state labor commissioner. A
large part of the increase was due to
seasonal employment of farm labor.

New Fox Met
Bid Is Seen
Possibility

Kahn, Attorney, May Put
In $3,000,000 Offer

New outside bidders for Fox Metro-
po
city Playhouses who are prepared to
offer $3,000,000 for the circuit may
be brought into the Fox Met reorga-
nization proceedings in the near future
as a result of the wide withdrawal
of offers since the Loew-Warner bid of
$4,500,000, it was disclosed over the week-end by David W. Kahn, downtown attorney
identified with foreclosure actions.

Kahn has been identified with the
Fox Met situation since reorganization
plans were first broached last spring.
He has been variously reported as
representing Walter Reade and Frank
S. Stern on the management of the
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Yates Wants Indie
Exchanges Merged

Negotiations are under way between
H. J. Yates, president of Consolidated
Film; Bud Rogers, general sales
manager of Liberty; and Kurt Kelly
of Select Pictures, to consolidate ex-
changes throughout the country hand-
ling Consolidated financed product.

It is understood Yates has had this
plan in mind for some time and is now
(Continued on page 2)

Kansas Men Oppose
Fight on Blue Law

TOPEKA, Aug. 5.—Majority senti-
ment against Kansas exhibitors is re-
ported as against taking any concerted
action to repeal the state's blue law
prohibiting Sunday shows. The con-
sensus is that recent referendums in
several communities favoring Sunday
showings are an indication of grow-
ing liberal public sentiment in the
state and that in a few years Kansas,
through this method, will be a seven-
day state regardless of the statutes.

Buffalo Legion Has
82 Approved Films

BUFFALO, Aug. 5.—A list of 82
approved Movies has been issued by
Edward S. Schwegler, director of the
Catholic Legion of Decency movement
in the diocese of Buffalo. Pictures are
graded according to family or ma-
(Continued on page 5)
New Fox Met Bid Is Seen Possibility

(Continued from page 1)

affairs, of the likelihood of his eventually filing a competitive bid for the circuit.

Kahn denied on Saturday that the new bid he was preparing was on behalf of Reade and Storrs, and also said that Plunkett was represented in the group now contemplating a $3,000,000 bid.

Three areas included in a group interested in making a bid for Fox Met at one time, Kahn said, "but the bidders I now represent are entirely new to the proceedings."

Reached at his Connecticut home over the week-end, Plunkett verified the statement that Kahn has no option on the company. Plunkett declined to comment on whether the withdrawal of the Loew-Warner bid would again bring him or associates of his into the Fox Met picture with a new bid.

Independent Warner Bid Unlikely

Also held as a possibility, though considered unlikely, is an independent bid for the circuit by Warners, who were prepared to participate in the $4,500,000 joint bid with Loew's up to $900,000. Under this bid, Warners were to acquire only the Fox Met holdings in New Jersey, 18 houses in all. The Brooklyn, Long Island, Manhattan and up-state holdings, to which the Warner bid would relate, will not be included.

Warners were originally interested in making a bid of their own for the entire Fox Met holdings and a spirited bidding tussle between that company and Loew's was foreseen at the time. A maneuver by A. C. Blumenthal, brother, brought the two companies together, however, and resulted in a joint bid. With the withdrawal of Loew's from the bidding Friday, Warner's offer is now the only one in the field.

The official reason given by Loew's for the withdrawal of the bid was that a decision had been reached that acquisition of Fox Met would be an unprofitable investment. Unofficially, it is reported the withdrawal was due to legal complications developed by minority bondholders, which are said to have clouded title to the circuit's assets pending decision on the possible long-drawn-out legal battle that will result from possible claims to assets of the theatre acquisition, which have been emphasized by continuance of the Loew-Warner negotiations by the Department of Justice.

Indie Houses Fortified for Circuit Fight

(Continued from page 1)

opening gun to demand better playing time on next season's product has been fired by the doings of Loew's and Consolidated, which during the past year has been taking it on the chin on bookings in Loew's and RKO circuit. RKO is trying to find other outlets for its pictures, and Consolidated has been able to demand and get concessions which will now be afforded Loew's by Cable Brown.

It is also possible Skouras may join the pool with his Manhattan houses. George Skouras last year was tied up with RKO in a booking arrangement which expired Aug. 1. He is a friend of Sam Cocalis and is understood to be in the market for preliminary talks on the pool.

Meanwhile Loew's and RKO are not backing down on new acquisitions despite withdrawal of the former from the Fox Met metropolitan circuit. RKO has taken another big step in the independent field and Loew's has deals on for several theatres bordering RKO domain. The deals are expected to be closed this week.

Yates Wants Indie Exchanges Merged

(Continued from page 1)

crystallizing in it with product to be financed next season. Other independent exchanges also are expected to be interested in the pool.

A number of independent producers being financed by Consolidated have franchises with exchanges which have some time to run. These exchanges are expected to be brought into the plan upon expiration of contracts.

Racing a Headache for R. I. Theatres

(Continued from page 1)

Narragansett race track in Pawtucket which has lured unprecedented crowds since Aug. 1.

Racing will continue through Aug., lay off in September and resume in October for another month. Movie men, however, hope to catch some movie interest even if the maintainers are heartbreaking.

Nathanson to England

TORONTO, Aug. 5.—N. L. Nathanson, head of Famous Players Canadian, is on his way to England to look over theatre developments. Nathanson, who heads Paramount, is being accompanied by Fred Gibbons, director of theatres, and Ben Geldsaefer, both of the head office of Famous Players, are on a tour of exchanges.

Earnings of the company for the period ending with the close of August are expected to be well over all bond charges.

Centralia Usurers Strike

CENTRALIA, Ill., Aug. 5.—In an effort to force recognition of the Usurers' and Ticket Sellers' Union, ushers and ticket sellers of local houses have gone on strike.
CANCELLATION ROWS FAIL TO REACH BOARDS

(Continued from page 1)

Hollywood Personalities

Hollywood, Aug. 5—Roger Imhof and Sarah Haden latest additions to Fox’s “Music in the Air,” featuring Gloria Swanson, John Beal, Red Skelton and other popular players. . . . Raoul Walsh back from New York. . . . Warner Oland offers reward for lost hat. . . . Grace Moore celebrated third wedding anniversary at Yacht. . . . Others back from Yacht. In contrast to this Alison Skipworth celebrated her 58th birthday working at Columbia. . . . Elsa Buchanan secured an important role in Fox’s “Charlie Chan in London” over several others because she could be frightened easily and hold it for a song—May and Hardy fishing off Catalina coast line for big fish game with tutors to show them how it’s done. . . . Franklin Pangborn back at Universal for a spot in “Imitation of Life.”

BUFFALO LEGION HAS 82 APPROVED FILMS

Approximately 85 simultaneous release dates during the week of Oct. 1 are being set by Warners on the New E. Brown picture, “Six-Day Bike Rider,” to capitalize on national exploitation campaign from Sept. 25 to Oct. 31. The campaign involves the use of 20 leading magazines, and the American Weekly and Metropolitan Weekly tieup to advertise the show. Boxing tieup with the Quaker Oats Co. Joe E. Brown will award the prizes to winners and every entrant in the contest will be made a member of the Brown Club.

Both Quaker Oats and Warners will send exploitation men on the road, stimulating the campaign between stores and theaters. Bicycle displays will be made available for theater lobbies and trailers and broadside tieups are planned. As far as the campaign is concerned, S. Charles Einfeldt, Warner advertising head, engineered the tieups.

COURY TO MONTGOMERY

MONTGOMERY, Ala., Aug. 5—W. J. Coury is the newly appointed manager of the Strand. He comes to Montgomery from the Lexington, Kentucky, where he has been for the past year. Coury has been with R. B. Wilby Theatres for a number of years.

PLAN 350 DAY, DATE OPENINGS ON BROWN

BUFFALO, Aug. 5— Buffalo Legion has 82 approved films, (Continued from page 1), and a fully audience suitability, and 16 are accorded “excellent” rating. The list includes the Walt Disney “Steamboat Willie,” the International Federation of Catholic Alumnae, Dr. Schweger’s new for the next year, Vincent R. McPhail, president, says he will have Paramount, M-G-M, Warners and First National, United Artists and Fox.

BUFFALO PRODUCT IS SET

BUFFALO, Aug. 5— Buffalo Theatre, Inc., is virtually set on product for next season. Vincent R. McPhail, president, says he will have Paramount, M-G-M, Warners and First National, United Artists and Fox.

MOTION PICTURE DAILY

MONDAY, AUGUST 6, 1934

K.C. DECISION

On Bank Night to Campi

KANSAS CITY, Aug. 5—Eleven alleged errors in the grievance board dealing with the recent case of Bailieff’s are cited by Emmett Thurman of Denver, counsel for E. S. Young, the respondent exhibitor, in an appeal brief filed with Campi.

They pertain chiefly to the board’s ruling that the plan is a lottery and to the finding that Young’s house, the Roanoke, is in competition with the theatre of the complainant, Mrs. A. Baier.

The grievance board had “no authority to order to prevent or restrain or exercise any of the terms or provisions of the theatre code pertaining to the matters involved in this case” until 75 per cent of the exhibitors in this area declared in writing against the things money operates in the cause of action,” it is contended in the appeal brief. Also, it is charged the board erred in ruling out bank nights because the aforementioned vote had not been taken up to the time of the hearing.

That vote, incidentally, was certified to by the highest court of the bank night and the appeal brief notes “It is part of the rules of the appeal that a vote of the court is a part of the record of the appeal case.”

The question of what is and what is not a lottery is a question that has been left to the courts in numerous decisions,” according to the appeal brief. “Furthermore, according to the record, numerous cases that bank night is not a lottery has operated according to contract. The question is a legal one which can be decided only by the courts and not by a grievance board under the motion picture code.”

The appeal brief asks Campi to reverse and vacate the decision and clarify it void and to direct the board to refrain from enforcing the decision.

“TANGO” BALL HITS K.C.

KANSAS CITY, Aug. 5—Added to the regular commercial, legitimate, vaudeville and other attractions are the “Tango” Ball to be held here, according to the Board of Commerce.

The Daily Hist Ball has been held here and the “Tango” Ball has also been held here, according to the Board of Commerce.

BRIENT C. OF COFFER

RICHMOND, Va., Aug. 5— Elmer H. Brient, manager of Loew’s, has been elected a member of the board of directors of the Chamber of Commerce.

He is also serving as chairman of a sub-committee of the N.R.A. educational committee and as chairman of the library radio programs designed to tell the story of N.R.A. work.

“WANTED” NOW PURSUED

Hollywood, Aug. 5—Fox has set the “pied” as the definite release title of “Wanted.” The picture co-features Rosemary Ames and Victor Jory.

BUFFALO LEGION HAS 82 APPROVED FILMS

BUFFALO, Aug. 5—The Buffalo Legion has 82 approved films, (Continued from page 1), and a fully audience suitability, and 16 are accorded “excellent” rating. The list includes the Walt Disney “Steamboat Willie,” the International Federation of Catholic Alumnae, Dr. Schweger’s new short subject, and numerousothers which are sought after because they can be frightened easily and hold it for a song. The campaign starts on Sept. 25 and runs until Oct. 31. Exhibitors are urged to send exploitation men on the road, stimulating the campaign between stores and theaters. Bicycle displays will be made available for theater lobbies and trailers and broadside tieups are planned. As far as the campaign is concerned, S. Charles Einfeldt, Warner advertising head, engineered the tieups.

SPOKANE AMUSEMENT REPORT RETURNS UP

(Continued from page 1)

period of 1933, the Fox, Orpheum and State furnished amusement to 21 per cent more people. During June, the books showed a six per cent improvement. Splendid monetary returns are reported by the growers of grain and the producers of increased acreage and returns from both silver and gold mining properties located in the district. The O’Daire mining belt have been good.

NEW HOUSE FOR WACOULAH

WAULUFA, FLA., Aug. 5—A new theatre is being built here by Walter C. House of Ocala, Florida. It is stated that the house will be ready within 90 days. The Royal, operated by George Stoner, is the other house here.

BUFFALO PRODUCT IS SET

BUFFALO, Aug. 5—Buffalo Theatre, Inc., is virtually set on product for next season. Vincent R. McPhail, president, says he will have Paramount, M-G-M, Warners and First National, United Artists and Fox.

SHEA BALLETT TO QUIT

BUFFALO, Aug. 5—After 15 months of stage work in Shea’s Ballett Building, Bally has broken his contract. He is not married or in any other way tied up. His contract expires on July 15. One was for “The Life of Jig and Wags” and the other for Human Bondage.

(COMPLETE PAGE 3)

BUFFALO, Aug. 5—Shea’s Ballett is breaking up his ballet, known as the Shea Ballett. At least 12 of the girls in the company will retire and the remainder will be transferred to other locations. Among those transferred is Evie “Chauve Souris,” who tours four of picture houses in New York Aug. 17. The remainder of the ballett is transferred to Buffalo for new line in Shea’s Ballett.

(Continued from page 1)

with greatest frequency in Milwaukee, St. Louis, Kansas City, St. Louis and New York. The correspondees ascertained from various sources that there are no signs of an exhibitor bringing his cancellation before the boards to determine the validity of his complaint is known to date.

In the past three years, the exchange has been dispatched to exchanges by office, four district headquarters at the time the moral cancellation ruling was inaugurated, it was made clear that any picture released prior to July 15 to which there has been a “boiled-fish” protest by any good moral churches may be cancelled. The exchange manager is expected to determine the validity of the moral complaint and pictures for which cancellation is sought by the exhibitor and he is expected to act on the complaint only in the event he is not convinced that the moral objections to the picture cited by the exhibitor are bona fide. In that case the exchange instructions provide that the exhibitor may then submit his claim or appeal to the local grievance board.

MUST DECIDE RELEASE DATE

The local board, sitting as an arbitration body, is expected to decide only whether the picture in question was released prior to July 15, whether the exhibitor has publicly or privately denounced the local moral boards, and whether a moratorium on exchange has been made against the picture and whether such protest was genuine and was made in good faith. But these three considerations have been determined affirmatively by a grievance board, the exhibitor’s right to cancel is unquestioned, and the exchange then refuses to permit the cancellation, there is a clear violation of the intent of the distributors. July 15 and the exhibitor’s complaint is a valid one.

An effort to obtain specific information concerning the exchanges claimed against and the pictures involved in the case, together with the list of the complainant exhibitors, has been made by Motion Picture Daily correspondents in the cities named without success.

PITTSBURGH, Aug. 5—Local exchanges express surprise over the small number of requests for cancellations of religious grounds received to date. Typical is the record of the KO exchange here which reports only three religious cancellations up to July 15. One was for “The Life of Jig and Wags” and the other for Human Bondage.

(COMPLETE PAGE 3)
UNIVERSAL'S MARVELOUS 30-STAR-SPANGLED MELODY-DRAMA SENSATION!

Stars of screen, stage, radio, all wrapped up in a big bundle of STORY and SONG and spilled on the screen in great gobs of ENTERTAINMENT!
GYAB

The Smartest Show
On The Screen!

EDMUND LOWE
GLORIA STUART
PAUL LUKAS
CHESTER MORRIS
Binnie BARNES
KARLOFF
GRAHAM McNAMEE
ALICE WHITE
VICTOR MOORE
HUGH O'CONNELL
STERLING HOLLOWAY
DOWNY SISTERS
DOUGLAS FOWLEY
HELEN VINSON
ALEXANDER WOOLLcott
RUTH ETTING
PHIL BAKER
ETHEL WATERS
DOUGLASS MONTGOMERY
ROGER PRYOR
GENE AUSTIN
BELA LUGOSI
JUNE KNIGHT
ANDY DEVINE
GUS ARNHEIM'S ORCHESTRA
HENRY ARMETTA
BEAL STREET BOYS
WINI SHAW
CANDY AND COCO
SURPRISE PERSONALITY


T'S MUSICOLOSSAL!
RKO Receiver Bills Pruned
To $105,000

(Continued from page 1)

American only,” he asserted. He has received bonuses for jobs from more than 100 men.

"Gaumont British will proceed in a small and quiet way and try to gain the confidence of American exhibitors," he said. "Announcements will be made from time to time in the trade press of "Maryvites.""


"We want the biggest American stars for our pictures," Bernard stated. William O'Brien, British theatrical agent now on the coast, has been commissioned by the company to sign two stars. George Arliss will make three for the company.

Bernard is going to put American stars in about nine pictures. With the American players will be English performers, who will be exploited to audiences here for future picture values.

Discussing the clean film campaign, the G-B managing director stated that the public in England is shopping when it goes to see American pictures. He said Britishers are slowly clearing of them and are demanding home made product.

"About 90 per cent of American pictures released abroad are fiascos," he said. "The public in England is getting sick and tired of what various actresses wear and what they don't wear.,"

"Andy" Is Top in Buffalo, $14,000

BUFFALO, Aug. 5—"Handy Andy," plus a strong stage show, gave the Buffalo its best week of the summer, its $14,000 take being only $300 under normal. Heavy rain broke the brief spell, at least temporarily, at the end of the week.

The take was $30,800. Average is $3,550.

Estimated takings for the week ending Aug. 2:

"HANDY ANDY" (Fox) 
BUFFALO-7,500, 3-6c-7c, 6 days, 7 weeks. Stage: Stock Pickens Sisters, Moore & Revel. Lucile Pace, Paul Sydell and Spottugi. Gross: $1,070. Average: $150.

"STRICTLY DYNAMITE" (Radio) 

"ENLIGHTEN THY DAUGHTER" (Standard) 

"UNCERTAIN LADY," (Univ.) 

Shift St. Louis Managers
St. Louis, Aug. 5—William Reid, former manager of the Lafayette, has been made manager of the Pageant by Leto Hill, general manager of the Pageant and Lafayette. Mr. James Walker, formerly at the Pageant, has been moved to the Aubert; George Burke goes from the Pageant to the Lafayette; Harry Fox goes from the Congress to the Kingsland, and Jack Hoeth of the Union has shifted to the Union. The Union has closed for alterations. Ed Burke, formerly at the Aubert, has been transferred to the Grays.
HERE IT IS

All the facts for 1934
All the signs for 1935

EVERY phase of production, distribution and exhibition is fully covered in the more than 1,000 pages of this vital book.

FOR the production and distribution executive there are hundreds of pages filled with trade information of extraordinary value: theatres, seating capacities, management personnel, box office figures, trends in production here and abroad, financial summaries for the year—everything with which to check the past and chart the future.

FOR the player, director, writer, artist and technician there is an important compilation of studio data—including more than 10,000 minute biographies used wherever pictures are made, sold and exhibited.

FOR the exhibitor the 1934-35 Almanac is indispensable: there are codes in full, rules and regulations affecting theatre operations, facts on theatre maintenance, equipment, list of vendors and other operating data.

Order Your copy today
$5.00

MOTION PICTURE ALMANAC

1790 Broadway
“Handy Andy” Denver Smash With $10,000

DENVER, Aug. 5.—“Handy Andy” demonstrated that it could overcome all kinds of competition last week. The $10,000 take at the Denver was over par by $4,000. This was in spite of the fact that thousands went to Cheyenne for the “Frontier Days” show and others went 47 miles up in the mountains for the play festival at Central City.

Just one other first run, the Orpheum, with “Stamboul Quest,” reached par.

Total first run business was $21,800.
Average is $16,500.
Estimated takings for the week ending Aug. 2:

"RETURN OF THE TERROR" (F. N.) ALADDIN—$2,800, 15c-35c. 7 days. Gross $2,000. (Average $2,857).
"ELMER AND ELSE" (Para.) DENHAM—$2,150, 15c-35c. 7 days. Gross $2,100. (Average, $2,171).
"HANDY ANDY" (Fox) DENVER—$4,500. (Average, $6,000.)
"STAMBOUL QUEST" (M-G-M) ORPHEUM—$2,200, 25c-40c, 6 days. Gross $2,000. (Average $3,333).
"HE WAS HER MAN" (Warner) PARAMOUNT—$2,200, 25c-40c, 4 days. Gross $1,500. (Average for week, $2,500).

"LET'S TALK IT OVER" (Univ.) CORT (Col.) PARAMOUNT—$2,500, 25c-35c, 3 days. Gross $290. (Average for week, $2,500.)

Providence Dull; “Interlude” Leads

PROVIDENCE, Aug. 5.—Torrid weather continues to be the bane of exhibitors here. Loew’s State managed to catch $10,000 with a stage and screen offering, but this figure was $2,000 under average. The picture was “Paris Interlude” and Kenneth Hart was on the bill.

The Majestic was under with “She Learned About Sailors” and “Charlie Chan’s Courage,” catching around $4,500. The RKO Albee netted $5,000, and the Paramount $4,000.

Total first run business was $24,450. Average is $33,500.
Estimated takings for the week ending Aug. 2, $33,500.

THE FAMOUS SOPHIE LANG (Para.) PARAMOUNT—$2,200, 15c-40c, 7 days. Gross $4,000. (Average, $6,000.)
PARIS INTERLUDE (M-G-M) LOEW’S STATE—$3,000, 15c-40c, 6 days. Kenneth Hart on stage. Gross $10,000. (Average, $2,000.)
*SHE LEARNED ABOUT SAILORS* PARAMOUNT—$2,200, 15c-40c, 7 days. Gross $4,000. (Average, $7,000.)

"CHARLIE CHAN’S COURAGE" (Fox) MAINE—$175. (Average, $7,000.)
WHEN THE GODS DESTROY" (Col.) BACHELOR BAIT (Col.) RKO VICTOR—$2,200, 15c-40c, 4 days. Gross $1,500. (Average, $2,200.)
*ST. LOUIS WOMAN* (Scriencraft) RKO VICTOR—$1,050. 35c-40c. 4 days. Gross $450. (Average, $1,000.)

Seattle Dull; “Bondage” Is Fair, $6,000 With $12,000

Cleveland, Aug. 5.—Not one of the first runs made par last week, but “Of Human Bondage” and “Man with Two Faces” came closer to it than any of the others.

The $6,500 take at the Music Hall was $6,000, under the line by $500, and the Warner picture at the Music Box was good for $3,800, below normal by $10.

Total first run business was $25,000.
Estimated takings for the week ending July 31:

BESIDE (F. N.) REGGANS IN ERMINING (Mono.) BLUE HOUSE—$500, 25c-35c, 7 days. Gross $5,000. (Average, $7,000.)
OPERATOR 13 (M-G-M) FIFTH AVENUE—$2,400, 25c-35c, 7 days. Gross $2,000. (Average, $7,000.)
SILENT LIMITS (M-G-M) GLOBE—$1,000. 35c-40c, 7 days. Gross $700. (Average, $400.)
SWEDEN, LAND OF VIKINGS (S. R.) lib—$1,000, 15c-25c, 8 days. Gross $2,500. (Average, $400.)
MAN WITH TWO FACES (Warner) MUSIC BOX—$2,500, 25c-35c, 7 days. Gross $2,000. (Average, $500.)
OF HUMAN BONDAGE (Radio) MUSIC HALL—$2,250, 25c-35c, 7 days. Gross $1,600. (Average, $400.)
FOR THE PRIVATE CAR (Radio) LOEW’S STILLMAN—$1,500, 25c-35c, 7 days. Gross $1,200. (Average, $1,500.)

Mark Greenbaum Buried

CLEVELAND, Aug. 5.—The funeral of Mark Greenbaum, 72, who died Monday night following a heart attack, was held at his home here today. Greenbaum became an exhibitor in 1911 when he built the Dean for many years he was associated with Fred Desberg. Ed Strong, Wilmund Manderlbaum and Joseph Largon in the Mall and Stillman theatres which later were combined into Loew’s Ohio Theatres. Four daughters and one son, Jack, survive.

DeMille Talks Set For K. C., Detroit

KANSAS CITY, Aug. 5.—Cecil B. DeMille’s swing around the country to discuss films will bring him here Aug. 12 to the Community Church of which Dr. Joseph Myers is associate pastor. Dr. Myers says he understands DeMille made a defense of pictures against the present church drive.

DETROIT, Aug. 5.—Cecil B. DeMille’s talk here will be to an invited audience at the Fisher. Tickets are being allotted to civic, business and religious organizations by George W. Trelle.
Legal Fight On ASCAP to Be Set Today

Emergency Committee To Handle Problem

Formation of a plan of legal action to oppose the music tax increases announced for Oct. 1 by the American Society of Composers, Authors & Publishers was to be developed today at a meeting of the executive committee of the national exhibitors' emergency committee which is waging the battle against the new schedule.

Indications are that the plan will closely parallel the anti-trust action now being waged by the A.S.C.A.P. by radio broadcasters, trial of which is scheduled for this fall in U. S. District Court here. The radio broadcasters' action seeks dissolution of the society. (Continued on page 3)

Broadway Grosses Continue in Slump

Broadway grosses continued in the old slump last week, with "Here Comes the Navy" making the best comparative showing at $20,849 in the second week at the Strand.

The Capitol had a bad week with Paris and the Capturing only $718 in grossing only. (Continued on page 4)

Inter-Faith Films Meeting Postponed

The meeting scheduled for yesterday at the rectory of Holy Cross Church, at which the inter-faith committee was to formulate plans for a house-to-house campaign to distribute clean film pledges, has been indefinitely postponed, according to Father Joseph A. McGeary, chairman. Various sub-committees were scheduled to name their assistants, who were to do the actual canvassing, and to discuss plans for extending their campaign.

It was stated that no meeting is planned in the near future.

Salt Lake Rulings Delay Church Shows

SALT LAKE CITY, Aug. 6.—After 16 years of intermittent agitation the problem of 16-cent film shows given in the 22 ward houses of the Mormon church has been settled by the grievance board. The ruling is that film will be withheld until 90 days after

(Continued on page 3)

Favors Long Small Town Clearances

Are Needed More Than In Cities: Dubinsky

KANSAS CITY, Aug. 6.—The smaller the town, the greater should be the first run protection, according to Ed Dubinsky, head of Dubinsky Bros. theatres, in protesting clearance for St. Joseph, Mo., set up by the local clearance and zoning board.

Dubinsky makes that assertion in a comparison of schedules adopted for St. Joseph and Wichita, Kan. He points out St. Joseph has a considerably smaller population, yet clearance for first runs charging from 25 cents to 40 cents or more is similar in schedules adopted for both cities. Double feature protection is identical.

"The board did not render a fair judgment," he said. (Continued on page 3)

First Runs' Scales May Go Up in K.C.

KANSAS CITY, Aug. 6.—The prevailing 25-cent scale in all Kansas City first runs may be hiked to 40 cents by Aug. 31. It is reported one downtown first run is tentatively set to make the shift Aug. 17.

Chief speculation centers about Loew's Midland, which was the original price cutter.

Improve Seven Here With De Luxe Ready

Seven local theatres are being remodelled for immediate reopenings. The Leff-Meyers circuit completes alterations at the Belmont, which reopens tomorrow night as the De Luxe. Abe Leff also has taken the Freeman in the Bronx which will be remodelled shortly for opening next month. Others being remodelled are the Ritz, Majestic and University in the Bronx, Temple, Union City, and Peerless, Bay Ridge, Stanley Frame Co. is doing most of the work.

Hollywood's Extra List Cut to 8,000

Hollywood, Aug. 6.—After several months of pruning, the extra list has been cut to about 8,000 selected names. These will be asked to qualify through a questionnaire now being mailed. The questions deal mainly with whether the extras depend upon their work for a living.

DeMille Anniversary

Cecil B. DeMille will celebrate his 32nd wedding by attending the "Cleopatra" premie-re at the Paramount Aug. 16. He has arranged his cross-country trip so that he will be there.

"Mrs. DeMille and I are heartily in agreement," he wired. "We have tested that day and found it a good omen for a long run."

May Set Back Jersey Duals Deal in Fall

Inauguration of a single feature policy in New Jersey may be set back from Sept. 3, the tentative date agreed upon, by independent exhibitors.

Because of the proximity of the date, exhibitors are asking for more time to rearrange bookings. Major circuits are set to drop twin features as soon as independents are ready.

Coast Production Up to 36 Features

Hollywood, Aug. 6.—Production continues to increase with a total of 36 features and seven shorts in work as compared to 34 and nine for the previous week. Many new features are promised to get under way soon. Twenty-three are in the final stages of preparation, while 42 are in the cutting rooms.

WARNERS MAY PRESENT BID FOR FOX MET

Thomas Admits Prospect If Foreclosure Comes

The possibility of Warners making an independent bid for Fox Metropolitan Playhouses in the event the circuit goes through a foreclosure sale was admitted by Abel C. Cary, Thomas Warner's general counsel, at a hearing before Federal Judge Julian W. Mack yesterday.

He stated that Warners will bid for the property, whether the bid would be for the 18 Fox Met. holdings in New Jersey only, or for the entire circuit, and what amount the company is prepared to bid was not disclosed. Under the joint Loe- Warners bid of $4,800,000 which was withdrawn last week, exhibitors were prepared to participate up to $900,000.

(Continued on page 2)

Yates Denies Any New Exchange Plan

Declaring "there is absolutely no truth to the story," Herbert J. Yates, president of Consolidated Film Industries, yesterday denied Motion Picture Daily's story that independent exchanges handling Consolidated financial product would be merged in each key center.

Yates added: "I have never even thought about it."

Closing of Center Saves RKO $17,500

Closing of the RKO Center reduced the rent paid on the RKO City Theatres by $17,500 for the current month, it was stated at RKO yesterday. The former monthly rent of $30,000 for a new bankruptcy laws will

RICHARDS IS NAMED PERMANENT TRUSTEE

NEW ORLEANS, Aug. 6—E. V. Richards was named permanent trustee for Saenger Theatres and Saenger Realty Corp., under Section 77-B of the new bankruptcy laws, by the U. S. District Court here today.

Reorganization of the two companies under the new bankruptcy laws will

BANKRUPTCIES DOWN; NO DAVIS SUCCESSOR

The decreasing number of corporate bankruptcies may eliminate the necessity of appointing a successor to the late Henry K. Davis, referee in bankruptcy, who was in charge of

G-B Deal for Roxy Awaits Mark Ostrer

After preliminary talks between Jeffrey Bernard and Howard S. Cullman, Gaumont British's deal for the Roxy now awaits arrival of Mark Ostrer, head of the financing company behind the British firm. A short-term option may be taken first.

Over the week-end, negotiations were resumed with the idea of having G-B's entire lineup booked into the house. Motion Picture Daily originally reported the deal several months ago.
WARNERS MAY PRESENT BID FOR FOX MET

Continued from page 1

Warners may be ready to acquire the theater holdings of the Astor when it changes hands, according to the source who first disclosed the possible sale of the Astor and the Criterion to Lake. Warners were, however, ordered by the Federal Trade Commission to cease and desist from discussions with the Astor. Warners are not sure whether they will go ahead with the purchase of the Astor, but they have not abandoned the idea.

FROST'S MET: There has been no further development in the negotiations for the acquisition of the Metropolitan by Frogs. Frogs continues to show interest in the Met, but it is not clear if they will be able to make a bid for it.

ALIENATED: The owners of the Astor and Criterion have been alienated by the offers from Warners and Lake. They are considering other options for the sale of their theaters.

RUSSELL SPAULDING SUES: Russell Spaulding, the producer who sued the Astor and Criterion for $500,000, has been ordered by the Supreme Court to pay costs of $100 to the defendants. The case is being reviewed by the United States Supreme Court.

N. O. MEETING CALLED OFF: The New Orleans meeting of the Motion Picture Association of America was called off due to the illness of a top executive. The meeting will be rescheduled for a later date.

ASTOR MAY GET "WIDOW" TITLE: The Astor, known as "The Merry Widow," is tentatively slated to reopen the Astor on Aug. 31.
Legal Fight
On ASCAP to Be Set Today
(Continued from page 1)

as a monopoly in restraint of trade. The exhibitors' legal committee has been studying the brief filed by the corporation. Attorney D. Baker of Cleveland, who is attorney in the action. The Independent Exhibitors' Protective Assn. of Philadelphia has already taken steps to join with the broadcasters in this action.

Other courses of legal action are also open to the exhibitors, it was pointed out by members of the committee. Once agreed upon a plan, the committee will turn over its prosecution to an outside law firm to be retained for the purpose. The firm of Crouse, de Gersdorff, Swaine & Wood, which has acted on various occasions for film companies in anti trust suits, is among the law firms prominently mentioned in this respect.

The legal committee is slated to report back to the main emergency committee at a meeting of the latter tomorrow.

J. P. McEvoy, Paramount contract writer, and Collier's were victors in a test in Federal district court here establishing the right of authors to quote copyrighted songs in fiction stories. Shapiro-Bernstein, music publishers, filed the suit following McEvoy's use of a song in his recent story, "Are You Listening". In the decision handed down by Judge Henry W. Goddard late last week it was held that the use of quotations from copyrighted songs in fiction is not a violation of copyright.

Richards Is Named
Permanent Trustee
(Continued from page 1)
be undertaken in the near future. A reorganization plan for Saenger had been completed just prior to the signing of the new laws by the President. Saenger petitioned for reorganization under this enactment last month and Richards was named temporary trustee. The new legal status of Saenger as a debtor corporation will necessitate only minor changes in the original reorganization plan, it is understood.

Bankruptcies Down;
No Davis Successor
(Continued from page 1)
Paramount Public and other large bankruptcy proceedings, the U. S. District Court here indicated yesterday. So many of today's financially embarrassed corporations are petitioning for reorganization under Section 77B of the new bankruptcy laws rather than filing petitions in bankruptcy, that the seven referees in the metropolitan district are considered ample for handling current bankruptcy proceedings, it was indicated.

Wampas to Preview Film
Hollywood, Aug. 6—Marx's "Young and Beautiful" will be previewed at the Wampas meeting Aug. 14 with the entire cast present.

No Public Hearing
Albany, Aug. 6—Irving M. Ives, chairman of the Assembly committee on public education, said today that he did not intend to hold a public hearing on the amendment to the education laws introduced by Assemblyman Charles H. Breitbart, which provides for a special censorship of films shown to children under 16, although it had been the understanding of the sponsor that such a hearing would be called. Ives reports having told Breitbart that the bill is highly controversial and should go over until the regular session in January.

J. M. Schenck Engaged
MONTE CARLO, Aug. 6—Joseph M. Schenck, president of United Artists, yesterday revealed his engagement to Merle Oberon, British actress who appeared in "The Private Life of Henry VIII." No date for the wedding has been set.

Schenck leaves for the United States Wednesday on the Conte di Savoia with Douglas Fairbanks, Sr.

Take "Her Secret" Rights
Trans-Oceanic Film Export Corp. has acquired the Spanish and Portuguese rights to "Her Secret," featuring Sari Maritza, from Ideal.

Reich Bars Picture
BERLIN, Aug. 6—The official Reichs undersecretary has barred showings of M-G-M's "Manhattan Melodrama" in Germany.

Salt Lake Rulings
Delay Church Shows
(Continued from page 1)
the last commercial run. The houses are limited to one film a week, one day a week.

Members of the Mormon Church pay $1 per month which entitles all members of the family, regardless of number, to attend these shows, and any one else can get in for 10 cents. The complaint was brought by Intermountain Theatres Ass'n.

In another case brought by the association against the Peaceful Green Ward House, at Magna, the clearance was set at 365 days after Salt Lake City first runs.

Bank Nights Again
Hit by K. C. Board
KANSAS CITY, Aug. 6—The grievance board here today ruled against bank nights when it ordered the Colonnial, Southtown and Westport theatres to end the practice. While declaring it did not feel itself obligated to consider the technical definitions of what constitutes a lottery, the board found that bank nights evade the definitions of a lottery and the lottery laws.

The board held the practice reduced admissions and thus created unfair competition. Appeals will be filed.

Koenig to New York
MILWAUKEE, Aug. 6—Ben Koenig, secretary of the local code boards, will be in New York to attend the hearing on the Milwaukee clearance and zoning schedule before Campi Aug. 9.

Favors Long
Small Town Clearances
(Continued from page 1)
decision on the evidence presented by both sides," said Dubinsky, who is appealing the St. Joseph setup for Campi. "It looks as if they copied the Wichita schedule for St. Joseph. There is no comparison between the two situations."

As proof of his contention that prior runs in smaller towns should receive long protection, he points to the schedule ordered for Atchison, Kan., where first runs charging 20 cents more than second run are allowed eight months' protection.

The board adopted the St. Joseph schedule as its decision on the complaint of subsequents against the Dubinsky first runs. Subsequents are reported as satisfied, as first run clearance for theatres charging 25 cents, now top at Dubinsky houses, is cut to 60 days from existing protection of 132 days second city run, with 14 days additional over each five-cent drop in admission at subsequents following second city run.

G-B Leases Lion Plant
LOUISVILLE, Aug. 6—Gaumont British has leased the British Lion plant at Beaconsfield with the personnel for a period of two months. Demands for floor space at Shepherd's Bush and the fact that the plant will be closed for a two-week overhaul caused the move.
Broadway Grosses Continue in Slump

(Continued from page 1) $20,000, but picked up over the week-end with "Girl from Missouri," which grabbed $21,000.

Other takes were:

PALACE — "A Phantomed Way" (Paramount—Vandervelde)=$11,000.

PARAMOUNT — "Ladies Should Listen" (Para.), Stage show=$19,000.

ROXY — "The Cat's Paw" (Radio)=$12,500.

RKO — "House of Rothschild" (U.A.), Stage show=$62,200.

Radio — "Cockeyed Cavaliers" (Radio)=$8,000.

The Films id $4,600 over the week-end with "Handy Andy."

"The Girl from Missouri" is being held for a second week at the Capitol as is "Handy Andy" at the Roxy. On Thursday, the Music Hall opens with "The Most Precious Thing in Life," to be followed with "The Cat's Paw" and "Down to Their Last Yacht."

Coast Production

Up to 36 Features

(Continued from page 1) with six in work, one preparing and eight cutting; M-G-M has four, three and 12; Fox, four, three and five; Paramount, four, three and two; Universal, four, two and three; Columbia, three, three and four; Radio, three, four and three; Goldwyn, two, zero and zero, while the independent units report six, four and five.

In the short subject division M-G-M has two working, one preparing and four editing; Roach, zero, zero and one; Columbia, zero, two and three; Radio, zero, zero and nine, while the independents show five, six and five.

Film Councils Active

LOUISVILLE, Aug. 6.—A public meeting in the fall for the purpose of discussing the clean film drive was planned by the Better Films Council and members were told by Mrs. Emmet F. Horine, who presided, that the way to "properly and successfully combat despicable film conditions" was to support the M. P. Research Council.

To Discuss Film Drive

A lecture and discussion of the "Church Crusade Against the Hollywood Film" is scheduled by the Film and Photo League, 12 East 17th St., tomorrow night.

Lederman Joins Warners

Hollywood, Aug. 6.—D. Ross Lederman, film publicist, who recently completed his 27th action film for Columbia in two and a half years, has signed a long term Warner contract.

Warner Doing Caliente

Hollywood, Aug. 6.—Warners are planning to team Franchot Tone with Dolores Del Rio in "In Caliente." Production will soon get under way on location at the Mexican resort.

Closing of Center

Saves RKO $17,500

(Continued from page 1) the two houses was thus reduced to $32,500 for August.

Recent leases on both the Radio City theatres and the RKO office space expire Aug. 31. Negotiations are under way for renewals of the leases at approximately the same terms that are now in effect. K-A-O, which lists the Palace in its holdings, has been advocating moving its headquarters from Radio City to the Palace as an economy measure. RKO is not considering the move and K-A-O would oppose K-A-O's transfer of headquarters if the latter insisted, it was stated on good authority.

The present lease arrangements on the Music Hall call for a participation in profits of the house by Rockefeller Center and the existing $50,000 monthly by payment of operating expenses of the house and maintenance of a working fund, and the reserves fund of $25,000. Rockefeller Center may participate in profits after the above-mentioned provisions up to $35,972 additional.

Fire in Cicely House

CINCINNATI, Aug. 6.—Fire in the projection room of the Loew's Opera House destroyed 9,000 feet of film, and caused damage to the sound equipment, with loss estimated at $1,000, according to F. R. Crist, owner and manager. The audience left without demonstration when the blaze was discovered.

Zanuck Buys Stage Play

LONDON, Aug. 6.—Darryl F. Zanuck, production head of 20th Century-Fox, announces that he has bought the film rights to the English stage success, "Old Folks at Home," and will film it for release through United Artists. "Lady Jane" will be the release title.

Refuse to Loan Davis

Hollywood, Aug. 6.— Warner Bros. has bowed down to a demand of Bette Davis to Paramount for the featured role in "Limehouse Nights."

The reason given was that she was needed in England. At the same time Warners made a deal with Universal to lend Claire Dodd to that studio for "Rendezvous at Midnight."

Wisconsin Meet Set

MILWAUKEE, Aug. 6.—The annual convention of the Allied Independent Theatre Owners of Wisconsin is slated to be held Sept. 26 and 27 at the Hotel Schroeder, this city. Officers for the ensuing year will be named.

Bert Levy Dies at 63

Hollywood, Aug. 6.—Bert Levy, cartoonist who worked as an illustrator at the Paramount studios, died yesterday at the Cedars of Lebanon Hospital in his 64th year, after a long illness.

Donovan Is Secretary

LOS ANGELES, Aug. 6.—The actor-producer-director's five-operative committee selected Major J. O. Donovan as its official secretary.

Looking 'Em Over

"Ra-Mu"

(Fairhaven Prod., Ltd.)

Filmed by Capt. E. A. Salisbury on his round-the-world expedition, "Ra-Mu" is a travelogue packed with interest and rich in educational values.

The production takes the audience on a trail of adventure that begins in Bali in the Dutch East Indies and terminates in Abyssinia. On the way the camera records the lives of a variety of strange peoples, at the same time making picturesque travelogue. Some of the places visited between Bali and Abyssinia are Java, Sumatra, Ceylon and Arabia. Some amazing customs of the natives encountered by Captain Salisbury are revealed. These customs range from the humorous to the weird, even the tragic.

Among the most engrossing scenes in the picture are those depicting a few of the tricks of self-punishment practiced by the fakirs of Ceylon.

The narrative, spoken by William Peck, a member of the expedition, adds to the entertainment value of the picture, revealing a fine sense of humor. Running time, 61 minutes.

MOTION PICTURE DAILY's
HOLLYWOOD PREVIEW

"The Dragon Murder Case"

(Warner)

Hollywood, Aug. 6.—This murder mystery, solved in the fiction style of Philo Vance created by S. S. Van Dine, lacks the usual suspense build up. However, it may prove satisfactory entertainment for mystery film clientele due to the popularity of its main character even though it is slow.

An unusual murder takes place in a dragon swimming pool on the estate of Tony Consoli, the world-famous explorer. Anomisosity existing between the guests present at the swimming party supplies an interesting angle for solution by Warren William, as Vance. An eerie note is introduced by the suggestion of half-crazed Helen Lowell that the murder was committed by the dragon inhabitant of the ancient, remodeled pool.

William gets a hunch from a cloak mark on the neck of the strangled victim, apparently throttled under water. The solution involves the enactment of the crime, with the principal parties, during which time two more murders are committed.

The Allwine lunch hour, following that the murder was committed by Robert Bartnut, who had posed in a drunken stupor at the time of the crime. The crime is revealed as having been done in a diving suit with the mark on the victim's neck caused by an ordinary diving claw. Money the motive.

Harry Herbert and Robert N. Lee penned the screenplay. H. Bruce Humberstone directed, Margaret Lindsay, Lyle Talbot, Eugene Pallette and Miss Lowell have good supporting roles. Running time, 68 minutes.

"Kansas City Princess"

(Warner) Hollywood, Aug. 8.—This is a comic opera, colorful and racy, stacking up as a satisfactory programmer. It is fast-moving in action and dialogue, well-acted and directed, and built to click with regular theatregoers. The yarn majors in popular entertainment.

The story opens in a Kansas City barber shop. Manicurist Joan Blondell, at the urging of her pal, Glenda Farrell, takes a run-out powder on Robert Armstrong, a gangster, after losing his engagement ring. Chased by Armstrong, they make New York, meeting two playboys, Hobart Cavanaugh and T. Roy Barnes. They go off to Paris as Armstrong muscles in as bodyguard to Hugh Herbert, making the playboys pay their fare.

In Paris Herbert seeks to get the goods on his wife, Renee Whitney. Detective Osgood Perkins and Gigolo Ivan Lebedeff work a double-cross that costs Herbert big dough, but makes marriage for Miss Blondell and Armstrong possible and tobes Miss Farrell into Herbert's arms.

The Misses Blondell and Farrell make ideal foils for the Armstrong-Herbert tomfoolery, carrying the show. Perkins, Cavanaugh, Barnes, Lebedeff, Miss Whitney and Vine Barnett are effective, while William Keighley's direction takes advantage of the Manuel Seff-Sy Bartlett treatment. Running time, 58 minutes.
Dual Bill Ban Spreads; ITOA to Act Here Today

Cinci, Dayton, Columbus Schedules Changed

CINCINNATI, Aug. 7.—As a result of protests recently filed with the clearance and zoning board by exhibitors in the Cincinnati, Dayton and Columbus territories against the existing schedule, new schedules for the 1934-35 season have become effective. Five days for protests were allowed. The new schedules are based on the same basic principles and admissions, the admission basis being the minimum lower floor adult prices charged after 5 and 6 P. M. Within subsequent run desires to change its lower floor scale, it must give at least 14 days' (Continued on page 4)

Campi Gains Right To Sue for Dues

Washingon, Aug. 7.—Campi shall have the right to institute legal proceedings for collection of assessments under the code, according to an amendment approved by the NRA. Failure (Continued on page 4)

"U" Sets Two Deals In Music Hall, Roxy

Universal closed two deals yesterday, one for the Music Hall and the other for the Roxy. In the first instance, a lone film deal was made for "One More River," which goes into the Music Hall tomorrow. The picture, originally bought by the Roxy for the current program, was released to Universal.

The second deal is for "Romance in the Rain," which opens for an indefinite run at the Roxy Sept. 7 simultaneously with the Jewish pageant, "Romance of a People." (Continued on page 4)

Major to Eliminate Duals, Tip K. C. Scales in 3 Weeks

Loew's, Paramount and RKO will eliminate duals and increase admissions in Kansas City within the next three weeks, Sam Dembow, Jr., states.

The first two circuits drop second features in two weeks while RKO follows a week later.

In all instances admissions will be increased from 25 cents to 10 cents.

Independents are understood ready to adopt single films and likewise hike scales, but have been waiting for major circuits to move.

Dembow, Joe Vogel and Elmer Rhoden of Fox Rocky Mountain recently conferred in New York on the plan.

Premium Ban In K. C. Stirs Talk of Suits

KANSAS CITY, Aug. 7. — Revolt against the banning of rebates by exhibitor votes seems to be brewing here among premium users and their sympathizers, and there are rumblings of Federal court action to test the validity of the code in this respect.

E. S. Young, operating two theatres and a premium user, announced his intention of defying the vote which ruled out rebates after Oct. 27 in a six-county area including Kansas City.

"I intend to give away premiums" (Continued on page 4)

Slight Hopes Seen for New Fox Met Bids

Little likelihood of an outside bidder coming into the Fox Metropolitan Playhouses situation at this time is seen as a result of the product deals already closed for the bulk of the metropolitan territory which automatically make a second run circuit of Fox Met for next season, it was pointed out yesterday by those close to the situation.

In addition, it was learned that Warners are interested in acquiring only the 18 Fox Met holdings in New York. (Continued on page 6)

Seek Campi Ruling Upon Bank Nights

KANSAS CITY, Aug. 7. — Clarification of the bank night issue and a rule from Campi to apply nationally is the object of the appeal from the decision of the Kansas City grievance panel.

(Continued on page 4)

Judges Order Cuts In Bankrupt Costs

KANSAS CITY, Aug. 7. — Aroused by the fact that statistics from 91 judicial districts in the United States show the cost of bankruptcy administration to be higher in only nine

U. S. Films Showing Increase in Berlin

WASHINGTON, Aug. 7.—Two hundred and three first runs were screened in Berlin during the 1933-34 season as compared with 209 in the 1932-33 season, says (Continued on page 6)

Ohio Section Gets New Deal On Clearance

Washingon, Aug. 7.—Campi has the right to institute legal proceedings for collection of assessments under the code, according to an amendment approved by the NRA. Failure (Continued on page 4)

Four Key Spots Acting By Agreement, with Jersey Included

Elimination of duals by agreement between exhibitors in key cities is spreading, with four cities having either adopted the plan or ready to put it into effect within the next few weeks.

In addition, New York exhibitors, members of the I. T. O. A., have been called into session today at the Astor to discuss the single film policy. Harry Braust, president, will be chairman.

Cities already going on record favoring extinction of doubles are Cleveland, St. Louis, and Kansas City and a number of New York City exhibitors have had the single feature plan in effect since July 1 and has had only one violation, which has been

ASCAP Law Fight Plan Is Outlined

Although legal procedure against the American Society of Composers, Authors and Publishers under the anti-trust laws is favored by the national exhibitors' emergency committee formed to oppose the music tax increases scheduled for Oct. 1 by the society, the actual procedure will be

Coast Indies Will Discuss Breen O. K.

HOLLYWOOD, Aug. 7—Trem Carr, president of the Independent Producers Ass'n, has called a meeting next week of the entire membership to vote on the Hays office offer to pass on independents' product in connection with the purity seal.

Joseph I. Breen states many independent producers have availed themselves of his service in censoring scripts, but cannot give official certificates until both majors and independents can get together on some kind of a plan.

Bolognino, Springer To Operate Circuit

Operation of the 80-Trio-Consolidated houses in Greater New York will be handled by Laurence Bolognino, president, and Jack Springer, treasurer, of the new combine. Sam Co- calls, vice-president, will be in charge
Knight Given Award At Pittsburgh Lunch

PITTSBURGH, Aug. 7—More than 100 leaders in the industry in the tri-state area attended the Variety Club's annual luncheon, at which John M. (Harry) Knight, Warner manager in Fairmont, W. Va., was presented the Martin McGuigan award. June Knight won the award for his campaign on "Twenty Million Sweethearts.

Harvey Kalmine, zone manager for Warners, made the presentation speech. Knight was to have received the plaque on the coast several weeks ago, but illness terminated his trip to Hollywood in Chicago and he was sent to the John Hopkins Hospital in Baltimore for treatment.

One of the guests was Mayor William N. McNair of Pittsburgh, who spoke briefly. Others at the speakers' table were Dick Kemper, Warner manager in Wheeling, W. Va.; John Flynn and John Maloney, district and branch managers; M-G-M's Harold W. Cohen, film editor of the Post Gazette; Art Levy, Columbia exchange manager; Father Garrahan, Knight, Kalmine and McNair.

Rogers to Produce 10 Hollywood, Aug. 7.—Charles Rogers' new deal with Paramount calls for 10 pictures next season, a reduction of two from his current program. The elimination of the two pictures was made at Rogers' own request. He recently returned from New York where he spent two days after visiting his mother and brother.

Par. Bookings Set

Five pictures have been set for the Paramount to follow "Cleopatra." They are: "She Loves Me Not," "The Scarlet Empress," "Now and Forever," "Belle of the Avenue," and "Mrs. Wiggs of the Cabbage Patch.

Lou Goldberg Puts

Lou Goldberg, producer, who recently resigned from Columbia, joins the Brooklyn Paramount next week as publicity and advertising head. The house reopens Aug. 31.

Sells Oriental Rights

J. A. Koerpel, president of Eureka Film, has sold the Japan and China rights to "Jungle Killer" to Yamato Yoko of Tokyo.

20th, London Films Will Share Talent

LONDON, Aug. 7—Darryl F. Zanuck, production chief of 20th Century, has completed negotiations with Alexander Korda of London Films for the joint engagement of players and other film talent by the two companies, both of whose product is released through United Artists.

The move carries the plan for the interchange of film personalities between the two countries, each being able to carry out arrangements further. Now, instead of "loan" arrangements between the two companies, arrivals, directors and cameramen will be under contract to both producers at once.

Free Shows for Kids

LONG BEACH, L. I., Aug. 7—Free shows for children are being given during the summer by Mr. and Mrs. Lee D. Zimmern on a lot adjoining their home at 33 Ohio Ave. Here the property is 25,000 square feet, so Zimmern, but he has to rent the film.

RCA Patent Expansion

The closing of contracts with radio firms in Holland, France, Italy, Hungary and England conveying the right to use RCA patents, in return for royalty payments was revealed yesterday by David Sarnoff, RCA head, upon his return from abroad.

Mrs. Mayer Ill in Paris

PARIS, Aug. 7.—Louis B. Mayer, president of M-G-M, was here today from London to the bedside of Mrs. Mayer, who is ill in the American Hospital. Mr. Mayer's illness is not considered critical, however.

Use Cruise Background

HOLLYWOOD, Aug. 7.—Robinson Cruise will figure in Walt Disney's next Mickey Mouse, titled "Mickey's Monday." Warner Brothers will handle the release.

Appoints Argentine Head

Sam E. Morris, vice-president of Warners, has appointed Harry M. Novak as general manager in the Argentine and Uruguay. Novak has already taken up his new duties.

Many on Big Board Decline

Columbia Pictures, etc., 245 245 100 200
Eastman Kodak Co., 104 100 200
Fox Film "A," 105 100 200
Paramount "A," 105 100 200
RKO "A," 105 100 200
Warner Bros. "A," 105 100 200

Sentry Loses 1/8 on Curb

Loew's Bonds Advance 1 1/2 Points

Baron Diller Act

AKRON, Aug. 7—The Diller act, headed by John Diller, Sr., will not be allowed to appear here, city officials ruled yesterday. Hearings were scheduled to open Sunday at the Summit County Fair.

Worldwide, August 8, 1934

Purely Personal

DAVID LOEW, J. C. BARNSTYN, BERT ROGERS, JACK GLUECKSMAN, ED SCHNITZER, HARRY SHIFFMAN, ANTOINE, MURRAY ROSENFELD, LEWIS PHILLIPS, LEE OCHS, Solly Marcus, EMIL JENSEN, ST. HAMMER, ED GOLDEN and HARRY THOMAS are among those lunching at the M. P. Club yesterday.

Charles B. Ballance, general manager of Paramount Films of India, Ltd., arrives here Tuesday from the Manhattan. He is coming for conferences on new product with officials of Paramount International Corp.

Harry Asker, Boston: William Hultblatt, Detroit; Morris Segal, Cincinnati, and Ralph Scott, Oklahoma, the special Majestic franchise holders, are in town.

Nancy Carroll, Leo Carroll, Patsy Kelly, Adrienne Ames and Robert Armstrong are frequent visitors at the Long Branch, N. J. Kennel Club.

HELEN GREENBERG, head bookkeeper for Gem American, writes from the Highland hotel, a night trip in a hundred-acre velvet Flemington, New Jersey, for a few days.

Glenda Farrell leaves today for Seabrook Hall, Va., where she will continue her convalescence from her recent appendicitis operation.

Don Redman and his orchestra start work today for the Brooklyn Paramount in a one-reel musical.

PHIL SEGAL, former manager of the New York Police, and now owner of the player with Warners, is in town on a short vacation.

Harry Arthur's son, Harry, Jr., gave the Roxy the onceover yesterday. He is planning managerial lessons from his dad.

MAYOR EDWARD BOWES was a guest of the New York Giants at their game yesterday against the Brooklyn Dodgers.

HERMAN RIPKIN, Monogram franchisee for Boston, is in town for a few days.

WILLIAM CONSELMAN, Fox scenarist, is in town on a short vacation. He reis in town on a short vacation.

ROBERT RISKIN, Columbia writer, returns from Europe yesterday aboard the Paris.

WILLIAM SCULLY returns from a New England trip today.

NATIONAL Screen is on the road on business.

RICHARD ROWLAND was the M. P. Club for lunch yesterday.

Ed Kuykendall is due in town today.

Finish "Convention Girl"

Shooting was completed yesterday on Falcon Prods.' "Convention Girl" at the Photoflo Studio, Irvington. Dorothy Reed's release. Release is due for Sept. 1.
M-G-M's AD CAMPAIGN REACHES THE ENTIRE 30,000,000 FAMILIES OF AMERICA!

40 Great National Magazines with 32,204,660 Circulation Carries M-G-M's New Season Message to the Entire Nation!

Whether you run a theatre in Caspian, Michigan (population 1,888) or Davis, Oklahoma (population 1,705) or Harrisburg, Pa. (population 55,500) or cities with hundreds of thousands ... ask your M-G-M salesman to show you how many families in your town are getting these magazines with M-G-M's new season message. This campaign has been designed to cover every picture-goer in your city!

FULL PAGE ADS LAUNCH M-G-M's NEW SEASON PRODUCT FROM COAST-TO-COAST!

(Next come BILLBOARDS! Watch!)
Ohio Section
Gets New Deal
On Clearance

(Continued from page 1)
written notice to exchanges, and must maintain the new increased price for a period of not less than 30 consecutive days.

Scales are divided into classes according to admissions charged, in order to determine availability. The admission prevailing at the time the exchange contacts service determines the group into which his house is classified.

Where the status of a theatre changes after exhibitor contracts for services, either the exhibitor or the distributor has the right to request a new run under new contract terms. Where request for such revision is made, and an agreement cannot be reached after the city schedule, such request is divided in Article 8, Part 2, of the code.

First runs on a double feature policy in Cincinnati and Dayton run for 35 cents earlier than specified in the city schedule; in Columbus, three weeks earlier.

Others Set Back Two Weeks

A subsequent run with films and stage attractions is set back two weeks later than the city schedule. Any subsequent double featuring 1934-35 product at any time is classified as a double bill throughout the New York territory.

In any zone where two or more theatres are competitive, the distributor is given the right to sell one theatre with clearance over any other in the same zone, such clearance to be limited to the second Sunday following the first run availability in the zone.

Any disputes as to whether or not theatres are competitive are to be settled by the local clearance and zoning board.

Pictures released without a first run become available in subsequent in the price-class designated by the distributor, nor sooner than 30 days after notice of release date.

Cincinnati first runs at 35 cents or less become available two weeks earlier than those played over 35 cents.

How RKO Paramount Stands

The RKO Paramount, suburban, is to play within the first run clearance, but in no event sooner than the 25th day after the first run of the RKO Paramount, suburban, is divided into eight classes with admissions ranging from 30 cents down to 15 cents. The first class, with availability made, is the seventh Sunday. Houses charging 10 cents or less, are given a minimum availability of 15 weeks.

The Paramount is supplied with four coloured pictures in Cincinnati for the week, with availability made available from the sixth to the 13th Sunday after first run, with prices scaled from 25 to 15 cents.

Refuse Clearance Chang

Los Angeles, Aug. 7—After five days of discussion as to whether the Forum should be placed in the San Diego zone with the Uptown, the clearance board has decided to turn down F.W.C. complaint and has decided to keep the schedule as it is.

Seek Campi Ruling
Upon Bank Nights

(Continued from page 1)
board declaring the plan a lottery and an unlawful solicitation.

Considerable evidence in support of both sides of the controversy has been heard to Campi in the form of the transcript of the local hearing and numerous exhibits, including decisions by the attorneys general of several states and the theatres are banking on a recent ruling by Sol A. Rosenblatt, division administrator, that if no paid admission is required for participation, devices of this nature are not a violation.

Legality of bank nights under the code has been ruled upon by far so far by grievance boards in 10 cities, according to R. W. McEwan, Kansas City representative of Affiliated Ex-Change.

Seven boards have given the plan a clean bill, while three have ruled against it. Dallas, Oklahoma City, Santa Fe, L. A., St. Louis, and Des Moines boards have favored bank night, said McEwan. Los Angeles, Cleveland, and Kansas City boards have found it violates the code. The appeal from Kansas City is in the nature of a showdown.

Arbitrate as Board
Postpones Session

Washington, Aug. 7—Something new in the settlement of exhibitor disputes developed here yesterday following the postponement of a grievance board meeting, when it was learned that no impartial member was present.

Gaumers Brothers and Walter Sil-phon, for the appeal, are going to present to settle a reduced admissions complaint brought by the former. They appealed to Robert Smelzer, Warner distribution manager; Stuart Galaty, Columbia district manager; John J. Patey, Warner theatre zone manager, and Horace W. Hyatt, Baltimore to sit as arbitrators.

After considerable testimony about "pal day" tickets the arbitrators decided to try to work out a plan of settlement.

Ad Grievances Will
Be Heard Thursday

Three of the four cases to come before the New York grievance board tomorrow deal with premature advertising. Loew’s is complaining in one of the cases, while Warners is protestant in the other.

The premature advertising complaints are: Warners Lincoln, Union City, against Temple, same city; Loew’s Melba, Brooklyn, against Paras-Court, same borough; Loew’s Alhambra, Brooklyn, against Bluebird, same borough.

The fourth case on the calendar is that of the complaints against Mayfair allegedly violating the cease and desist order by the board on cut ticket rates.

Premium Ban
In K.C. Stirs
Talk of Suits

(Continued from page 1)
after Oct. 27 and if necessary will appeal to the Supreme Court upon the grievance board," he told Morson.

Members of an independent exhibitors’ faction are irked over the refusal of the grievance board to strike off the names of six exhibitors who are violating the code. They also object to the manner in which the vote was taken and declare they will challenge it. Jay Means, I. T. O. president and grievance board member, conducted the vote himself by proxy as a sign of protest. The protesting exhibitors charge the vote should have been conducted by individual ballot at a time when the board was considered a quorum.

After once refusing to accept a notice of withdrawal of their names, exhibitors who had originally voted to be stricken from the board, subsequently accepted it, but the board ruled the signatures could not be accepted.

The withdrawal request originally was made of Means, but he ruled the signatures were fully aware at the time of what they were signing and their names would stick.

Exhibitors signing the withdrawal request were J. T. Oppenheimer, Kansas City; F. L. Scoville, Prospect; Louis Sut-ter, Columbia; C. E. Esterly, New London, and Johnson, Buffalo. A separate withdrawal request was filed by C. H. Bates of the Holloway. All are Kansas City, Mo., suburbs.

It is understood 56 independent signed the petition circulated by Means.

Campi Gains Right
To Sue for Dues

(Continued from page 1)
to pay assessments is considered a violation, the amendment states.

Text of the amendment is as follows:

"Upon approval by the administrato of an itemized budget of such ex-penses and an equitable basis of con-tribution thereto, each such member shall be legally obligated for and shall pay to Code Authority his or its respective equitable contribution, subject to rules and regulations pertaining thereto issued by the administrative Failure to pay such equitable contri-bution constitutes violation of the code. In addition to all rights and remedies with respect thereto, this Code Authority shall have the right to institute legal proceedings for collection of any such equitable contribu-tion."
as predicted
"HANDY ANDY"
(in the heat of mid-summer)
tops
"DAVID HARUM"

WILL ROGERS
in
"HANDY ANDY"

with
PEGGY WOOD
CONCHITA MONTENEGRO
MARY CARLISLE
ROGER IMHOF
ROBERT TAYLOR

Produced by Sol M. Wurtzel
Based on play "Merry Andrew" by Lewis Beach
Directed by David Butler

WESTERN UNION

ND3 32 DL=LOUISVILLE KY AUG 3 1058A

JOHN D CLARK, FOX FILM CORP

HANDY ANDY FIRST WEEK APOLLO THEATRE INDIANAPOLIS ENJOYED
BIGGEST GROSS IN THREE YEARS ALSO EXCEEDED FIRST WEEKS
GROSS DAVID HARUM BY ONE THIRD STOP AUDIENCES REACTION
GREAT STOP EXTENDED RUN ASSURED REGARDS:

=FRED J. DOLLE.

and "David Harum" played 5 record-breaking weeks at this theatre

THE BIGGEST
THING IN TOWN AT

STATE Theatre, Los Angeles
PALACE Theatre, Cincinnati
ORPHEUM Theatre, Omaha
BUFFALO Theatre, Buffalo
DENVER Theatre, Denver
CHICAGO Theatre, Chicago
POLI Theatre, New Haven
NEW Theatre, Baltimore
ST. FRANCIS,* San Francisco

*Continued first run from the Warfield, where it beat every previous Rogers picture.

and EVERYWHERE ELSE!

Held over for second smash week at Roxy Theatre, New York
ITOA to Act Today as Dual Ban Spreads

(Continued from page 1)

Wednesday, August 8, 1923

[Image 0x0 to 624x860]

MOTION PICTURE DAILY

HOLLYWOOD PREVIEW

"The Human Side"

(Continued from page 1)

"The Human Side"

(Continued from page 1)

1) MARY PICKFORD

Stayed by court order, St. Louis drops second feature; number of first season's product, simultaneously hitting price scales matinees and evenings. Kansas City goes for the idea in two weeks, with the second feature starting the ball rolling. New Jersey has its plan tentatively slated to go into effect in 10 days, but will probably be set back until independents rearrange bookings.

In all instances major circuits are cooperating with unaffiliated houses and agreements have been and are being signed.

Regardless of today at the I. T. O. A. session will be followed by a vote to exclude second features, it is expected.

About two years ago an attempt was made by circuit men and independent exhibitors to go for the lone feature idea. Local arrangements were made with unaffiliated theatre owners, but the move hit a snag when RKO refused to further participate in the meetings. Since then the subject has never been brought up again.

Many Indies Now Tripling

At the present time numerous independents are tripling, adding the third feature Saturday and Sunday matinees.

In one house in the Bronx, three features are added in an important independent program for the entire day. An admission of 10 cents is charged most of the day.

Some of the local exchanges have clauses in contracts stating no two pictures distributed by any one company can be shown on the same program, but the agreements, in most cases, have never been enforced.

"It's not impossible," said one independent circuit, "that the number of 30 houses, is not a member of the I. T. O. A., and it is understood Sam Cohn, who has an exchange in the mid-West, did not go along with the exhibitor organization in the event it decides to drop doubles. The Springer & Cohn circuit was dropped from the organization some months ago, when, it was stated, it refused to pay dues.

Adding to the exhibitor panic in the four cities are clearance and zoning schedules filed with Campi which contain clauses penalizing exhibition of doubles. These clauses will be attacked by independent distributors on the ground that the code leaves the situation up to the individual exhibitor.

Tomorrow Campi will hear protests on the M. W. M. schedule, the first time before it with a clause penalizing twin bills by setting back release dates.

ASCAP Law Fight

Plan Is Outlined

(Continued from page 1)

Judge Order Cuts In Bankruptcy Costs

(Continued from page 1)

U. S. Films Showing Increase in Berlin

(Continued from page 1)

Forestry Picture Out

(Continued from page 1)

Slight Hopes Seen for New Fox Met Bids

(Continued from page 1)

Bolognino, Springer

To Operate Circuit

(Continued from page 1)
"Motion pictures are made of people, for people. Today people, from executive manpower to the glamorous stars and players of the screen, count more and more in the endless evolutions of the art and the industry."—From a Foreword by Martin Quigley in the 1934-35 MOTION PICTURE ALMANAC.

Ten thousand biographies form “The Grand Parade” of personalities in the new edition of the Almanac, now off the presses. This is the most comprehensive attempt ever made to present a study of the individuals who are the industry.

Another departure is a presentation of the “all-time best sellers,” from the criterion of rentals and sales, in the realms of the motion picture, books, stage plays, roadshows, songs, radio programs, and amateur plays.

With the additional achievement of serving as a ready-at-hand guide for the new season, essential information is provided on motion pictures announced by the companies for 1934-35.

Corporate structure of the industry is shown from the various standpoints of company personnel, banking affiliations, bond and capital stock, and summarized financial statements.

For the practicable use of the exhibitor, more than 100 pages are allotted to information on the Motion Picture Code, including names and addresses of Code Authority and Local Board members, meeting places and dates, the text of the Code and a literal translation of its provisions.

Naming of the contract players of the large companies is a new service in the section devoted to production. There is a complete listing, by companies, of current product, with stars, release dates and running time, also a compilation of motion pictures since the advent of sound, under two practicable subclassifications: pictures of 1933-34, and pictures prior to 1933.
“Rothschild” Hits $29,250 In 2nd Week

In Indianapolis, Aug. 7.—“Landry” just put away all the business there was in the first week. It piled up $7,000 at the Apollo where the average is $2,500.

The Old Fashioned Way” reached 300 per day at the Circle; I Give My Love,” with John Dillinger, Sr., and his family on the stage of the Odeon failed to stir up any box-office excitement. The take was $3,500.

Total first run business was $18,000. Average without the Lyric is $1,000.

Estimated takings for the week ending Aug. 4:

<table>
<thead>
<tr>
<th>Title</th>
<th>CABLEHOUSE</th>
<th>Schools</th>
<th>7-Day Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>“HANDY ANDY” (Fox)</td>
<td>Apollo</td>
<td>2,500</td>
<td>$7,000</td>
</tr>
<tr>
<td>“OLD FASHIONED WAY”</td>
<td>Paragon</td>
<td>2,400</td>
<td>$6,000</td>
</tr>
<tr>
<td>“GIVE MY LOVE” (Univ)</td>
<td>Lyric</td>
<td>2,000</td>
<td>$2,500</td>
</tr>
<tr>
<td>“PARIS INTERLUDE” (M-G-M)</td>
<td>Palace</td>
<td>2,500</td>
<td>$5,000</td>
</tr>
</tbody>
</table>

“Winters” $4,000

Draw in Portland

PORTLAND, Aug. 7.—“Life of Vergie Winters,” shown in Hamrick’s Music Box at the end of the 10-week waterfront strike and brought real business back, its $4,000 take was over normal by $1,000.

“Jane Eyre” benefited from the book advertising and pulled just $100 over previous sale.

Total first run business was $21,400. Average was $22,000.

Estimated takings for the week ending Aug. 2:

<table>
<thead>
<tr>
<th>Title</th>
<th>Cablehouse</th>
<th>Schools</th>
<th>7-Day Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>“MERRY FRINKS” (F. N.)</td>
<td>Earle</td>
<td>2,500</td>
<td>$7,500</td>
</tr>
<tr>
<td>“BROADWAY” (Col.-M-G-M)</td>
<td>Broadway</td>
<td>2,000</td>
<td>$4,000</td>
</tr>
<tr>
<td>“THE KEY” (Warner)</td>
<td>Capitol</td>
<td>2,000</td>
<td>$4,000</td>
</tr>
<tr>
<td>“JANE EYRE” (Monogram)</td>
<td>RKO</td>
<td>2,000</td>
<td>$4,000</td>
</tr>
<tr>
<td>“DIXIE” (Col.)</td>
<td>RKO</td>
<td>2,000</td>
<td>$4,000</td>
</tr>
<tr>
<td>“CHARLIE CHAN’S COURAGE” (Fox)</td>
<td>RKO</td>
<td>2,000</td>
<td>$4,000</td>
</tr>
</tbody>
</table>

Roumanians Impose Heavy Footage Tax

Bucharest, Aug. 7.—A tax of seven cents per metre on films imported into the country has been voted by the Roumanian Parliament. Money derived from the impost will go toward a national film fund, which will finance new productions.

Distributors are gravely damaged by the tax, which means a great deal to Roumanian exhibitors. Substitution price are very low and average profits or imports moderate as it is. They maintain that the tax will scarcely result in promoting domestic production but will certainly ruin distributors.

“Andy” Pulls Big $7,300, Oklahoma

OKLAHOMA CITY, Aug. 7.—Will Rogers’ native state goes for his pictures in a big way. To day it overcame the effects of the heat and nearly doubled the normal take of the Midwest with $7,300.

“Midweek” also was strong, pulling $2,000 in four days at the Liberty.

Total first run business was $16,800. Average is $13,500.

Estimated takings for the week ending Aug. 4:

<table>
<thead>
<tr>
<th>Title</th>
<th>Cablehouse</th>
<th>Schools</th>
<th>7-Day Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>“MAN WITH TWO FACES” (F. N.)</td>
<td>Capitol</td>
<td>1,100</td>
<td>$4,000</td>
</tr>
<tr>
<td>“HAPPY ANDY” (Fox)</td>
<td>Capitol</td>
<td>2,600</td>
<td>$6,500</td>
</tr>
<tr>
<td>“LIBERTY” (M-G-M)</td>
<td>Liberty</td>
<td>2,500</td>
<td>$6,250</td>
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<tr>
<td>“LOVE CAPTIVE” (Univ)</td>
<td>Liberty</td>
<td>2,500</td>
<td>$6,250</td>
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</tbody>
</table>

“Baby” Pulls Washington’s Top, $20,400

WASHINGTON, Aug. 7.—With one extra, instead of the usual two, “Baby Take a Bow” brought $20,400 to Loew’s Fox, a meager $100 under the average, but the show might have helped, but Shirley Temple’s popularity is generally credited.

“Bulldog Drummond Strikes Back” drew $6,000 in its second week at Loew’s Palace, while “Murder in Trinidad” at Loew’s Columbia tallied to $2,700.

The Earl took $15,600 with “Midnight Alibi” and a stage show, $2,000 under average, and the Metropolitan exceeded for a stage play $4,500 for “Return of the Terror.”

“Whom the Gods Destroy” was weak at $8,300. The revival of “Carn arn,” which opened last Wednesday, took $4,400 on the first two days.

Total first run business was $7,500. Average was $7,200.

Estimated takings:

Week Ending Aug. 2:

<table>
<thead>
<tr>
<th>Title</th>
<th>Cablehouse</th>
<th>Schools</th>
<th>7-Day Average</th>
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</thead>
<tbody>
<tr>
<td>“MIDNIGHT ALIBI” (F. N.)</td>
<td>Earle</td>
<td>2,180</td>
<td>$4,450</td>
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<tr>
<td>“BROADWAY” (Col.-M-G-M)</td>
<td>Broadway</td>
<td>2,000</td>
<td>$4,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
<th>Cablehouse</th>
<th>Schools</th>
<th>7-Day Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>“THE RETURN OF THE TERROR” (F. N.)</td>
<td>Metropolitan</td>
<td>2,000</td>
<td>$4,000</td>
</tr>
<tr>
<td>“BROADWAY” (Col.-M-G-M)</td>
<td>RKO</td>
<td>2,000</td>
<td>$4,000</td>
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Week Ending July 31:

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<tbody>
<tr>
<td>“WHOM THE GODS DESTROY” (Col.)</td>
<td>K-K-Ethics</td>
<td>2,000</td>
<td>$4,000</td>
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Week Ending Aug. 4:

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<th>Schools</th>
<th>7-Day Average</th>
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</thead>
<tbody>
<tr>
<td>“GRAND BANK” (Fox)</td>
<td>Capitol</td>
<td>2,500</td>
<td>$6,250</td>
</tr>
<tr>
<td>“HE PLAYS GOD” (Univ)</td>
<td>Liberty</td>
<td>2,500</td>
<td>$6,250</td>
</tr>
<tr>
<td>“THE RETURN OF THE TERROR” (F. N.)</td>
<td>Metropolitan</td>
<td>2,500</td>
<td>$6,250</td>
</tr>
<tr>
<td>“BullDOG Drummond” (Warner)</td>
<td>RKO</td>
<td>2,000</td>
<td>$4,000</td>
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Week Ending Aug. 6:

<table>
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</thead>
<tbody>
<tr>
<td>“THE RETURN OF THE TERROR” (F. N.)</td>
<td>Metropolitan</td>
<td>2,000</td>
<td>$4,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
<th>Cablehouse</th>
<th>Schools</th>
<th>7-Day Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>“GRAND BANK” (Fox)</td>
<td>Capitol</td>
<td>2,500</td>
<td>$6,250</td>
</tr>
<tr>
<td>“HE PLAYS GOD” (Univ)</td>
<td>Liberty</td>
<td>2,500</td>
<td>$6,250</td>
</tr>
<tr>
<td>“THE RETURN OF THE TERROR” (F. N.)</td>
<td>Metropolitan</td>
<td>2,500</td>
<td>$6,250</td>
</tr>
<tr>
<td>“BullDOG Drummond” (Warner)</td>
<td>RKO</td>
<td>2,000</td>
<td>$4,000</td>
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Week Ending Aug. 10:

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</thead>
<tbody>
<tr>
<td>“GRAND BANK” (Fox)</td>
<td>Capitol</td>
<td>2,500</td>
<td>$6,250</td>
</tr>
<tr>
<td>“HE PLAYS GOD” (Univ)</td>
<td>Liberty</td>
<td>2,500</td>
<td>$6,250</td>
</tr>
<tr>
<td>“THE RETURN OF THE TERROR” (F. N.)</td>
<td>Metropolitan</td>
<td>2,500</td>
<td>$6,250</td>
</tr>
<tr>
<td>“BullDOG Drummond” (Warner)</td>
<td>RKO</td>
<td>2,000</td>
<td>$4,000</td>
</tr>
</tbody>
</table>
MOTION PICTURE DAILY

NEW YORK, THURSDAY, AUGUST 9, 1934

TEN CENTS

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

WARN APPEALS TO NRA NEED SOLID BASIS

Darrow Board Successor Sets Up Work Formula

WASHINGTON, Aug. 8.—Initiating investigation of complaints against the National Recovery Administration, the Industrial Appeals Board, successor to the Darrow Board, has served warning upon independent units of all industries that old bases for complaints will be reviewed before they will be heard, it was revealed today.

The board is not a forum for a verbal repetition of arguments relied upon in hearings for the purpose of bringing the forms of codes or code provisions which have already been excused in public hearing. It was (Continued on page 9)

CONTRACT CHANGES AROUSE K.C. BOARD

KANSAS CITY, Aug. 8.—Whether exhibitors have the right to alter a lease agreement to help an exhibitor comply with the local grievance board’s demands after he had been held guilty of a contract violation is a question to be passed on to the Code authority by the Kansas City Board. The problem, considered by board members, is highly important one. (Continued on page 9)

ROSENBLATT EXTENDS POWER OF DONOTAN

LOS ANGELES, Aug. 8.—Upon Sol Rosenblatt’s departure by plane this afternoon for San Francisco, where he entertained for Washington, it was revealed that Major O. Donovan had been given a blanket contract to cover all code committees on the coast as advisor and direct representative of the division administrator here.

Rosenblatt’s 10-day mission here (Continued on page 8)

TASKER IS NAMED TO TOP SMPYE NOMINEES

Homer G. Tasker of the United Research Corp. has been nominated for the presidency of the S. M. P. E. The election will be held by mail ballot. Other nominations are: Executive vice-president, Emery Huse; editorial vice-president, J. I. Crabbie; convention vice-president, W. C. Kuenemann; secretary, J. H. Kurlander; treasurer. (Continued on page 8)

U. A. LOSES IN FIRST VOTE ON CANCELLATIONS

APPEAL COMMITTEE ACTION UP TO CAMPI TODAY

United Artists has lost the first round in a test case involving 10 percent cancellations. The Appeal committee, comprising William Kupper, western division manager for Fox; Charles L. O’Reilly, head of the T.O.C.C., and Leon Rosenblatt, New Jersey and Staten Island circuit owner, on Tuesday heard the complaint of H. R. Evans of the Albion, Albion, Ind., on the issue and voted unanimously in favor of the exhibitor. Edward Rat-

ter, attorney, defended U. A., and the motion was not present.

With the complainant absent, the board unanimously accepted the minutes of the case from the Indianapolis grievance board. According to the minutes, the exhibitor was offered 26 pictures and purchased them all. Later, it was said, U. A. withdrew one film from the deal.

In deciding in favor of the complainant, the board held, it was said, that U. A.’s defense that all pictures were sold on individual contracts was a technicality and that (Continued on page 9)

PARA. REVAMPING UP AT A HEARING TODAY

AUTHORITY TO PROCEED WITH STEPS TOWARD REORGANIZING PUBLIX-SALT LAKE THEATRES

The Toledo Paramount Corp. and G.B. Theatres Corp. of New England will be sought today by Paramount Publix trustees at a hearing before Referee John E. Joyce.

Petitions to be heard ask court authorization for Famous Theatres Corp., Paramount subsidiary, to purchase a participating stock interest in Publix Salt Lake under terms of an operating partnership with Louis Marcus; to purchase a debenture issue of G-B Theatres in accordance (Continued on page 8)

MPTOA DUALS STAND COMING UP AT CHICAGO

BOARD MAY MODIFY POLICY IN COMPETITIVE SPOTS

M.P.T.O.A.’s plans for future action against double featuring will be decided at a meeting of the executive committee of the organization, which will probably be held in Chicago late this month, Ed Kuykendall, M. P. T. O. A. president, said yesterday on his arrival here from New Orleans.

Kuykendall stated that the organization was “unanimously opposed” to double featuring in competitive situations, but indicated that a modification of its attack on duals was a possibility if a review of anti-duals activity be made at the executive committee meeting reveals instances of (Continued on page 9)

PEACE EXPECTED IN K. C. THEATRE WAR

KANSAS CITY, Aug. 8.—The decision of Loew’s, Paramount and RKO to increase prices here from 25 cents to 40 cents after 6 P. M. within the next three weeks coincidentally with the elimination of dual bills is regarded by most theatre owners here by Sept. 1 in the price war which has (Continued on page 9)

CHADWICK HERE FOR CLEARANCE HEARING

I. E. Chadwick, independent producer, is in town from the coast to attend today’s Campbell session.

His mission is on behalf of independent producers and coast exchange men, who are vitally interested in the Milwaukee clearance and zoning schedule, which has a penalty clause in it for exhibitors playing duals.

The Los Angeles zoning schedule also has a double feature penalty clause similar to the Milwaukee setup.

Chadwick plans to fly back over the weekend so that he can be on hand for the wedding of his son, Lee, who will be married Aug. 19.

CAMPION WILL ACT ON DUAL PENALTY TODAY


HOT STUFF

An unprecedented heat wave in the deep south has had its effect on motion picture business in that section, Ed Kuykendall, M.P.T.O.A. president, just up from New Or-

leans, reported yesterday.

“It’s been so hot there,” Kuykendall said, “that the water in the Louisiana wa-

termelons has been transformed to steam by the sun, and the melons have been exp-

looding all over the country-

ts, frightening the colored hands out of the fields.”

ITOA’S MOVE TO DROP DUALS MEETS SETBACK

The I.T.O.A.’s move to drop doubles in the local territory has been tabled for the time being. The issue, principal topic of the organization’s meeting at the Astor yesterday, drew support of most of the members.

About 60 attended.

Harry Brandt, president of the unit, told members that some time ago the major circuits asked him if the local theatre owners would drop twin bills with certain provisions. The I.T.O.A. head asked what the conditions were but the circuits would not reveal them, he said.

A meeting of circuit heads was (Continued on page 9)

FREE SHOWS BY PWA STIR IRE OF ITOA

Charging that free plays sponsored by the Works Division of the Department of Public Welfare are crippling neighborhood theatre business, the I.T.O.A. plans to protest continuation of the shows on their present policy. (Continued on page 9)

MID-SUMMER GROSSES HIT NEW LOW IN 22 KEY SPOTS

Mid-summer weather, West Coast strikes and midwest drought hit hard during the last two weeks of July in the 22 cities for which weekly reports are compiled by Motion Picture Daily.

Total grosses for 110 theatres re-

porting during the week ending July 19 and 20 were $919,932, a new low mark for the 44 weeks starting last September. It was also a low mark (Continued on page 8)
St. Louis Proposes 10% Theatre Levy

St. Louis, Aug. 8.—Latest proposal to come before the Bi-Partisan Theatre Commission is a 10 per cent tax on the gross of all theatres. It is a part of the study being made to increase municipal revenue by $4,450.00. It is figured this tax would raise $400,000.

The city came close to adoption at the last meeting of the commission, but one member objected that a graduated scale might be better and also suggested that smaller neighborhood houses be exempted.

The commission is already considering a proposal to raise the admission tax to 25 cents for up to 2,000 seating capacity; $250 for 2,000 to 3,000, and $400 for more than 3,000.

Hardwick New Head Of Ontario Censors

Toronto, Aug. 8.—J. B. Hardwick, one of the three remaining members of the Ontario censor board, has been named acting chairman at a salary of $1,800 per year. The salary of the former chairman was $3,800.

Under the economic wave the board has been placed under the Department of Education, as advocated by teachers and preachers for years on the ground that education authorities know what films are good for juveniles.

Heinman, Graham on Job for Gommersal

William Heinman, western district manager, and Harry Graham, midwest district head for Warner, have been to town temporarily to take over the duties of F. T. Gommersal, western sales manager, who is recovering from an operation on his wrist at the Joint Diseases Hospital.

Gommersal recently fell from a horse and cracked two vertebrae.

Hudson Joins Trelend

Earl Hudson has been made publicity and exploitation head of the George Trelend theatres in Detroit and is now westing for the coast, per the post. Hudson formerly served in a production capacity with First National and was assistant to J. D. Williams when the latter was general manager of the company. He was also associated with the Angus Co., and as editor of the Motion Picture News.

Most on Big Board Advance

Columbia Pictures, etc. High Low Close Change Sales

Consolidated Film Industries 26 25 25 -1 100

EASTMAN KODAK 1973 1973 1973 0 50

Fox Film "A" 1932 1932 1932 0 50

Fox Film "B" 1932 1932 1932 0 50

Loew's, Inc., etc. 8065 8065 8065 0 400

Paramount, Publs, etc. 811 811 811 0 200

Paramount Publs, etc. 811 811 811 0 200

Pathé Exchange "A" 116 116 116 0 50

Pathé Exchange "B" 116 116 116 0 50

Universal Pictures, publs. 111 111 111 0 100

Warner Bros. 131 131 131 0 50

Loew's Bonds Move Upward

General Theatre Equipment 6s 40,000 2 2 2 0 40,000

General Theatre Equipment 6s 40, eff. 2 2 2 0 40,000

Loew's 6s. 4", new deb rights. 2 2 2 0 20,000

Warner Bros. 6s. 39, w. 25,841 25,841 25,841 0 25,841
Big Pictures Hit By Montreal Heat

Montreal, Aug. 8.—Local houses did an array of attractions last week, but it was just too hot for most people to do anything but sit out on the porch. The Capitol had "Scarlet Empress," which had the take of $7,000, which was some kind of a record, but the wrong kind. "Handy Andy" and "Now I'll Tell" both had the $500 to the Palace. Next to right was Loew's with $5,000 on the "Learned About Sailors" and "Call It Luck." Total first run business was $26,500, average $4,375.

Estimated takings for the week ending Aug. 8 were described as "not bad." THE SCARLET EMPRESS (Para.) (Color) 25c-50c, 8 days, Gross $7,000. (Average, $925) LET'S A BOY (British) 25c-50c, 8 days, Gross $5,000. (Average, $625) IMPERIAL—(3,914), 25c-50c, 7 days, Gross $4,000. (Average, $571) THE HANDY MAN (Fox) 25c-50c, 7 days, Gross $4,000. (Average, $571) CALL IT "LUCK" (Fox) 25c-50c, 7 days, Gross $4,000. (Average, $571) THE LAST PRECIOUS THING IN LIFE (Col.) 25c-50c, 7 days, Gross $4,000. (Average, $571)

MAX WOLFF

Camera Corporation

LEO, JUNIOR SPEAKING
Dear Ruby Keeler, Dick Powell, Joan Blondell, Zasu Pitts, Guy Kibbee, Hugh Herbert, Busby Berkeley, Ray Enright: — We have confidential information that America Only Has Eyes For You* — Tomorrow — at the International World Premiere of "DAMES"

the Warner Theatre, Atlantic, and Manoir Richelieu, Array Bay, Canada.

Proudly yours, Warner Bros.

*And ears for you hit-song writers—Warren & Dubin, Kalal and Fain, Dixon and Wrubel.
OPENING TODAY
at the world's finest theatre—
RADIO CITY MUSIC HALL

DIANA WYNYARD
in John Galsworthy's Best Seller—
ONE MORE RIVER

★ COLIN CLIVE
★ FRANK LAWTON
★ JANE WYATT
★ MRS. PATRICK CAMPBELL
★ LIONEL ATWILL
★ REGINALD DENNY
★ C. AUBREY SMITH
★ HENRY STEPHENSON
★ KATHLEEN HOWARD
★ ALAN MOWBRAY

A Universal Picture
A JAMES WHALE PRODUCTION
Little Is Revealed in Census Bureau Study

WASHINGTON, Aug. 8—Issuance by the Census Bureau today of its report on amusement in 1933 proved a sad disappointment to the industry when it was found that the report covered amusements, service operations such as filling stations, barbers and shoe shine parlors and business services such as advertising agencies and dentists. The figures for more than a dozen different types of activities were lumped together with no information whatever furnished regarding any individual business.

With characteristic speed the bureau's statisticians that a breakdown of the report, showing amusements separately, will be available “in the near future,” official stating that this meant late in October or early in November.

Tasker Is Named to Top SMPE Nominees

(Continued from page 1)

T. E. Shea; board of governors, Max C. Balsed, Sidney Howard, Terry Ramsaye and Harry Rubin. Results of the election will be announced at the fall meeting Oct. 29. The new officers will assume their duties Jan. 1.

DeMille Is Off Today

Hollywood, Aug. 8—Cecil B. De Mille starts his transcontinental speaking tour at Denver Friday. He leaves here tomorrow. The Denver talk will be sponsored by the Outdoor University. The second talk will be in Kansas City Sunday at the Community Church. He will fly there to New York and speak at Teachers’ College, Columbia University, on the 15th.

Blank-Warners Argue

OMAHA, Aug. 8—A. H. Blank’s Tri-State Theatres here are at loggerheads with Warners over which of the Blank houses will show “Here Comes the Navy.” Tri-State contends the picture should play the World, while all James Cagney films have been shown; Warners maintain the picture is the Tri-State ace house, the Orpheum. To date the controversy remains unsettled.

Chevalier Going Abroad

Hollywood, Aug. 8—Maurice Chevalier winds up work on “Merry Widow” at M-G-M this week and leaves Sunday for New York and Paris. He will return shortly to start a new long term with the studio.

Monogram Men in Town

Four Monogram franchise holders are in town for conferences with Edward Golden, general sales manager. They are Herman Rittikin, Boston; Claude Essel, Dallas; Irving Mandell, Chicago; Bernard Mills, Albany.

Mark Ostrer Delays Trip

London, Aug. 8—Mark Ostrer, who planned to sail on the Benvenuto today to meet Jeffrey Bernard in New York, canceled reservations the last minute and expects to sail within the next few days.

Mid-Summer Grosses Hit

New Low in 22 Key Spots

(Continued from page 1)

for the number of first run houses open.

Comparative grosses for the latest available periods:

<table>
<thead>
<tr>
<th>Week Ending</th>
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<th>Gross</th>
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<tr>
<td>July 26-27</td>
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<tr>
<td>Boston</td>
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<td>Buffalo</td>
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<td>Cleveland</td>
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113 $998,285

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110 $919,932

Para. Revamping Up

At a Hearing Today

(Continued from page 1)

with terms of an operating deal with the landlords’ claims arising from the reorganization of the Toledo Paramount Corp.

Also to be heard today is a petition for Paramount Publix and certain subsidiaries to participate in the bondholders’ plan of reorganization for the Paramount-Broadway Corp., the subsidiary which holds title to the Paramount Building.

Ontario Studio Is

Offered as Bargain

TORONTO, Aug. 8—The film studio of the Ontario government at Trenton Ont., built at cost of $700,000, is being offered for sale at a bargain price. Premier Hepburn asserts Ontario has spent $160,000 on production and cannot any longer afford the luxury. Films now in the vaults will be loaned wherever wanted.

Turner on Big Campaign

COLUMBUS, O., Aug. 8—Terry Turner concludes his nine-week charge of publicity for the RKO Palace and Majestic here, has resigned now to publicize the film campaign of Quaker Oats sponsored by Lord & Thomas.

Turner previously did advertising and publicity for Loew’s and later was in the RKO home office.

Mascot Signs Manheim

Hollywood, Aug. 8—Mascot has signed H. Manheim, former Universal production agent, to a writing contract and he has been assigned to the Kem Maynard script, “Down in Old Santa Fe.” At the same time Dave Howard was set for the director’s post on the film.

Simmons Does Another

Hollywood, Aug. 8—Mike Simmons, Columbia scrivener, has turned in a first draft on “Carnival,” the Robert Riskin yarn, and has been assigned for the screen play of “Murder Island,” a story by Leland Jameson.

Two Units on “Toytland”

Hollywood, Aug. 8—Hal Roach is working two units on “Toytland,” having signed Charlie Rogers to direct Laurel and Hardy scenes. Gus Meins is directing the major parts of the show.

Loew’s in Rockaway Spot

Loew’s has invested the for Rockaway territory in opposition to RKO by acquiring the Gem from Haring & Blumenthal. The Gem is a 600-seat house and RKO has the Columbia and Strand.

Rettille M-G-M Short

Hollywood, Aug. 8—M-G-M has acquired the title of their current Technicolor short, “Beauty and Truth” to “The Spectacle Maker.”

Bert Levine Joins Roach

Hollywood, Aug. 8—Bert Levine, former Roach writer, has joined the Hal Roach writing staff. He has received no definite assignment.

(Continued from page 1)

*** During the general strike in San Francisco, theatres were closed from July 16 to July 19. Therefore, no report is entered for the week.

(Copyright, 1934, Ogilvy Publications)
Warn Appeals To NRA Need Solid Basis

Contract Changes Arouse K.C. Board

U. A. Loses in First Cancellations Vote

Campi Will Act On Dual Penalty Today

Paterson House to Duals

Building in Osceola, Ia.

MPTOA Dues Stand Coming To Drop Dues Meets Setback

New Southern Units Staying with MPTOA

Peace Expected in K. C. Theatre War

Blumenthal Resigns His ITOA Board Job

Clearance Appeals Pouring Into Cinry
FACTS ABOUT LEO'S BILLBOARD CAMPAIGN:

SCOPE: Nation-wide.
NUMBER SHOWINGS: 8,000.
NUMBER TOWNS: 1,000.
POPULATION OF TOWNS: 45,119,000.
ESTIMATED READERS: 112,788,000 daily. According to scientific compilation by National Outdoor Advertising Bureau.
TYPE OF DISPLAY: Standard 24-sheet poster panels, set with borders of lattice work and moulding which are painted green; illuminated at night traffic points.
SIZE OF PANEL: 12 feet high; 25 feet long.
LOCATIONS: Strategic city points; highways entering cities; along railroads; inter-urban trolley and bus line terminals, etc.
FIRST POSTING: Joan Crawford and Clark Gable in "Chained."
POSTING TO START: August 15th.
"HELLO MAMA--I'LL BE DELAYED AT THE OFFICE AGAIN TONIGHT--I'VE JUST COMPLETED THE BIGGEST BILLBOARD CAMPAIGN IN MOTION PICTURE HISTORY!"

"CONGRATULATIONS, LEO DEAR--BUT THAT'S WHAT I GET FOR MARRYING THE WORLD'S GREATEST SHOWMAN! IT HAD TO HAPPEN JUST TONIGHT WHEN I'VE GOT YOUR FAVORITE GEFÜLTE FISH!"
**Flash**

**Congratulations on Paramount's first Picture of the New Season!**

**Bing Crosby's greatest triumph since the twins!**

"She Loves Me Not" is doing S.R.O. business in all theatres which it is playing.


---

Never in the history of the Chicago Theatre has a picture played for more than one week stop Bing Crosby in "She Loves Me Not" now breaks this precedent by being held over for a second week stop the Chicago Theatre is playing to a greater attendance this week than at any time since it was erected fourteen years ago stop although we are opening every morning at eight thirty oclock we are unable to take care of the tremendous crowds that are literally storming the theatre stop congratulations on Paramount's first picture of the new season regards.

Walter Immerman

Western Union gift orders solve the perplexing question of what to give.
MOTION PICTURE DAILY

NEW YORK, FRIDAY, AUGUST 10, 1934
TEN CENTS

Theatres Must Boost Scales, Says Lichtman

Holds Industry Heads for "Nickelodeon Days"

Unless the industry does something about admission scales it is headed back to "nickelodeon days," says Al Lichtman, vice-president in charge of United Artists' sales.

Baker's Firm May Lead ASCAP Fight

New York, Aug. 9—That Joseph Schnitzer has abandoned all production plans was revealed today on the announcement that he had sold a deal giving him a controlling interest in the Western Costume Co.

Schnitzer Abandons Production Activity

Hollywood, Aug. 9—That Joseph Schnitzer has abandoned all production plans was revealed today on the announcement that he had sold a deal giving him a controlling interest in the Western Costume Co.

Dressler Tribute

A resolution in tribute to Marie Dressler was adopted unanimously by Campi at its session yesterday. The actress was a member of the authority at the time of her death.

Miss Dressler was eulogized as having given to countless millions in her lifetime "the benediction of her humanity, her hope and her laughter," and her struggle against odds to reach the top of her profession was described as "an inspiration to human hearts."

Campi Decides Against Clearance Dual Penalty

Para. Reports Wipe Out $180,000,000 in Claims

Reports recommending orders wiping out approximately $180,000,000 of creditors' claims against Paramount were made to the U. S. District Court here yesterday by Special Master John E. Joyce.

Joyce recommended approval by the district court of the plan of reorganization for Paramount Broadway Corp., under which new paper will be issued for the $8,875,000 bond issue outstanding on the Paramount building and theatre in Times Square. Paramount will guarantee payment of interest on the new issue and make provisions for a sinking fund to meet maturities. The plan was developed early last spring, but has been held in abeyance while both Paramount Public and Paramount Broadway filed petitions for reorganization under Section 77-B of the new bankruptcy laws.

The plan provides for the withdrawal of claims against Paramount aggregating $178,543,653, representing the amount alleged to be due in rents on (Continued on page 7)

Fox Film Seen In Quick Move On Met Houses

With ramifications indicating that Fox Films and Fox Theatres Corp. may endeavor to retain control of Fox Metropolitan Playhouses, a newly elected board of directors at Fox Met filed a voluntary petition for reorganization of the company under Section 77-B of the bankruptcy laws yesterday.

The voluntary petition, filed with Federal Judge Julian W. Mack in U. S. District Court here, was presented by Ralph O. Willguss as attorney for Fox Met. Willguss is a member of the law firm of Watson & (Continued on page 7)

RKO's Drive For Theatres Here Is Ended

With the exception of one deal in negotiation and nearing the signing point, RKO's theatre acquisition drive has ended, it was stated officially yesterday.

Within the last few weeks, RKO has made operating deals for 11 local houses and expects to sign a contract for the 12th any day. Theaters taken over are the Uptown, Yorktown, Midtown, Costello, Apollo and Hollywood in Manhattan; Alden, Jamaica; Embassy, Fort Chester; Utica and Fortway, Brooklyn; and the Alhambra in Harlem which is being reopened the (Continued on page 7)

Loew's After Five Reade Jersey Spots

Continuing its local expansion program, Loew's has a deal on with Walter Reade for about five theatres in New York and New Jersey. The City on 14th St. is one of the houses involved.

Reade recently took the Boston Road in the Bronx and the Gem, Far Rockaway, and plans to open them by Sept. 1. The Reade deal, if consummated, would become effective Sept. 1.

Indies Victorious in Attack on Schedule For Milwaukee

Independent distributors and producers won a signal victory yesterday when Campi handed down an order that no clearance schedules should be based on whether an exhibitor plays duals.

A resolution to this effect was agreed upon following an attack by independent forces on the Milwaukee clearance and zoning schedule, which penalizes first runs playing duals by 14 days in clearance and subsequent runs 49 days.

Louis N. Ander, secretary of the New York Film Board of Trade, represented Universal, Columbia, Security (Continued on page 6)

Campi Expense for 7 Months $94,436

Under its new system of filing monthly financial statements Campi yesterday issued a report showing total disbursements for the seven months ending July 31 as $94,436,75. Receipts from producers have been $49,700 and from exhibitors $78,570, (Continued on page 6)

Trans-Lux in Deal For a Third House

Marking the third Trans-Lux project in the local territory, a deal is now on whereby Trans-Lux will convert the Savoy on 34th St., west of Broadway, into a newsreel and shorts theatre. The house, owned by Walter (Continued on page 16)

Campi Resolution

Campi passed the following resolution yesterday following an attack on dual penalty clauses in clearance and zoning schedules: "Resolved that no clearance and zoning boards should establish any clearance based upon whether a theatre operates on a double or single feature policy."

This invalidates all pending clearance schedules containing these clauses.
MOTION PICTURE DAILY
(Registered U. S. Patent Office)
Vol. 36 August 10, 1934 No. 34

MARTIN QUIGLEY
Editor-in-Chief and Publisher

MAUREEN KANN
Editor

JAMES CRON
Advertising Manager


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MOTION PICTURE DAILY
Friday, August 10, 1934

Moffitt Sides with Quigley on Salaries

KANSAS CITY, Aug. 9—Mr. Charles W. Moffitt, President of the Kansas City Motion Picture Herald, when he says it is unfair to fly into a rage whenever you hear that an actor is "making more than the President of the United States," declares John C. Moffitt, film critic of the Kansas City Star and a son of the president, is devoted to a defense of high bracket salaries of stars.

In no other field is the President's salary taken as a measuring stick for American remuneration. Financiers, bankers, board members, manufacturers and many other private individuals make more than the President without causing rioting in the streets.

"In a number of these instances, Congressional investigations have disclosed, such gentlemen have garnered their huge rewards by manipulations that had only an adverse effect upon the public good. No movie actor has been convicted of making his money by fleecing the investing public."

White Elected Head Of Alliance in Oregon

PORTLAND, Aug. 9—Robert White of this city was elected president of the Oregon Alliance of National Motion Picture Theaters at a session held here yesterday.

Other officers named were: Vice-President, M. M. McMinnville; secretary-treasurer, William Cutts. This was a re-election with only J. M. Brandt of Portland was named Portland director, with three new outside directors, Guy Matthews, H. E. Ripley and Roy McCalman, all of Portland.

The secretary was instructed to write a letter to Will H. Hays urging him to resign.

Among subjects discussed were music score charges, duals, the prospects for increased membership and finances.

To Broadcast Film

The shooting of scenes in Select's "Gigolo" will be broadcast by the NBC Tuesday evening on a test basis with J. P. M. from the Biograph studio, where the film is being made. The program will be carried by 10 key stations on the Atlantic coast.

The broadcast has been arranged by Sam Taylor, screen reporter of WMAA.

Warner Bonds Up 11/2

No matter what this week's exchange of Hollywood and the Wall Street, the Warner Bros. stock is riding high. Dyed and undyed, it is a sure bet. The price range during the week was 38 3/8 to 39.

Curb Issues Show Gain

COLUMBIA PICTURES INC.

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<th>Sales</th>
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<td>245 25</td>
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Warner Bros.

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<td>351 3 4</td>
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<td>13 3/4 100</td>
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"Andy" Held at Roxy

Garnering $27,000 for the first week at the Roxy in New York, "Andy" goes into a second week today with indications the Fox film may be held for a third stanza.

Interstate Gets Warner

Warner has closed with the Interstate circuit, which has 23 houses in Texas, for the entire Warner-First National output for the new season.

Weisner Stays with Wisconsin Circuit

MILWAUKEE, Aug. 9—An operating agreement between Wisconsin Amusement Enterprises, Inc., and Lita Weisner provides that Weisner will maintain an office in Milwaukee downtown house, and H. J. Fitzgerald, general manager for Wisconsin Amusements. The Garden will, for the time being, continue showing second run pictures.

Livingston Lanning, manager of the Fox Wisconsin, will serve as managing director of the newly acquired Alhambra, as well, when it opens Aug. 18. Stanley Meyer, son of Fred S. Meyer, former operator of the theater, is slated to be house manager. The management has signed Bob McElroy's orchestra and will feature a combination vaudeville and film policy.

R. A. Frenzler, formerly assistant treasurer of Midtowne Theatres, Inc., now recently named a Morris Bros. in Bakersfield, Calif., has joined the Wisconsin Amusement Enterprises here.

Mexico City Strike Settled by Payment

MEXICO CITY, Aug. 9—In order to settle the strike that has held up the transfer of the Irish from legitimate shows to films, the management has agreed to accept the Ministry of Labor for the equivalent of $1,400, to those who will lose their jobs.

Bolleslavsky to Tour

Hollywood, Aug. 9—Richard Bolleslavsky plans to leave for New York and then go on a three-week trip to Europe when he completes direction of the Picturesque Film, starring Greta Garbo for M-G-M. The director will be accompanied by his wife.

Dave Miller Back on Job

BUFFALO, Aug. 9—Dave Miller, Universal exchange manager, president of the Buffalo Variety Club and Film Board of Trade, is back on the job after a serious illness.

MOTION PICTURE DAILY
Friday, August 10, 1934

Purely Personal

NICK LUCAS, with Janet Reed and June Prentiss starts work today in "Run on the Bank," two-reeler, at the Vitaphone plant.

COREY FORB's original, "Two to One," has been bought by Columbia as a co-starring vehicle for JAC HALE and EDMOND LOWE.

M. H. AYLESWORTH has been forced to postpone his air trip to South America due to pressure of business commitments.

HOWARD S. CULMAN, receiver for the Roxy, has been hired by Lak Placid for a few days' rest.

WILLIAM G. UNDERWOOD of the Dallas Monogram office is spending his days here.

ALBERT ROBB of the Robb & Roxy circuit in Texas is in town on product deals.

R. E. GRIFFITH of the Griffith circuit in Oklahoma is visiting for a few days.

RICK RICKETSON of Fox Rocky Mountain Theatres is in from Denver.

MORTON VAN PRAAG returns from a Chicago trip Monday.

LEE OCHS plans to sail for Argentina Wednesday.

NED DEPINE is back from a fly trip to the coast.

IRVING MANDEL leaves for Chicago tomorrow.

Berman J oins Standar ds

BUFFALO, Aug. 9—Harry Berman, formerly of the old Shea Theatre Corp., advertising staff, has taken on the new post of publicity director of Standard Film Exchange. Standard, in addition to Monogram, Majestic and Mascot features, has taken over the exploitation of ComColor cartoons f.distribution.

Fox to Hold Walhall

Hollywood, Aug. 9—A long term contract for Henry B. Walthall awaiting final signature at Fox as reward for his work on the W. Rogers film, "Judge Priest," T actor's first on the scheduled new deal will be a featured role in "Bache of Arts."

Lesser Sets Lewyn Det

Hollywood, Aug. 9—Sol Lesser has just closed a deal with Lewyn, producer of "Hollywood-O-Central," to have some of these subjects throughout the world, excepting United States and Canada, throw Principal Pictures Distributing Corp.

Re-Sign Glennad Farre

Hollywood, Aug. 9—Glenda Farrow has been signed to a new long term contract by Warners. The actress is now in New York recovering from a recent appendicitis operation.

"Dames" Premiere Aug. 9

Warner's "Dames" will have its world premiere Wednesday night in the Strand.
IT'S COMING your WAY SOON!

Direct from Radio City Music Hall, mammoth showplace of the nation, where eager audiences crowded to stamp their popular approval on the first popular-priced run of "The World Moves On"

THE WORLD MOVES ON
THE LOVE STORY OF A CENTURY

with
MADELEINE CARROLL
FRANCHOT TONE

Produced by Winfield Sheehan
Directed by John Ford
Story and screen play by Reginald Berkeley
Should prove a box office clean-up! Lloyd at his best! Marks departure from his gag formula . . . deftly blending suspenseful incident, hilarity, romance."

—Variety Daily

"Ace entertainment! Harold Lloyd uses a real story and does not depend upon gags. Laughs in great numbers . . . clever situations . . . suspense."

—Film Daily

"A packed house gave Harold Lloyd's latest many laughs, prolonged applause. Radically different from his latest efforts . . . has strong cast, a novel plot, good acting."

—Motion Picture Daily

All-audience entertainment affording something special for each age. Entirely different type of Harold Lloyd comedy . . . audiences will live, laugh and sympathize with him."

—Motion Picture Herald

"Harold Lloyd was never funnier or better in his whole career. You are actually thrilled as well as amused every minute. Hop on this one quick and give your box office a new lease on life."

—Hollywood Filmograph

"Lloyd has ample reason to be happy about his latest. One of those fine, clean comedies so many film fans have been looking for. I tender him my congratulations."

—Hollywood Citizen News

"Certain to register at the box office. One of the most entertaining pictures of the year. Provokes laughter aplenty. Harold Lloyd proves his versatility as an artist."

—Hollywood Screen World
Campi Rules Out Penalty for Doubles

(The Only Way)

Kansas City, Aug. 9.—Because funds are available for sending out copies of adopted clearance schedules to all exhibitors and distributors affected and because Campi has made no provision therefore those who want to learn details of the new schedules will have to read the trade papers, states George Lannon, local board secretary.

Campi Expense for 7 Months $94,436

(Continued from page 1)

a total of $1,287,270. This leaves a balance of $333,833.28 as a total of the Hollywood offices have been followed. Main, $2,600; Sklar, $2,182.52; labor, $958.45. Local boards have spent $47,400.76. July, $18,247. Total spent, $23,604.1. This was under the monthly budget estimate by $1,362.09. In June the total disbursements of $25,120.01 were over the estimate by $153.51.

Pittsburgh Clearances Drop 4 of 5 Cases

Pittsburgh, Aug. 9.—Five zoning cases have been adjudicated by the local clearance board. Four of them have been dismissed.

Cases dismissed were:

E. H. Goldberg, Brushston Theatre, Pittsburgh, against a complaint of seven days in favor of the Belmar, Pittsburgh, operated by Warners.

Mrs. Louise M. Moir, Grand, Elizabeth, Pa., against 28-day clearance granted Harris-Memorial and Victor theaters, McKeesport, Pa., operated by the Warners. The latter had asked that clearance be changed to give her film 28 days after first run Pittsburgh, eliminating McKeesport, Palisades, Steel, Clairton, Pa., against the same defendants and on the same grounds.

Harry Brownovsky, Bellevue, Bellevue, Pa., against seven-day clearance granted in favor of War- ren's, Kenyon, Pittsburgh, and R. Amund's Garden, also in this city. In the remaining case Ike Brown- sky had the Kenyon's clearance over the theater, Pittsburg, reduced from 14 days to seven days.

Grievance Hearing Here is Postponed

Because neither of the impartial men were available, the New York grievance board adjourned all cases on the calendar to Aug. 28. Ex-Senator George F. Thompson, grieved in nineteen, and Ex-Judge Alfred E. Steers, clearance and zoning, were out of town and it was impossible for the board to gain a man outside of the industry to sit in on the hearing on short notice.

The principal case set for the hearing was a notice from a exhibitor desiring order by the Mayfair on distribution of cut rate tickets. Milton W. Theiss, attorney for the Mayfair, and Irving Lesser was ready for the Roxo, complainant.

Theatres Must Boost Scales, Says Lichtman

His estimate of the average admission is 20 cents.

"It is these theaters," he says, "where the potential exists. But it's not going to be a national campaign, made by some producer and exhibitor in most instances are furnishing entertainment loss.

Some exhibitors are making money, as he admits, but he points out that most of these men who have leased closed theaters and are playing on a percentage with landlords.

"This is it, these theaters," he says, "which have at most an 15 cents, are taking money from the larger houses, the first run shows which show films on a percentage basis as a rule. It is from these larger houses, that the bulk of producers' income is derived.

In so much an exhibitor's problem as it is producer's, he points out. His solution, advanced as a suggestion is that exhibitors in each territory should get together and boost prices at least five cents all along the line, that they're holding on the border in an area where they are not already losing money.

Cities First Run Cut

"The biggest first runs have cut from an average of 75 to 75 cents for a run in favor of the Belmar, most of the hours of the day they charge 25 cents to 35 cents. Average first runs are down to 40-35-25 cents and some are going to 30 cents and playing at 25 cents," he points out.

In Chicago, he says, 275 house clearances in Detroit, the downtown first runs are not running during 15 and 20 cents. Big houses suffer as a result.

"In some cities," Lichtman says, "new houses are being opened in remodeled stores. Bond holders in the top role of "imitating" their theatres have practically been wiped out. In England, on the other hand, admissions average about three times as high as they do here. Lichtman states, and the industry is in a healthy condition.

"Duals are practically universal over there," he says, "but the second feature is not sold at about the $0.00 price figure to absorb poor product, and big pictures do not suffer as a result. Over here they put two big ones on the same program, or two poor ones. Rentals fall. This can't go on. United Artists cannot make $0.00,000 to some of the independents, but if the public gets only this kind of picture it will stop going to theatres."

Warners, 'U' in Exchange

Hollywood, Aug. 9.—Universal and Warners have agreed on a switch of playing players, which places William H. "Little Caesar" of "Imitation of Life" in place of Paul Lukas. The latter player goes to Warners for the lead role in "King of the Ritz."
Para. Reports Wipe Out $180,000,000 in Claims

(Continued from page 1)

the Paramount building and theatre for the unexpired portion of the old lease and for taxes and operating expenses on the building, in addition to the bonds outstanding. New leases for Paramount office space and the theatre are incorporated in the plan, a plan for appointing a committee for a plan of reorganization for the Toledo Paramount Corp., involving the release of Paramount from liabilities of $1,711,000 in connection with a bond issue of the Toledo company and rents and taxes on five Toledo theatre properties. In return for the release of Paramount from the specified liabilities, Toledo Paramount Corp. is relieved of a claim of $1,036,490 held by Famous Theatres, a Paramount subsidiary, and a second claim of an indeterminate amount. In addition, Paramount is to pay fees aggregating $165,000 to Al Reuben and Walter J. Kountz, receivers for the Toledo company, and their attorneys.

Palmer stated that the $30,000 claim for $23,500, involving leases on the State and Penn, Uniontown, Pa., was also recommended by Joyce.

Action was deferred by Joyce until next week, when the Paramount Publix trustees seeking authorization for Famous Theatres to purchase 250 shares of Class A stock in Publix Salt Lake Theatres for $50,000 plus half of the net profits of the circuit from June 9, 1933, to the date on which the authorization becomes effective. Famous already owns the Class B stock of the circuit. The stock it could purchase represents the only remaining interest in the circuit held by Louis Marcus, Salt Lake City mayor and operator of the houses. If the purchase is approved, Famous will take over operation and appoint a successor to Marcus.

Action was also deferred until today on a petition authorizing purchase of Paramount liabilities on a $615,000 debenture issue of G-G Theatres of New England for $300,000. The transaction is part of the original deal by which Samuel and Nathan Goldstein, the former proprietors of G-G, resume operation of the circuit.

Stapel Advocating Month Buying Delay

(Continued from page 1)

souri, but despite that investors have hiked rentals for 1934-35 productivity over 30 percent per month last year. "If there is a friend's a true friend of exhibitors should use extra care and put off signing a contract for a new product it is now," says Stapel.

"Putting off my buying four weeks will make no difference, but if 300 out of our Kansas-Missouri exhibitors refuse to sign a contract for four weeks I believe executives in New York might inquire as to conditions out here."

Exhibitors in Cincy Welcome the Eagles

CINCINNATI, Aug. 9.—Theatre executives are understood to swell their receipts during the national convention of the Fraternal Order of Eagles which opens here today.

Around 50,000 delegates and visitors are in town from all sections of the United States. It is estimated that $250,000 will be spent approximately $250,000 while here.

Colley in Seattle Post

SEATTLE, Aug. 9.—William Colley has just been named manager of Jensen-VonHerberg's Liberty here. Colley, who has been forced to take a leave of absence because of illness, is former owner of his own Todd-O-Vision and was formerly employed by J. R. O'Malley, the famous exhibitor in Seattle.

Form Exhibitors' Rotary

ALBANY, Aug. 9.—Exhibitors' Rotary Circuit, Inc., New York City, has been chartered by George R. Coughlan, Thomas M. Russell and George R. Coughlan, Jr.

Nichols to Do a Novel

HOLLYWOOD, Aug. 9.—Dudley Nichols, who has been on the Fox scenario staff since 1929, has tossed his script pen into the discard for the time being and has this week for his home in New Milford, Conn. The writer plans to devote all his time to the writing of a novel. His last screen play for the studio was "24 Hours A Day."

Musical Set for Brown

HOLLYWOOD, Aug. 9.—Warners have decided to shoot spot Joe E. Brown in a musical as his next vehicle.
HAROLD LLOYD

IN

“THE CAT’S PAW”

A STORY human enough for 2,500,000 Saturday Evening Post readers to call it one of the greatest serials ever written! . . . Exciting enough for many thousands of “best-seller” buyers! . . . Big enough for Harold Lloyd’s biggest picture!

A CAST of Broadway and Hollywood players such as Harold Lloyd never before has assembled for any of his productions!

A ROLE so completely different that it took him years to find it!

A PICTURE that mingle laughter with a happy tear or two—and terrific suspense!

WHOLESALE Entertainment for every member of every family!
SAM TAYLOR

DIRECTOR

"THE CAT'S PAW"
HAROLD LLOYD'S
PRODUCTION

George Barbier
as
Jake Mayo

E. Alyn (Fred) Warren
as
Tien Wang

Una Merkel as Petunia Pratt

"THE CAT'S PAW"
AFOX RELEASE

Grace Bradley
as
Dolores Dace

James Donlan
as
Shigley
HAROLD LLOYD'S

"THE CAT'S PAW"

PRODUCED AT

GENERAL SERVICE STUDIOS, INC.

METROPOLITAN STUDIOS
6625 ROMAINE ST.

EDUCATIONAL STUDIOS
7250 SANTA MONICA BLVD.

HOLLYWOOD, CALIFORNIA.
"AN INSTITUTION AS GREAT AS THE INDUSTRY IT SERVES"

"CERTIFIED PRINTS"

THE PRINTS THAT BUILT LEADERSHIP

It is not by chance that Consolidated is recognized as the world’s most important producer of film prints. The quality of "Certified Prints" has steadily built up this prestige over a period of twenty-one years. As the art of motion picture production developed, and finer prints were needed, Consolidated established film printing on a scientific basis to keep pace.

Out of our research laboratories have come original technical processes that unfailingly reproduce every action and sound in the original negative. We have designed and built our own machines that have changed film printing from a haphazard art to an exact science.

And Consolidated continues to pioneer. At Consolidated Park new and better methods of manufacture are ceaselessly being sought to improve the quality of "Certified Prints."

SAFEGUARD YOUR INVESTMENT

Cut-price prints mean cut-price quality — inferior materials carelessly processed on obsolete equipment — poor screen results.

It doesn’t pay to jeopardize your entire investment for the few pennies saved on cut-price prints. Make sure of good results. Send your productions to the screen on "Certified Prints." They’re made by science to provide the finest possible expression of the sound and action in your negative. Twenty-one years’ experience and a loyal devotion to the highest ideals of service are always evident in every frame of "Certified Prints."

CONSOLIDATED FILM INDUSTRIES, Inc.

NEW YORK  HOLLYWOOD
Toepzilit Gets Miss Carroll In First Film

By BRUCE ALLAN
LONDON, Aug. 9 (By Mail).—Toepzilit Prod., Ltd., by arrangement with Gaumont British, have signed Madeleine Carroll to play Queen Caroline Mathilde in their first production, “The Dictator.” Clive Brook has already been announced for the male lead.

Paul Steins is planning a business trip to New York to consider offers to direct. He says B.I.P. also has asked him to do a successor to “Blossom Time” with Richard Tauber.

The motion picture industry is capital by $5,900,000 ($254,500) making a total of $141,000 ($705,000) to provide for the studio extensions and enlarged property values. New capital is in the form of 50,000 redeemable cumulative first preference shares of $1 each, and 1,800 ordinaries at 1/- (12 cents).

Board of Trade is already investigating the problem of “quota quickies,” it is stated officially, and will probably be receptive to any suggestions made by the impending C.E.A. deputation. Letter is expected to ask a regulation of the British Act providing for an adjudication of entertainment values before any film is admitted to registration.

Labor troubles continue to look threatening. National Association of Theatrical Employees has rejected the wage and hour schedule, arrived at by the joint conciliation board. Labor spokesmen consider this a blow generally by comparison with those in legitimate theatres. Threat that legislation will be asked for, and possibility of a political appeal for redress through trade unions, against houses paying low rates. Negotiations proceeding in hope of peaceful settlement.

Fox reported to be seeking its own London studio, with the intention of making British pictures on a bigger scale. Has previously used independent units.

Pittsburgh Gets Revivals
PITTSBURGH, Aug. 9.—The recent shortage of product has been sending a number of neighborhood houses into a series of a week or two. The idea has been successful in several spots and is expected to spread.

In East Liberty, the Family, Harris key spot, is now considering a number of revivals, with a daily change as against the regular split-week policy.

Para. Truck in Seattle
SEATTLE, Aug. 9.—Paramount’s “thetremobile” is in this city for a few days, on the first lap of its national-wide tour. The truck and its 20-minute sound trailer for coming Paramount films is gaining wide attention.

Albany
ALBANY, Aug. 9.—Arrangements have been concluded for the “Monte Carlo Night” to be held Saturday, Aug. 11. Chairman Alec Slayes, who is host in harness after a brief vacation, has set up plans to make this event the crowning achievement of the club’s summer activities.

Tracy Barham recently resigned from Warners, now is located in Marion, O., having made connection with Municipal. 

Canvasmen have decided to hold an annual golf tournament, and the initial affair is to be held Aug. 24, at the Shaker Ridge Country Club. Handicap system will prevail, to give all barkers and “outside duffers” an equal opportunity to participate.

Dick Hayes, Paramount, has a summer cottage at Lake George, and has issued a standing order to barker that he desires to be their host on week-end.

A number of members have signed the intention to attend the outing staged by the local Warners’ Club at Babcock Lake on Aug. 15. A ball game will follow, and the Variety Club is scheduled.

Pittsburgh
PITTSBURGH, Aug. 9.—Barker Jerry Mayfield is now Pittsburgh’s leading film contractor. Has signed a year contract with the William Penn Hotel in charge of all music and entertainment—has the band at Pittsburgh’s newest and smartest place. “The Twin Gables,” and conducted the 90-piece symphony orchestra on “Good Samaritan.”

Barker Bernie Armstrong has signed a long-term contract as feature organist at the Harris-Alvin.

Barker Bill Bexwanger home after the eastern trip with his team—the Pittsburgh Pirates.

New York, Aug. 9.—Barker eye shot a 76 for the city park championship at golf, but failed to finish with the winners in the finale.

Barker Sullivan, for years Radio sales manager, has accepted a position with Seagram Distillers as local representative.

“Jane Eyre” Held Over
OMAHA, Aug. 9.—“Jane Eyre” scheduled for a four-day showing at the Brandeis, did enough business to warrant a three-day holdover. The picture is on a dual bill with “Midnight Alibi.”

Hollywood Personalities
Hollywood, Aug. 9.—About 60 actors and actresses of “The Captain Hates the Sea” company at Columbia’s Charlie Chaplin set spent Nate Watt, assistant director, to Lewis Milestone, with a very expensive wrist watch. ... charles who is penning a couple of nice songs for Binnie Barnes in Universal’s “What Ladies Do.” ... Noah Beery has been spotted in “Kentucky Colonels” at Radio,... dito Helen Westley. ... Columbia’s fourth Tim McCoy Western, now in preparation, has been titled “Burnt Ranch.” ... Clark Cable got tired of dressing up a group of boys selling whipped ganymedes at the studio gate, whose number multiplied day by day, so he bought them off all at once and is now using the other gate. ... Chie Sale’s option for a third short has been purchased by M-G-M; “Hawaii Vacationing” at Del Mar with her hub. ... Ramon Novarre back from his South American concert tour and slated for “In Old Vienna” and “Her Excellency’s Tobacco Shop” at M-G-M.

Turkey Turns To American Sound Films
WASHINGTON, Aug. 9.—American films are steadily gaining in popularity in Turkey, according to a report submitted by Department of Commerce Commercial Attaché Julian E. Gillespie in Istanbul.

The first American films released in Turkey during 1933, about 41 percent were American, 29 percent German, and 17 percent French. For the respective ratios in 1932 were 37, 25 and 25 percent. During the first four months of 1934, 66 sound pictures were released, of which American films accounted for 55 percent, French 20 percent, and German 17 percent.

The favorable position obtained by American and German motion pictures in Turkey has been due to the regular supply of films in other dubbing, especially French versions. The Turkish public generally prefers films in French.

As of May 31, there were 61 theatres wired for sound in Turkey with an aggregate seating capacity of 34,000. Eighteen of these theaters only built during the first four months of the current year.

The Philippines board viewed 2,791 films in 1933, 861 more than during the previous year, according to a report to the U. S. Department of Commerce by Commercial Attaché Charles H. Hoehn.

Of the total 2,766 were passed with eliminations, 13 passed with cuts, and only two were passed in total.

The 1933-34 film season just closed in Greece was comparatively satisfactory from every point of view, says Commercial Attaché K. L. Rankin in a recent report to the U. S. Department of Commerce.

Attendance was estimated 25 to 25 per cent higher and releases increased by 25 cents in box office revenue.

A reduction of the ticket tax from nearly 60 per cent to an average of 27 per cent increased box-office receipts and the higher prices paid for films in terms of paper drachmas, but on the whole the film exchanges and theatre owners did fairly well, most of them closing the season with substantial profits.

Fugitive figures indicate that the total of sound releases between Oct. 1, 1933, and May 30, 1934, was about $150,000 against $105 for the corresponding period of the ’32-33 season.

Picture theatres in Paris paid 46,570,000 francs during 1933, out of an income of 338,258,470 francs, according to figures from the French Ministry submitted to the U. S. Department of Commerce by Assistant Commercial Attaché Daniel J. Reegan.

Fox to Have a Picnic
Hollywood, Aug. 9.—Fox will hold a picnic for its employees Aug. 12 in North Hollywood, at which Mitchell and Durant, John and Dandelion, James Dunn, Ketti Gallian and Stephan Fitchett will entertain. Proceeds will go to the relief fund of Fox employees.
IT'S SMART to be WELL-INFORMED

When you want to know about
censorship
best-selling books, plays, songs and radio features
film personalities
the code
Corporate structures and financial statements
product for 1934-35
titles of 1933-34
sound films before 1933
distributing organizations
circuits
managers' round table club
equipment companies
reviewing organizations
foreign film market
motion picture critics
trade organizations

REACH FOR THE 1934-35

MOTION PICTURE ALMANAC
1790 Broadway

The successful theatre operator keeps abreast fundamental industry facts.

Year after year he is vigilant to meet the challenge of rapidly-changing conditions as they are affected by the shifting economic, social and political scene.

The 1934-35 Motion Picture Almanac is the product of a score of practical research workers, twelve months of fact-gathering and the expenditure of thousands of dollars—all combined to place countless valuable facts within easy reach on your desk!

$5.00
MOTION PICTURE DAILY

Hollywood, Aug. 9.—The screen has made rapid progress in the past 20 years, and I firmly believe within the next 10 years there will be even greater mechanical advances," said Lasky.

Both of these scientific developments would probably be necessary to rejuvenate the industry and send box-office grosses soaring from the ground up.

"Meanwhile," concluded the producer, "it is up to us who make the pictures to improve the entertainment quality of our product, to keep pace with the progress of the technician. Unfortunately we have not done so in the past, and the future of the screen depends as much upon us as on the inventive geniuses who contribute the mechanical improvements."

Two Nebraska Spots To Open; Six Close

Omaha, Aug. 9.—Two new theatres will open soon in Nebraska. The Home, Crofton, Neb., is constructed from the ground up by Clem Tramp; the Wood River, at Wood River, is a renovated building in which all new equipment is being installed by John Lyhan.

The Lakeview, at Lakeview, Iowa, has been sold by E. B. Hamm to W. O. Goebler.

The following have closed in Nebraska: Lyric, Edgar; Lawrence, Lawrence; Reizer, Campbell; Springview, Crystal, Peru, and Star, North Bend.

The Strand, in Sidney, Neb., has been closed.

Hold "She Loves Me"

Chicago, Aug. 9.—For the first time in the history of the B. & K. Chicago, the next opening will be held for the second week, "She Loves Me Not," with Waring's Pennsylvaniaians unloading madécot tour records the first week ending tonight, rolling up a gross of over $65,000.

Detroit Smokes Ball Up

Detroit, Aug. 9.—Special permits for smoking in theatres will be required under the terms of a proposed ordinance approved by the Board of Fire Commissioners. It will be presented to the Common Council. Fire Marshal G. S. Goldwater says smoking is prevalent in non-fireproof buildings.

2nd Dividing Coin

Hollywood, Aug. 9—W. Ray Johnston today announced that Monogram will declare a dividend of one and one-quarter per cent on its stock on Aug. 15. This will be the second to be made by the company this year. The first, of equal amount, was made May 15.

Hal Roach Under Knife

Hollywood, Aug. 9.—Hal Roach underwent an operation for appendicitis today at St. Vincent's Hospital. He was stricken as he was about to board his new plane for New York. Tonight the producer was reported doing "nicely."

Color, Stereoscopy Predicted by Lasky

"The Fountain"

Hollywood, Aug. 9.—Plot lethargy retards this thoughtful film, evolving, however, well-accoutered mental discussion of things metaphysical among swanky folks who stir the sympathies intermittently.

"The Fountain" as a novel may have had literary style and a probing human story, but the emotional impact of the film is but skin deep. Intelligence there is in the celluloid version in nearly every department of creative activity. However, there is a paucity of sheer picture movement, speed, action and heart appeal—elements which make moving pictures move. Comedy is ignored.

The problem of English officers interned in Holland during the war promises much dramatically at the castle where the pro of this and the pro of that are cogitated, the cardiac region remains untouched, except by Paul Lukas, a cultured German officer returning to his wife, and Ann Harding, an English girl in love with Brian Aherne. British officer, Jean Hersholt's human performance stands out with that of Lukas. Miss Harding and Aherne look well, act well, but philosophical platitudes interfere with the romance and drama.

John Cromwell's direction has quality and artistry.

"The Fountain" may be appreciated by sophisticates who have read the book leisurely, but the film is a very talkative picture. Running time, 83 minutes.

"You Belong to Me"

(Paramount)

Hollywood, Aug. 9.—This is a tear-jerker, colorful, entertaining yarn of backstage vaudeville life. Lee Tracy, credited with top billing, plays second fiddle to seven-year-old David Jack Holt, who dominates such seasoned actors as Helen Morgan, Helen Mack, Arthur Pierson and several others.

Alarmed at heart, the yarn details the unhappy, tragic life of Holt, son of the widowed Miss Mack, who cannot reconcile himself to his mother taking on another partner. Pierson, who later deserts her after sending Holt to a military school, unable to merge himself in the school regimentation due to his close association with the show business, Holt keeps in touch with the comic Tracy, his best pal.

Tracy gives a fine, sympathetic performance, with Miss Mack excellent in the role of a loving mother whose life is empty. Pierson pleases as the heavy and Miss Morgan's typical blues singing, along with her acting, is well done from a few original numbers by Sam Coslow. Alfred Werker's direction makes the best of the William Slavens McNutt-Grover Jones adaptation of the stage play "Fifty-Two Weeks for Freurette."

Summarily, the production is wholesome entertainment with plenty of opportunity to capitalize on the present cycle for heart and kid pictures. Running time, 70 minutes.

"One More River," yesterday's opener at the Radio City Music Hall, was reviewed by wire from Hollywood on Aug. 3.

Pastor for Adult, Child Film Labels

Kansas City, Aug. 9.—Classification of theatres into two groups, adult and family entertainment—into the solution to the problem of juvenile suicide by film producer by the Joseph Myers, associate pastor of the Community church there.

"Our experience leads us to believe that the most important thing parents can do regarding the movies at the present moment is to help their children to select very carefully the pictures the see, and to achieve emotional detachment regarding all they see, is the conclusion. Cheerfully, Dr. Myers states.

"Exhibitors could help greatly if they would agree to designate certain theatres for adult entertainment only and others for family entertainment, or for children, instead of offering inducements to children to attend all theatres and every kind of picture."

Del Rio Dental Good Publicity in Mexico

Mexico City, Aug. 9.—Dolores Del Rio wrote the local Warner offices a letter today which reads: "I have been here for a month and a half and have been established by a Los Angeles Spanish tallied that she was high hating Mexico. She added that the country was her dearest love and that she would visit it so soon as her next picture is finished.

Several newspapers fell hard for the publicity.

Trans-Lux in Deal For a Third House

(Continued from page 1)

Read, will be remodeled within the next few weeks provided the deal is closed.

Trans-Lux now has theatres at Madison Avenue, between 59th and 60th Sts., and Broadway, between 49th and 50th Sts.

SchnitzerAbandons Production Activity

(Continued from page 1)

the legendary New York promoter of its kind here. Schnitzer let it be known that he intended to devote all his service to the new venture.

Start Second in Egypt

WASHINGTON, Aug. 9.—Encourage by his first production, "Filis a Papa," Youssef Wahby, Egyptian showman and actor, has started a second picture to be called "La Defense," according to a report to the U. S. Department of Commerce by special Attaché C. E. Dickerson, Jr., in Cairo.

"La Defense" is the first attempt to produce an entire talking picture in Egypt with Egyptian artists exclusively, and it is being prepared in the small studio recently constructed by Wahby, equipped with Tobis sound system.

King City Spot Burns

King City, Mo., Aug. 9.—The Life building was damaged when fire broke out in a warehouse in the rear of the E. M. Beck Grocery. The fire started in a building occupied by the Charlie Levy Clothing Co. were destroyed. The damage was estimated at $50,000.

Ohio Editor to Bar Ads On Objectionable Films

HAMILTON, O., Aug. 9—The Journal-News here has taken a stand against accepting further paid advertising on what it considers objectionable pictures and it will also bar reading notices.

In deciding what pictures are objectionable, the editor says he will endeavor to avoid advertisements from other cities and general hearsay as to the moral content of films.

In an editorial explanation of the policy the paper says: "Despite the fact that the Catholic and Protestant churches and the leaders of the Jewish faith have declared against the vicious and Lewd movies the picture show interests do not hesitate to show such pictures."

Jewish Women in Drive

The cooperation of the National Council of Jewish Women in the drive against objectionable films was voted yesterday by its directors at a meeting here. That the council is opposed to censorship was emphasized by Mrs. Arthur Brin, president.

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**How They Voted**

Here's how the Campi motion was voted on. The Campi committee in the Milwaukee clearance and zoning committee, which was presented to the City Council. The decision was six to four in favor of dropping it.

For eliminating the clauses:
- Against: Leslie E. Thompson, Harold S. Bareford, Ed Kuykendall and Austin Kough.

**Philadelphia Complains On New Contracts**

**Cleveland Stay on Doubles Continued**

**Campi Grants Cancellation On U. A. List**

**Rules in Case Brought by Indian Exhibitor**

Campi has ruled that United Artists comes under the 10 per cent cancellation rule of the code under which exhibitors buy all of the product offered. A decision was handed down yesterday by unanimous vote.

On Tuesday an appeal committee, comprising William J. Kupper of Fox, Charles L. O'Reilly, head of the T. O. C. C., and Leon Rosenblatt, New Jersey and Staten Island circuit operator, recommended that U. A. cancel a $12.50 contract which was bought by H. K. Evans of the Albion, Albion, Ind., Edward Raftery of the legal firm of O'Brien, Driscoll and Raftery defended U. A. at the appeal hearing.

**Old Spanish Custom**

Mexico City, Aug. 10.—An optical supply dealer here has been doing a good business renting his trumpets to hard-of-hearing Mexicans in theatres. The films are in English as a rule and the Mexicans didn't understand the language. Their desire to hear was a mystery at first, but it was learned they wanted to join in the disturbance whenever the sound went wrong.
Report George Hill, Director, 39, Suicide

Hollywood, Aug. 10.—George W. Hill, the director, was found dead at his beach home today with a bullet wound in the head. After consultation the authorities reported the case as suicide. Ill health caused by a skull fracture suffered in an automobile accident several months ago was given as the motive. Hill, the former husband of Frances Marion, the screen writer, is survived by his parents and a brother.

The director was a veteran cameraman before joining M-G-M, where he had been since 1924. At the time of his death he was engaged in directing a picture at Culver City, Calif. Still unfinished in pictures in 1908 as a stage hand for David W. Griffith, "Min and Bill" and "Hell Divers" and "The Big House," were among the pictures directed by him.

**N. Z. Film News Here**

First issue of New Zealand Film News has been received in this country is the World Film News, copyrighted in New Zealand and it is being published at Wellington with Donald M. Hevesi as managing editor. The book consists of 19 pages, 9½ x 12, and is freely illustrated. It leads off with an interview with Herbert W. Shortt, president of the N. Z. M. P. Exhibitors Ass'n. Industry news is covered, there is an exploitation page, and release charts are included.

**RKO Prospect Open; Closed by the Mayor**

The RKO Prospect, Brooklyn, was reopened yesterday after having been closed one day by Mayor LaGuardia. The closing of the house is the result of a "Shirley Temple Requiem Contest" held in the lobby last Saturday without permission from RKO. Mayor LaGuardia has ordered License Commissioner Moss to revoke the license temporarily as a disciplinary measure.

Joseph Freytag, manager, had applied to the S. P. C. C. for a permit to hold the contest on the stage, but his application was denied by both Charles H. Warner, superintendent of the society, and Mayor LaGuardia. Instead, he held it in the house lobby. Attempts to reach RKO officials for comment yesterday were unsuccessful.

**Mexico City Has 55**

Mexico City, Aug. 10.—Film theaters here have been increased to 35 with the opening of the Cine Roma, 3,000-seat neighborhood house in the very heart of downtown Mexico City. Four more neighborhood houses are under construction.

**DeMille in Denver**

Denver, Aug. 10.—Cecil B. DeMille opened his lecture tour here yesterday. His next stop will be Kansas City, where he will speak Sunday. He will be in New York Monday and will speak at Teachers College there on Wednesday.

**Close Butterfield Deal**

Jules Levy has closed with the Butterfield circuit for RKO-Fox's 10,000 theaters. Nat Levy, Detroit manager, and E. C. Beatty, general manager of the Butterfield circuit, negotiated the deal.

**Jeanne Cohen Send-Off**

Jeanne Cohen of Columbia was given a send-off luncheon at the M. P. Smith Studio prior to her departure for the coast yesterday.

**Trans Lux Up ½% on Curb**

**Low's Off 1½% on Big Board**

Low's has cut the independent distribution ranks to become manager of the George Public Sts. Inc. a post he has already assumed.

**Para. Promotes 12 On Southern Staff**

A dozen promotions have been made by Paramount in the South. They are: (1) Bill McElhinney, Atlanta, to sales assistant, Memphis; (2) Karl Chalmun, sales manager, Kansas City; (3) E. G. Johnson, assistant booker to head shipper, Atlanta; (4) Carl Aberson, booker to assistant booker, Atlanta; (5) W. R. Wadsworth, assistant booker, Atlanta; (6) K. E. Miller, sales assistant to ad sales, Memphis; (7) Joe Bower, assistant to ad sales, Memphis; (8) Bill Allen, booker, Atlanta; (9) Mike Collins, booker, Memphis; and (10) John Charles, booking manager's secretary, Memphis; Katherine E. Rightmyer, head booker scenarist. Miss Collins has been transferred from booker to booking manager’s secretary, Memphis. Lucille O. Chase, a former department store clerk, has been made booking manager’s secretary.

**Lichtman Signs B. & K.**

Al Lichtman, vice-president in charge of sales for United Artists, has closed a deal with B. & K. for his company’s 1934-35 output.
Campi Grants Cancellation On U. A. List

(Continued from page 1)

New Haven Schedule Next Before Campi

New Haven's clearance and zoning board will be the next on Campi's calendar for general protest. Arguments pro and con will be heard as the schedule is presented.

This schedule, like the Milwaukee plan, has a clause pertaining to dual in one city, one method in another which has been held up. The schedule has been returned to the city for a general revamping. Campi has made a number of suggestions which he has been asked to consider. The schedule, it was later noted by the board, which is expected to meet next week to re-write the plan.

Would Enjoin Picketing

GOSHEN, Ind., Aug. 10.—An injunction petition filed here by Marie Bow- er, president of the Ban-Box at Ellicott, Ind., alleges that the National Industrial Recovery Act has no application to interstate business.

The petitioner is seeking to enjoin picketing. A picket was carrying a sign up and down the sidewalk in front of the theatre. The sign bears these words: "Ban-Box Theatre has not signed the P. R. A. President's Recovery Act, and is not complying with the N. R. A. Theatre Code."

To Push War on Duals

LOS ANGELES, Aug. 10.—The local clearance and zoning board intends to press its fight to eliminate duals in Southern California. Already 95 per cent of clearance Aug. 25.

The plan has been even divided on the issue of the duals' penalty clause, the ruling of the Milwaukee board would have been automatically affirmed. As it happened, one vote caused defeat of the plan.

Barrett Married

DANVILLE, Ind., Aug. 10.—Mrs. Elsie L. Barnett, owner and manager of the Royal Theatre here, and Edgar M. Blessing, an attorney, were married at Christ Church on the Circle at Indianapolis. Immediately following the wedding they started a tour of the western states where they will remain for several weeks.

Ampa Seeking Ideas

Ampa is in the market for sugges- tion for its "Ampa Revels" revue, which will be put on for the benefit of members some time next month. Anyone playing an instrument or having any other creative talent is urged to bring them to the fore in the show.

Albany Tournament Set

ALBANY, Aug. 10.—Plans are complete for the first golf tournament of the Capital Country Club Aug. 24. It will be a stag affair followed by a dinner at 7:30 in the evening.

"Fountain" RK0's First

RK0's first release on the 1934-35 schedule will be "The Fountain," set for Aug. 31.

Philadelphia Complains On New Contracts

(Continued from page 1)

in said contract clauses gives them the privilege to allocate pictures after they have been cancelled. "It is offered that a direct violation of the code covering cancellation privileges therein recited is and an abortive attempt to circumvent the intent, purpose and provisions of the motion picture code.

It is suggested that all of these distributing companies, immediately submit to the exhibitors for the renting of 1934-35 pictures the uniform contract as provided in the code. It is further requested that Code Authority immediately take steps under the power given it by the motion picture code, to bring about the necessary change in order that the exhibitors may be fully protected as provided for in the code.

Campi Rules Vaude Acts Get Minimums

(Continued from page 1)

unless the minimum rate is paid in each theatre.

Persons appearing as amateurs in contract will not be paid for services rendered either directly or indirectly, Campi holds, and if payment is made the minimum of $750 shall prevail as prescribed for professional performers.

Interpretation is designed to go away with doubling acts unless performers are paid the minimum wage by each theatre.

Terre Haute Gives Shows

TERRE HAUTE, Ind., Aug. 10.—The Terre Haute City Park Board is sponsoring free silent movies at Coliseum Park every Sunday night during the summer. The pictures are mostly of an educational nature and are meant for the entertainment of children. However, many adults attend.

Fox May Hold Criterion

Fox is expected to hold on to the Criterion as its Broadway showcase, for some of its coming special attractions. "Cavalcade" closes tomorrow after a three-week run at popular prices.

"Navy" Is O. N. O. Smash

NEW ORLEANS, Aug. 10.—"Here Comes the Navy" has gone into a second week at the Orpheum after playing to standing room every night for the past week.

Carriers Meet Oct. 1-3

Annual convention of the National Film Carriers' Ass'n, Inc., will be held at St. Louis, Mo., Oct. 1-3. About 40 will attend.

Labor Delays Opening

CHICAGO, Aug. 10.—Labor difficulties are understood to be the reason for delay in opening of the Apollo by B. & K. The house, recently acquired, was slated to open Aug. 1.
Para.—Marcus Deal Approval Goes to Court

(Continued from page 1)

that he had met with S. A. Lynch, chairman, without the presence of the trustees of the theatre advisory committee, in the meantime, and, after advantages of the plan had been explained to him, he had agreed to the extensions.

The approved order provides that Famous Theatre Corp., a Paramount subsidiary, will exercise an option to purchase Marcus’s stock interest in Public Salt Lake for $50,000. Famous will assume operation of the circuit which consists of four theatres in Salt Lake City, one in Provo, Utah; two in Twin Falls, Idaho, and a half interest in three theatres in Boise and four in Ogden.

No Decision on Successor

Lynch said yesterday that no decision had been made yet on a successor to Marcus in charge of operations for Famous.

The option to repurchase Marcus’s stock interest in the circuit is identical with a provision in the deal made to provide Marcus with his theatre operating partners. It is understood, however, that for the time being the options will not be exercised where circuits show a commensurate margin of profit under partnership operation.

As agreed in June yesterday, after earlier objections by Sumner had been withdrawn was a procedure by which Paramount Publicized and operated through its subsidiary, Olympia Theatres Corp., a subsidiary, with funds with which to purchase $161,200 of G-B debentures (from Nathan and Samuel Goldstein) for $300,000. G-B is a New England circuit, formerly owned by the Goldsteins and operated by the Goldsteins in 1930. Purchase of the notes by Lares is in accordance with a provision of the agreement under which the Goldsteins resumed operation of the circuit for Paramount several months ago.

Studies Put Clamps On Star Interviews

(Continued from page 1)

resolution adopted at a meeting in the Hays office, the interviewers will have to submit their interview idea for approval. Upon approval, the interview is made and then they will have to agree to submit the completed article for approval.

In addition, when practicable, a representative of the studio must be present at the interview. Publicity heads claim the move has been made necessary due to the trend toward sensationalism in interviews and a practice of interviewing by some writers of using their positions to get players to endorse advertised articles.

Chase in a Hospital

HOLLYWOOD, Aug. 10.—Chase Chase, Hal Roach comedian and director, is in a local hospital for treatment of a stomach disorder.

Looking ’Em Over

“The Lady Is Willing”

(Columbine)

Again Leslie Howard saves the day in this comedy melodrama. He is assisted by Bunnie Barnes, Sir Cedric Hardwicke and Claude McAllister. It’s not an important picture, but it has entertaining values which kept a preview audience at the Palace amused.

Howard and three friends find themselves penniless when stock they have purchased from Hardwicke is wiped out due to bankruptcy. The quartet plan to get their life savings back from Hardwicke and delegate Howard to lead the way.

The hero takes on the disguises of bearded doctor, uniformed soldier and ordinary sleuth in his various contacts with the conniving banker and ultimately not only achieves his purpose but also wins Hardwicke.”

While Gilbert Miller directed this picture in London, there are no pronounced accents to disturb the continuity. Running time, 65 minutes.

MOTION PICTURE DAILY

HOLLYWOOD PREVIEW

“Desirable”

(Warner)

HOLLYWOOD, Aug. 10.—This is an entertaining example of characterization overcoming a light story by the fine direction of Archie Mayo and the good performances of Jean Muir, Van Hamersveld, John Halliday, Charles Starrett, Russell Hopton and others. The delicate treatment by Mary McCall also contributes much to the story moving, with pathos and heart balancing equally.

Miss Muir triumphs in the role of a boarding school daughter of a famed actress (Miss Teasdale). She comes home for a holiday, but her mother, who has struggled to achieve her niche on the stage, fights against her remaining, fearing that it become known she is the girl’s mother. Her career will be jeopardized. During this conflict, Brent, an admirer of the mother, inadvertently falls in love with the daughter, with the mother doing everything to kill the romance. She finally forces the girl on the screen of a wealthy family (Starrett), which strategem only precipitates Miss Muir’s engagement in favor of Brent. Although there are no big marquee names to draw, this picture should take care of itself in any spot after the first night. It’s entertainment well handled. Running time, 65 minutes.

Report Loew-Reade To Agree Next Week

NEWARK, Aug. 10.—Local observers point to the Strand, Oxford and Paramout, Plainfield; Majestic and Dittmar, Perth Amboy; Carlton, Red Bank, as the group of Walter Reade houses Loew’s is interested in taking over.

None of the houses have RKO as competitors. The deal is reported ready to be definitely set within the next few days.

Roberts Picks “Goddess”

HOLLYWOOD, Aug. 10.—The first Charles R. Rogers production on a new contract with Paramount will be “The Goddess,” a story by Paul Her重生 and directed by Elissa Landi and Cary Grant for the top spots. No director set.

Para. Holds Writers

HOLLYWOOD, Aug. 10.—Louis Long and Ethel Daugherty, former Para-mount screenwriters, have been re-engaged by the studio to team on a series of Zane Grey stories.

10% Admission Levy Introduced in N. O.

(Continued from page 1)

passengers, carousels, scenic railways, and pleasure rides. An exception would be made in the case of any amusement where the proceeds go to educational, religious or charitable institutions. Coin-operated machines would be also exempt.

Persons failing to make return would be liable to a fine of from $10 to $25, or to not more than 30 days in jail.

The passage of the ordinance would bring an increase in admissions, it is believed.

Hamrick Raises Scales

SEATTLE, Aug. 10.—With the resumption of film service from Par-mount and other major companies to the Blue Mouse here, John Hamrick has been required to advance admission rates at this house. The former scale of 15-cent matinees and 25-cent evening rates after 6 o’clock has been changed to 15 cents until 1 P.M., and 25 cents thereafter. Mezzanine floor seats are 35 cents after 1 o’clock.

Shorts Down;

But Features Gain by 155

(Continued from page 1)

1934. The independents, who made 525 shorts last season, intend to turn out 457 this year, it is shown.

The total decrease in shorts breaks down as follows: one-reelers, 234; two-reelers, 223.

The majors, the compilation shows plan to release during 1934-1935 502 one-reelers, 234 two-reelers and 197 two-reelers. These figures compare with 202 and 257 last season.

The total number of productions, features and shorts, planned by the majors is listed at 1,169, which compares with 1,147 announced at the beginning of the 1933-1934 season.

According to the compilation, Columbia will produce one feature less than last year; Fox, 16; Paramount, 22; Paramount, 25; Radio, 11; United Artists, eight; Universal, 52.

No Rocky Mountain Move Until November

(Continued from page 1)

Coast units, Rick Rickertson, operating head, states.

Completion of the Fox West Coast organization is being held up because of the legal suit by Zeln attacking the validity of acts of Paramount trustees. This affects the operation of Fox units in Los Angeles. In his petition, Zeln claims that two of the Paramount trustees are disqualified because of their affiliation.

Fox Rocky Mountain hasn’t added or dropped a theatre in the last year, Rickertson said. He is in New York primarily on product deals.

Happy Days for Miss.

JACKSON, Miss., Aug. 10.—A bumper cotton harvest in Mississippi is bringing joy to the exhibitors of the state, as grosses are expected to shoot upward. The industry will also profit from an extra $10,000,000 in the pockets of planters by the Federal government by virtue of the processing tax.

Raft Asks Name Change

HOLLYWOOD, Aug. 10.—George Raft wants this to be his legal name. He has petitioned the Superior Court to drop the “n” from his present legal name, which is George Ranit.

New Thomasville House

THOMASVILLE, N. C., Aug. 10.—A new theatre, to be known as the Family, has been engaged at Salem St. It will seat 400. Equipment includes an air conditioner. It will be ready about Oct. 1.
U. A. to Seek Court Test on Cancellations

Plans for Federal Suit Over Camp Ruling

Disagreeing with the decision rendered by Camp holding that its policy of arbitration was subject to cancellation, United Artists plans to file suit against Code authority for an interpretation of the arbitration clause in the code. Edward J. Reilly, counsel for the company, informed U. A. attorneys, told Motion Picture Daily. Suit will be filed in the U. S. District Court. The distributor contends that its

British CEA Again Hits Overbuilding

By BRUCE ALLAN

LONDON, Aug. 12 (By Mail).—An important further step in the overbuilding controversy is reached by the announcement that the Gaumont British exhibitors' Ass'n is circulating to licensing authorities throughout the

Green to Tell Aims In Newsreel Shots

Hollywood, Aug. 12.—To clarify a clean film campaign Joseph I. Green and his family will appear in a special edition story about some American authority interviewing him for the American market and some Englishmen conducting the interview for the British market.

It is expected that Irvin Cobb will appear as the American and that Hugh Walpole will be the Englishman.

N. O. Stirred Again

New Orleans, Aug. 12.—Another film agitation is developing. With the town law firm of O'Brien, Driscoll & Rafterty, U. A. attorneys, told Motion Picture Daily.

Fox Product Going In Loew De Luxers

Marking the first time Fox product will play in Loew de luxe theatres, "The World Moves On" opens day-and-date at the State and Paradise on Aug. 24. The picture also will play in four other de luxe units.

The Fox deal includes fifty-nine other Loew houses in Greater New York.

Associated Theatres Now MPTOA Unit

Associated Theatres, Inc., of Los Angeles has formally affiliated with the M.P.T.O.A., Ed Kuykendall said Saturday. Kuykendall said the national organization "welcomed" the

THIRTY CONCERNS FIGHT CODE COSTS

U. A., Universal Want Charges Based Upon Gross Receipts

Thirty major and independent producers and distributors have filed protests with Division Administrator Sol A. Rosenblatt on the $900,000 assessment for the first six months imposed against them. Since all protests must be filed by Aug. 15 it is expected others also will send in complaints.

From official sources it has been learned that the protests probably will be turned down and that the Research and Planning Division of the NRA will most likely ask Camp to draw up another plan.

Complaining companies are: United Artists, Universal, Amity Exchange, Charlie, Remington Pictures, Hollywood Pictures Corp., Paul Goldman, and

Chadwick Praises New L. A. Schedule

Praising the work of the Los Angeles board in drafting the local clearance and zoning schedule, L. E. Chadwick, Independent producer, states that independent producers and distributors are cooperating with coast exhibitors on the plan.

He said Harry Hicks, chairman,

Penn MPTOA Moves to Fight Score Charge

PHILADELPHIA, Aug. 12.—Opposition to score charges levied by producers has taken new turn in the M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware. Members are now seeking to enlist all exhibitor organizations in a fight against the charges.

In resolutions just passed the unit also seeks that the M.P.T.O.A. lead the fight.

Oscar on the Air

Hollywood, Aug. 12.—Oscar Smith, Paramount's muchly publicized bootblack and actor, is climbing into big time, having been signed to do his stuff over NBC on a coast to coast coffee program.
Ellington Denied Permit

LONDON, Aug. 12—Duke Ellington’s ban is over. Ellington’s band will now be able to play in film houses in England by the Ministry of Labor. The official stand is that British bands should be employed for such purposes and that only members of stage shows. Ellington had been scheduled to play the Paramount Astoria circuit.

George W. Hill Cremated

HOLLYWOOD, Aug. 12—In accordance with George W. Hill’s request in his latest will, his body was taken to Rosedale Cemetery less than 24 hours after his death and cremated without any ceremony. Only members of his family were present with his attorney.

Starts N. O. Tax Fight

NEW ORLEANS, Aug. 12—Harry S. McLeod, president of the G.S.T.A., has called a meeting of Laurieton exhibitors, fearing that if Mayor T. Semmes Walmish’s 10 per cent tax on all places enacted it would spread to other parishes.

Newark Opera Is Sold

NEWARK, DEL., Aug. 12—The Opera House, taken over by William M. Veatch, has recently been sold for $14,500 to J. Pearce Cann, Wilmington attorney, at a sheriff’s sale.

E. E. Lyons Passes

LONDON, Aug. 12—E. E. Lyons, founder of the Biocolor Circuit, died Friday.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Vol. 36  August 13, 1934 No. 36

MOTION PICTURE DAILY

HOLLYWOOD PREVIEW

“Big Hearted Herbert”

(Warner)

HOLLYWOOD, Aug. 12—This laugh-packed, domestic comedy promises to be a grand entertainment treat for all types of audiences. Telling a story familiar to every American family, the yarn is true to life and a riot of clean, wholesome fun. It is a fast moving yarn with laughs in every line of dialogue; every bit of action and setting is a brilliant satire on the clash of old fashioned versus modern ideas.

A hard headed, self-made father (Guy Kibbee), by going into a fur coat manufacturing business, makes his wife (Alice MacMahan’s) dinner party honoring daughter’s (Patricia Ellis’) prospective husband (Philip Reed). Later, when he wants to show off for a big customer, the family turns the tables on the old man by going completely old fashioned, yakning out all the archaic furnishings and clothes and putting on a dinner that is a grand burlesque on Kibbee’s ideas. The result is that Kibbee comes around to see things from a 1934 viewpoint.

Kibbee is great as the thick skinned father and in Miss MacMahan he has a perfect partner. The romantic interest is carried by Miss Ellis and Reed. Helen Howell, as the maid, stands out. The supporting roles are carried off with a smile by Helen Trench, Tom Barron, Henry O’Neil, Nella Walker, Hale Hamilton and Claudia Coleman.

The screen play by Ben Markson and Lillie Hayward, based on Sophie Kerr’s play, is lively and colorful. William Keighley’s direction needs no praise.

Picture has quality to come up in big and small theatres running time, 60 minutes.

“Have a Heart”

(M.G.M.)

HOLLYWOOD, Aug. 12—Jean Parker’s first starring film, with Jimmy Dunn, Una Merkel and Stuart Irwin, is for those folks who like to laugh and cry and who like good, clean hokum. Judging from the preview reception, there are plenty who like it.

The yarn, spun simply, has Miss Parker, crippled after an accident, enamored of Dunn, an ice cream vendor. She is fearful about her peddler imperfection, but Dunn, discovering the imperfection, falls more deeply in love, with Miss Parker responding. In an unsellish effort to save Dunn from the onus of stealing money, Miss Parker angers him and he leaves. While separated, Miss Merkel and Irwin conspire to bring the lovers together via a hilarious race horse episode. Operated on successfully, Miss Parker is able to walk to Dunn.

Miss Parker has beauty and a protective skin. Dunn, human and humorous, captures her heart. Miss Merkel is a wonderful addition to the cast. Miss Merkel and Irwin provide big laughs. David Butler’s direction stresses the sympathetic and laugh values. The story, by Buddy DeSylva and David Butler, with adaptation by Florence Ryerson and Edgar Allen Wolf, is down to earth. Kate Price is choice in a minor role.

Takes Ashtabula House

ASHTABULA, O., Aug. 12—Jack Steinberg, owner of the Dome, has taken over the Harbor, dark all summer, with plans to reopen immediately.

Asks Court Picket Ban

ALLIANCE, O., Aug. 12—W. B. Urling, operator of the Rex, has appealed to the court for an injunction to stop picketing by I.A.T.S.E. men.

Columbia Down 3/4 on Big Board

LOEW’S BONDS OFF 1 1/2 POINTS

MILTON DOUGLAS, who has sung in a number of George White and Hammerstein productions is expected by William S. and Bulk Kelly for a night club role in “Gigolette.”

MOE STREIBER, U. A. New York manager, leaves for a sea trip upstate either today or tomorrow.

MRS. CLARENCE BRIGHT, member of Campi, is now in Europe.

COVER STORY

Denies Empire State and Allied to Merge

Intent on retaining its independence, the Empire State N. P. Operators Union, Inc., has turned down an offer to merge with the Allied Operator Union, Inc.,. It was learned Saturday from Arthur Farkush, president of former group.

Empire has adopted a resolution that it will never merge itself with a company union such as “Allied,” according to Farkush, who added that its union is “ready to meet any terms of contracts with exhibitors.”

Empire is now conducting a picketing drive against the Globe on Broad way, the Art and Star in the Bronx and the State, Kismet, Summer, Ritz Park, Berkeley, Endicott and Coe sium in Brooklyn.

MOTION PICTURE DAILY

Pittsburgh’s Alvin To Open on Aug. 3

PITTSBURGH, Aug. 12—The Harry Amusement Co. has set Aug. 31 as the opening of the reconstructed Alvin. The house, built originally as a legit opera theatre in 1881, has been entirely remodeled at a cost of more than $100,000 and now has an enlarged seating capacity of 2,000. The new opening will be the presentation of “Take a Bow” and there may also be a stage show, although this hasn’t been definitely cleared.

George Tyson, just appointed managing director of the Alvin, has name Bill Zeiler house manager. Zeiler who is from San Francisco, is well known as a stage manager in several companies. He has the job of running this house and doing the job with skill.

Crosby Radio Goes Bad

Word that the Bexa Amusements, Inc., has broken its radio equipment, is having trouble with its radio equipment but that “we are all right and happy” can be found in a cable received by William Fite son of the law firm of Fiteson & McIlroy, president of the local radio committee, which includes John Cass, Carroll Clark, Charles D. Forrest, John Hughes, Fred Gage, Charles Lang and Maurice Platow. Alternates are Vernon Walker, William B. Moll and Loren Ryder.

Technicians to Nominatd

HOLLYWOOD, Aug. 12—Nominatd for new officers for the Technicians Branch of the Academy will be mad The nominating committee includes John Cass, Carroll Clark, Charles D. Forrest, John Hughes, Fred Gage, Charles Lang and Maurice Platow. Alternates are Vernon Walker, William B. Moll and Loren Ryder.
Relief Work Shows Worry To Theatres

(Continued from page 1)

ed business, Ed Kuykendall, M. T. O. A. president, declared that all exhibitors are in sympathy with unemployment, for the performances by traveling troupes subsidized by Federal relief agencies aid sufficient injuries. He added, "The business to jeopardize the working numerous theatre employees and to contribute to unemployment in this industry. He stated that no objections could be raised if admissions to the exhibit performances were charged, if the state police and those who did not afford direct competition with established theatre enterprises were paying local, state and Federal taxes, and if employment to the number.

Revue shows sponsored by the Public Administration here for the benefit of providing employment for clay professionals have already been a problem of the New York exector, where eight performances are scheduled, exclusive of matinee performances for a four-year-old. The inspection of the eight performances was conducted by Washington officials, who followed closely on the lines of the 19A program here. In addition to the shows, the formation of symphony orchestras composed of unemployed musicians, possibly to give public recitals without charge.

Mexican Exhibitors Fight New 10% Tax

Mexico City, Aug. 12.—Opposition to a proposed 10 per cent Federal tax on film rentals has developed in the form of Cinematographic Exhibitors, a group being urging the proposition on the ground that American companies would close branches here.

The effect of this, they say, would be to throw thousands out of work. cause a product shortage. In case of distributors this was asserted if they send only seven per cent of their receipts out of the country. The officers were elected as fol- lows: President, R. Martinez; secre- tary, Adolfo Rodriguez; treasurer, Ilermo Vega; local representative, Jose U. Calderon.

Rosean Joins Judell

L. A., Aug. 12.—Eddie Rosean, a former United Artists and local Manager for the past 18 months has added his new duties as manager of its new West Coast office here. Harry Scott was recently made man-ager here for United Artists, with Rosean relinquishing the position to Judell.

Hollywood Personal

Hollywood, Aug. 12.—Mr. and Mrs. Charles Laughton, Josef von Sternberg and Marlene Dietrich can be seen lunching together daily at the Paramount studio commissary. Buddy De Sylva, back in town will report to Fox Sept. 1 to begin a new deal of producing four pictures on the new program. Frank Capra's means of making a living here before becoming associated pictures was to tutor the son of Anita Baldwin, wealthy Californian. Fred Keating likes to talk about the days he was a reporter on the New York American. Columbia is having headaches trying to find 50 women between the ages of 18 and 25 with long hair. Fay Wray has started her own system of air cooling by installing two refrigerator machines in her dressing room at Columbia. Ray Hoadley, self-styled statistician for Harry Cohen, issues a statement that less than 10 per cent of all film shots for motion picture entertainment reaches the screen. Grace Moore has decided to make a concert tour before beginning her next picture for Columbia. Austin Parker advances an opinion that the drive for clean pictures will mean new and interesting ideas for screen stories. Alice White will conclude her contract with Universal shortly and become a free lance artist for both radio and picture work.

Alied Angling for 2 More State Units

Expansion plans of Alied call for new units in two more states within the near future. The organization now covers 28 states.

In branching out, Alied is feeling its way. While no one will talk on the geographical location of the planned units, it is understood they will be in the west.

Akron House Reopens

Akron, Aug. 12.—The Colonial, one of the three major downtown houses, has reopened with first run films and Frank King as manager. The house recently quit films for summer dramatic stock, but the new policy ended after five weeks.

Transparent Metal

As Film Is Studied

Hollywood, Aug. 12.—Use of a new transparent metal as film stock is being studied at Paramount by Arthur Zuss, Swiss film technician and assistant superintendent of the studio machine shop. German physicists have produced the metal, he says, and are now experimenting with it on an idea for commercial use. Zuss says its permanence and the fact that it would not shrink like celluloid make it important for the industry.

Paramore on Coe Story

Hollywood, Aug. 12.—Edward A. Paramore has been signed by Fox to do an adaptation of the Charles Fran- clis Coe story, "Penny," Cast and directors have not been set.

"Bondage" Is Pittsburgh's Top, $13,000

Pittsburgh, Aug. 12.—Business was up all over town last week, with each of the three first run topping average by a nice margin. This was the first time here all summer that all of the downtown sites have bettered par.

The best showing was made by "Of Human Bondage" at the Stanley, where it did close to $13,000. The picture had been held up by the censors for some time and during that period received probably the greatest amount of gratis space in the newspapers any picture has had in a long time. At the Penn, the "Girl from Missouri" got off to a slow start, but slowed down when the word got around that the censors had butched it pretty badly. It wound up with $12,250.

"His Greatest Gamble" and "Smartly" shot the Warner up to $6,250, its best showing in some time, and standees were noticed there occasionally.

Total first run grosses were $31,250. Average is $2,000.

Estimated takings for the week ending Aug. 9:

"THE GIRL FROM MISSOURI" (M-G-M) 10c-50c, 6 days. Gross: $31,250. (Average, $5,200)

"OF HUMAN BONDAGE" (Radio) STANLEY 10c-50c, 6 days. Gross: $31,250. (Average, 6500)

"SMARTY" (Warners) PARAMORE 10c-50c, 6 days. Gross: $6,250. (Average, $1,000)

"GREATEST GAMBLE" (Radio) WARNER 10c-50c, 6 days. Gross: $6,250. (Average, $1,000)

"Bondage" is Pittsburgh's Top, $13,000.
"A Grand Picture"
— N. Y. Times

"A Superior Photoplay"
— N. Y. Herald Tribune

"Heartily Recommended"
— N. Y. World Telegram

"Highly Creditable"
— N. Y. Daily News

"A Splendid Film"
— N. Y. Daily Mirror

"Compels Attention"
— N. Y. Eve. P

"Faithful Portrayal"
— N. Y. Eve. Jour
ask the RADIO CITY MUSIC HALL

Don't Ask Us

about James Whale's Mighty Picturization of Galsworthy's Best Seller!

UNIVERSAL
Code Costs Opposed by 30 Concerns

(Continued from page 1)

MOTION PICTURE DAILY
Monday, August 12, 1934

U. A. to Seek Court Test on Cancellations

(Continued from page 1)

pictures are sold on individual contracts and hence are not subject to cancellation, holding that one cannot cancel 10 per cent of one picture. He believes that the words “license agreement” in the code were not meant to indicate a non-exclusive use of the picture but for groups of pictures.

U. A., it is stated, has correspondence from Division Administrator Sol Schank, which, it is held, assures the distributor that its pictures would not come under the cancellations provision. U. A. points that its contracts with individual producers like Samuel Goldwyn, Darryl Zanuck, Reliance, Charles Chaplin, Douglas Fairbanks and others do not permit cancellations of pictures unless the producer consents. Only Zanuck is listed for 10 pictures on the U. A. list, the other producers being slated for four, or less.

British CEA Again Hits Overbuilding

(Continued from page 1)

United Kingdom a legal opinion from Thomas K. Jones, C. E. A., stating that these bodies have the power to refuse licences for new theatres if they think they present seating adequate to public needs.

It has been widely assumed that the powers of local bodies were limited to the placing of conditions. No definite court decision has yet been handed down on the point.

With the legal opinion, the C. E. A. is circulating copies of the paper on overbuilding read by Sam Eckelmann, Jr., at the Blackpool convention, the publishing of which has since been vigorously challenged by John Maxwell, president of the Kinematograph Retailers’ Association, as being the private property of the important A. B. C. circuit.

Dr. A. H. Giannini arrived in London on vacation. Also on the Ile de France was Lucien Hubbard, M-G-M producer.

* * *

Winfield Sheehan due from Paris. Vacation stated, but Fox British production plans are taking shape on an ambitious basis.

M-G-M Feature List Is Taken by F. W. C.

M-G-M’s entire lineup of features has been sold to Fox West Coast’s group of approximately 400 theatres. The deals for shorts have not been completed. Jack Sullivan and E. L. Alperson are working on these with M-G-M decoy.

Fox product already has been lined up with the same circuit and its five operating units. Negotiations are under way on RKO, Warners and Columbia deals which are not expected to be completed for another couple of weeks.

Booked for Roxy

Howard S. Cullman has booked three films to follow “Holiday” at the Roxy. In the order in which they will be shown, they are: “Charlie Chan’s Courage,” “I’m Rich Again” and “Romance in the Rain.”
Brilliant PERFORMANCE

EVERY fine performance on the screen depends upon certain earlier performances... not by the cast alone, but by the film in the camera. Because of the dependability and artistic opportunity it affords... because of its unfailingly brilliant performance... most cameramen and producers prefer Eastman Super-Sensitive Panchromatic Negative with gray backing. Eastman Kodak Company, Rochester, New York. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative
**“Andy” Pulls High $6,500, Minneapolis**

MINNEAPOLIS, Aug. 12.—“Handy Andy” led in a big money sweep last week, topping par by $1,000 with a take of $6,500 at the State. There were other big par scores in spite of the “The Man With Two Faces” grabbed $6,000 at the RKO Orpheum. In St. Paul “Midnight Alibi” ran $5,500 at the RKO Orpheum, and both “The Girl From Missouri” and “Grand Canary” held the Minneapolis’ five houses grossed $20,500 where they generally get $18,500, while St. Paul’s four, usually getting $13,500, will have $15,500. Estimated takings:

**Minneapolis:**
- **Week Ending Aug. 9:**
  - **$4,000 (RKO)**
  - **$3,500 (Fox)**
  - **$3,000 (Paramount)**
  - Average, $3,200
- **Week Ending Aug. 10:**
  - **$3,000 (RKO)**
  - **$3,000 (Paramount)**
  - Average, $3,000
- **St. Paul:**
  - **Week Ending Aug. 9:**
    - **$4,000 (RKO)**
    - **$3,000 (Two Faces)**
    - **$3,000 (Paramount)**
    - Average, $3,500
  - **Week Ending Aug. 10:**
    - **$3,000 (Fox)**
    - **$3,000 (Paramount)**
    - Average, $3,000
  - **BORN TO BE BAD**
    - **Tower (U. A.)**
    - Average, $3,500

**“Navy” Leads Big Pickup in Denver**

DENVER, Aug. 12.—Business picked up with a bang here last week in spite of the big festival at Central City. “Here Comes the Navy” led the parade with a $9,500 take at the Orpheum. This topped par by $3,500.

Total first run business was $27,700. Average is $20,500. Estimated takings for the week ending Aug. 10: $2,000.

**“Bondage,” Show, $16,200 Buffalo**

BUFFALO, Aug. 12.—“Of Human Bondage,” in itself a strong draw, was helped at the Buffalo by the big crowds that wanted to see the results of the screen tests conducted by the M-G-M traveling train. The take of $16,200 was over normal by $900.

“Let’s Talk It Over” and “Black Moon” gave the Lafayette a good week. Total first run was $160.

**Franklin About Set To Start “Gambling”**

Having round out the principal cast, Harold B. Franklin starts production on “Gambling” at the Eastern Screen Kings in Astoria, L. I., on Aug. 20. In addition to George M. Cohan, Wynn Gibson and Dorothy Burgess will be in the cast. Rowland V. Lee will direct. Fox will release.

**Rogers Leads Seattle with $7,500 Take**

SEATTLE, Aug. 12.—Will Rogers’ fans turned out in droves to see “Handy Andy” at the Fifth Avenue and “Grand Canary” at the Orpheum. This was the only house in town to pass par. “Here Comes the Navy” took second honors with a par $6,500 at the Music Hall. Total first run business was $26,000. Average is $31,000.

Estimated takings for the week ending Aug. 11:
- **“HIS GREATEST GAMBLE” (Radio)**
  - Average, $3,000
- **“THE MERRY PRANKS” (Walters)**
  - Average, $2,500
- **“ONE QUIET GUILTY” (Col.)**
  - Average, $2,000
- **“HERE COMES THE NAVY” (Warners)**
  - Average, $2,000
- **“GRAND CANARY” (Fox)**
  - Average, $2,000
- **“GRAND CANARY” (RKO)**
  - Average, $2,000
- **“GRAND CANARY” (Para.)**
  - Average, $2,000
- **“GRAND CANARY” (F. M.)**
  - Average, $2,000
- **“GRAND CANARY” (Univ.)**
  - Average, $2,000

**Rogers Film Big Holdover, Philadelphia**

PHILADELPHIA, Aug. 12.—“Handy Andy” would have soared to new record heights in its second week. It held up to $14,500 at the Fox with a stage show. “Here Comes the Navy,” for which big things had been predicted, took $15,000 in nine days. Average for the Stanley for six days is $12,500. The weather was much better in recent weeks.

Total first run business was $44,300. Average, $7,300. Estimated takeings for the week ending Aug. 2:
- **“GRAND CANARY”**
  - Average, $1,800
- **“GRAND CANARY” (F. N.)**
  - Average, $1,700
- **“GRAND CANARY” (Fox)**
  - Average, $1,600
- **“GRAND CANARY” (F. M.)**
  - Average, $1,500
- **“GRAND CANARY” (Para.)**
  - Average, $1,500

**“Alibi” and “Eyre” Are High in Omaha**

OMAHA, Aug. 12.—In a week of fair business a dual consisting of “Midnight Alibi” and “Jane Eyre” made the best comparative showing by getting $6,400 at the Belvedere.

“Harold Teen” and “I Give My Love” went slightly over par with $6,200 at the Orpheum. “Grand Canary” and “Kiss and Make Up” were average at $7,500. Total first run business was $16,900 at $2,450. Estimated takings:

**Week Ending Aug. 9:**
- **“GRAND CANARY” (Fox)**
  - Average, $1,500
- **“GRAND CANARY” (RKO)**
  - Average, $1,500
- **“GRAND CANARY” (Para.)**
  - Average, $1,500
- **“GRAND CANARY” (F. N.)**
  - Average, $1,500
- **“GRAND CANARY” (F. M.)**
  - Average, $1,500

**Week Ending Aug. 8:**
- **“ALIBI” (Warners)**
  - Average, $1,500
- **“I GIVE MY LOVE” (Univ.)**
  - Average, $1,500

**City Asked to Take Cincy’s Music Hall**

CINCINNATI, Aug. 12.—The city will be asked to take the Music Hall here from the bondholders of the Music Hall Ass’n, who have defaulted four $20,000 interest payments on first mortgage. The property is valued at $2,700,000, and was built by public subscription. The site was dedicated 75 years ago.

Although used for the bi-annual May festivals and similar events, it also plays an occasional season of pictures, having been wired for sound years few years ago.
Warners Tip Film Budget $5,000,000

Business Will Improve, Jack L. Predicts

HOLLYWOOD, Aug. 13.—Warner's production budget will be $5,000,000 higher for the 1934-35 season than last year, Jack L. Warner stated today.

"Warner Brothers are confident that the nation and the rest of the world are headed for greatly improved business conditions during the coming year and we know that the motion picture industry is going to benefit in the general improvement," Warner said.

"Our budget for the new season (Continued on page 4)

Production Gains; 38 Features Going

HOLLYWOOD, Aug. 13.—Production continues on the incline with 38 features and nine shorts before the cameras as compared to 36 and seven for the previous year. In addition to these are 25 features and nine shorts in the final stages of preparation promising to start within the fortight and 43 features and 22 shorts in the cutting rooms.

Warners continue to lead the field (Continued on page 4)

U. S. Suit to Await An Official Decision

United Artists will not file suit against Camp for interpretation of the cancellation clause until Code Authority hands down an official order of the decision in the Albin, Alton, and case. The opinion of Camp's legal committee will be approved Aug. 14.

This is the case where an exhibitor has been charged with selling pictures in violation of the distribution agreement, and has appealed to the Supreme Court of the United States. This is the case where an exhibitor has been charged with selling pictures in violation of the distribution agreement, and has appealed to the Supreme Court of the United States.

Tomorrow Deadline On Code Compliance

Exhibitors who have not signed code agreements have until tomorrow to end in compliances. Hundreds of non-signers already have taken advantage of the extension recently granted by the NRA, and Camp is anxious (Continued on page 4)

Fox Midwest Sessions to Start Today

TOPEKA, Aug. 13.—Showmanship methods to be employed in this year's fall campaign will be a topic of the two-day session under discussion at the two-day convention of Fox Midwest Theatres in Topeka Tuesday and Wednesday. More than 100 managers, district managers and executives will attend, representing the entire Fox West Coast, which embraces Kansas, Missouri, southern Illinois and Iowa.

Convening on the roof of the Jayhawk Hotel with Lon Cox, St. Louis (Continued on page 4)

Film Auto Theft

New Orleans, Aug. 13.—Police here owe a vote of thanks to the Harcol Film Co. for helping them arrest two men who, it is alleged, stole an auto parked before a negro convention hall here.

The company made a film of the meeting and when it was viewed the negro whose car was stolen had the rare opportunity of seeing his car used in the films.

Police, called in, recognized the vehicle and arrested them shortly after.

Quickies Bad For Business, Mayer Asserts

By BRUCE ALLAN

London, Aug. 13 (By Mail).—Ten thousand dollar quickies are nails in the coffin of trade, asserts Louis B. Mayer. He admits M-G-M has been handling that sort of quota film here, but says it is because the company has had no direct tieup with any British firm for production.

Talks are in progress with London Films whereby M-G-M may use floor space for British production, and a program of from eight to 12 features is mentioned. At the moment, however, it is impossible to say definitely (Continued on page 2)

Philadelphia Floor Shows Are Stopping

PHILADELPHIA, Aug. 13.—Floor shows and other events of the city are in the state is indicated in a report on the source of competition, presented at a meeting of the Independent Exhibitors Protective Association.

The state has approved the passage of a new law which lists all of the city's floor shows as illegal, and it is expected to be a step towards the elimination of floor shows. (Continued on page 4)

Means for Stapel's Buying Delay Idea

KANSAS CITY, Aug. 13.—Endorsing the proposal for a four-week "buying strike" against Kansas Western Missouri exhibitors by John C. Stapel, president of the K. M. T. A., in a move to force 1934-35 film rentals down, Jay Means, president of the L. T. O. of Greater Kansas (Continued on page 4)

New Fox Met. Plan Before Court Today

Both Stockholders and Bondholders Want It

With Fox Metropolitan preferred and common stockholders in accord with the reorganization plan jointly submitted by the bondholders' committee, Federal Judge Julian W. Mack today will decide whether or not the circuit can be reorganized under section 77-B of the new bankruptcy laws. A meeting, slated for yesterday, was postponed until today.

Fox Theatres, which controls the stock, is understood anxious to see the reorganization plan go through as submitted by the bondholders since it will receive some kind of a settlement, it is said. All properties are (Continued on page 4)

Briefs Ordered in Paro. Bonds Suit

In reply to the complaint, an on behalf of Paramount bondholders, to examine officers of creditor banks and officials, past and present, of Paramount Publics, as well as William Paley, president of CBS, and Sir William Wiseman and Gilbert Kahn, of Kahn, Leuchtenburg, that Justice H. J. Rosenman in the Supreme Court (Continued on page 4)

Columbus Payrolls Show Gain in July

COLUMBUS, Aug. 13.—Industrial employment here showed a gain of 34 per cent in July as compared with the June figures, while the increase was 21.5 per cent greater than July, 1933, according to a report by the Ohio State University Bureau of Business Research.

Most of the key cities experienced a slight decline, the statewide decrease being 3.9 per cent for July, although employment was 15.1 per cent greater than for the same month last year.

Purchase of Marcus Holdings Approved

SALT LAKE CITY, Aug. 13.—Referee John E. Joyce will recommend to the court that Paramount Theatres Corp. be permitted to buy out the interests of Mayor Louis Marcus in 14 Public houses in Utah and Idaho.

He held a hearing here late last week. A final decision is expected shortly.
Quickies Bad For Business, Mayer Alternates

(Continued from page 1)

that M-G-M will go into British production on that or any other basis. Mayer is guarded in his discussion of the problem. He says that if the company does decide on London production the product will be made on the Hollywood scale with ace directors. He also believes the schedule would be reduced accordingly.

... That American producers and directors have been running copies of "Henry VIII" to study the technique of the picture was another Mayer revelation. It lent point to his statement that America would be ready to "Henry VIII." a year sooner. Would England... 

... Rumors that the Stoll circuit of British theaters is being acquired by a film group revived on the statement that Manchester Hippodrome would go to "Henry VIII." in September. No official announcement...

Court ruling of importance to producers made by Justice Luxmoor in dismissing First National's appeal against the refusal of the Board of Trade to register "The Blue Squa- dron" as a British production. Fact that 2,000 of the 8,000 feet of the sub- ject were from Italian official service films disqualified the subject from the legal description "British," said the Judge.

Warsaw Exhibitors Again Seeking Cuts

WASHINGTON, Aug. 13.—The annual appeal for a reduction of admission taxes is in full swing in Warsaw (Poland), according to American Com- mercial Attaché, Mrs. Alice Goetz, who was told at Universal Funeral Chapel, 597 Lexington Ave. Services will be private.

Mrs. Goetz died Saturday. She was re- cuperating from a short illness. A widow, Harriet Tucker, and one son, Melville, Jr., survive.

Thomas Burial Tomorrow

Funeral services for Augustus Thomas, dean of American playwrights, who died at the Berkshire Country Club from an apoplectic stroke, will be held tomorrow at 10:30 o'clock at St. George's Episcopal Church, 207 East 10th St.

Thomas was made executive chairman of the executive committee of the American Players' Ass'n. in 1922. "Editha's Burglar," "Alabama," "Arizona," "Mizzoura," "The Copperhead," "Love Will Find Out" are some of his plays. He wrote about 50 in all.

Increasing Gem Capacity

Seating capacity of the Gem, Far Rockaway, which will be taken over by Loew's Sept. 1, is being increased from 600 to 1,500.

Stocks on Big Board Advance

Columbia Pictures vtc. 27 3 17
Consolidated Film Industries 26 27 17 1
Eastman Kodak 96 96 96 1
Fox Film "A" 25 25 25 1
Loew's Inc. 25 25 25 1
Paramount Picture Corp. 96 96 96 1
Pathé Exchange 17 17 17 1
Pathé Exchange "A" 15 15 15 1
RKO 14 14 14 1
Warner Bros. 14 14 14 1

Trans Lux Rises 7½ on Curb

Paramount Publicx Bonds Up 7½

"Dames" Opening Set

Warner's opening a big campaign for the opening of "Dames" at the Strand tomorrow night. The activity in the lobby will be broken by WINS and Phil Baker will sing songs from the picture in the lobby. The KDKA radio station has offered to provide a newscaster in a contest to become Dick Powell leading woman in "Hollywood Hotel" to be seen to the house by the Vitaphone chorus.

Chadwick Returns West

Cutting short his stay here, I. B. Chadwick, independent producer, returned to the coast.
NOW YOU KNOW FOR YOURSELF how big it is!

HAROLD LLOYD in The Cat's Paw

From the Saturday Evening Post story by CLARENCE BUDINGTON KELLAND

A FOX release

Radio City Music Hall opening Aug. 16
Fox Midwest Sessions to Start Today

(Motion Picture Daily, August 14, 1934)

Briefs Ordered in Para. Bonds Suit

(Continued from page 1)

yesterday granted both sides until next Thursday to file briefs. The next hearing of the application is tentatively set for Tuesday.

The banks concerned in the action, listed as precipitators, are Chase National, Bankers Trust Co., Central Hanover Bank and Trust Co., Chemical Bank and Trust Co., Commercial National Bank and Trust Co., County Trust Co., Empire Trust Co., and Manufacturers Bank and Trust Co.

Means for Stapel's Buying Delay Idea

(Continued from page 1)

City, declared "exhibitors should refrain from buying so long as the distributors make such impossible demands."

While the selling season has not started, the new supply from Kansas City proper, first run and circuit deals having precedence, Means said he had heard "from a large buyer" that distributors this year are selling a greater number of pictures on percentage, on terms of 25, 30 and 35 percent.

"Theatres like mine and other subse- quents can't stand that much tariff and stay in business," he commented. "The sales managers always use the strategy of throwing out their bait to see how much of a chunk the exhibitor will bite on."

Warners Boost Film Budget by $5,000,000

(Continued from page 1)

will run more than $5,000,000 greater than the previous year, because we have scheduled the greatest number of pictures in the history of our company.

"Experience has proved that outstanding pictures can overcome heat, dust and every other adverse element."

Production Gains; 38 Features Going

(Continued from page 1)

with six features in work, two pre-preparing in early editing; M-G-M has five, four and 11; Fox has five, five and two; Fox, four, two and three; Universal, two, three and four; Columbia, four, two and three; Paramount, three, four and three; Goldwyn, two, zero and zero; Roach, one, zero and zero, while the independent group shows four, five and eight.

In the short subject division MGM has one feature preparing and four editing; Roach, zero, zero and one; Columbia, zero, one and two; Radio, one, one and seven, while the independents report six, four and eight.

Philadelphia Floor Shows Are Stopping

(Continued from page 1)

in event the payment is not made on time.

A board of governors was named at the meeting. Its members are: Morris Wax, chairman; Harry Fried, Columbus Stamper, Herbert Elliott, William Butler, John Stuart Newman, Lewis, Dave Shapiro, and Clarence Hexter, with David Barrist as an honorary member. Also named was an alternate board consisting of John Munroe, Lou Berger, Ray Schwartz, Leo Posel, David Milgram, George Soher, Otto Naudascher, Joe Pral, Sam Waldman and Harry Perelman. While the alternate board may sit when the regular board, it cannot vote.

Formation of a cabinet composed of a staff of experts, picked from out- side the organization, was announced at the meeting. The purpose of this group is to help members solve problems that may arise. Representatives from the department have already been selected to sit on the cabinet: legal, electrical engineering, purchasing of supplies and equipment, advertising. Four other divisions are to be represented.

New Fox Met. Plan Before Court Today

(Continued from page 1)

controlled by bond indentures, but it will retain management of the theatres from the free assets, provided the bondholders’ committee plan goes through. This plan also calls for the assistance of the former board of directors in the operation of the 87 houses today.

Fox Theatres recently stepped into the filing of a reorganization plan. Provided Judge Mack approves the reorganization plan, Warners will step out of the picture. Warners in turn will file a plan that has been worked out, but can bid for them only at a foreclosure. If the plan before Judge Mack today is not approved there will be no foreclosure Thursday.

It is likely a new name will be selected for the circuit, if and when the court approves the reorganization plan.

Lust Wins Decision On Notes Clearance

WASHINGTON, Aug. 13.—The long deferred decision of the local gry pence board on the case brought by Sidney B. Lust against Notes Theatres, in the matter of extended play- days and non-release of product, has been handed down.

The board decided that picture licensed by the Notes Theatres shall become available for licensing by Lust 120 days after the first exhibition in any of the five notes houses. Decision becomes effective Sept. 1.

Originally heard on July 9, Lust contended that the scope of the court’s decision was such as to keep satisfactory product from the Leader, Lust house.

Tomorrow Deadline On Code Complain
to have as many new signatures by Aug. 15 as possible.

A few theatre owners have complained of the assessment and 90 per cent of those who have signed already paid. It is expected that the second half-year levy will be re- juved in favor of circuit theatres as well as the independents.

About 17 clearance and zoning appli- cants remain to be heard by Camp.

Instructins Going Out on Clearance

Instructions to the Milwaukee clearance and zoning board are being scutinized by N. Yamins and Harold S. Bareford prun- ed the list of suggestions. Addition to Milwaukee these are to be mailed to all boards.

Rosenblatt Back at Des

WASHINGTON, Aug. 13.—Divis- Administrator Sol A. Rosenblatt back at his desk after two weeks on the coast.
M-G-M Profit
$1,566,072
For 12 Weeks

Equals $10.16 Per Share
On Preferred Stock

Metro-Goldwyn-Mayer Pictures reports a sharp increase in profit for the three months ending June 30, 1934, as compared to the corresponding period of last year.

The net profit for the year, after deducting Federal taxes, amortization and depreciation, amounted to $1,012,072, as compared to $350,362 in 1933. This is equivalent for the six-week period to $18,000 per share on preferred stock. Last year in the same period the profit was $2.30 per share.

Operating and miscellaneous income totaled $892,960. Amortization of negative and positive costs and depreciation totaled $1,184,618, and Federal taxes were $268,920.

Green Will Confer On Fan Interviews

Hollywood, Aug. 14.—Joseph L. Green, with all major studio publicity directors, will meet with representatives of fan magazines here tomorrow to clarify the resolution adopted at the World Congress of Fans, which regulates the activities of fan magazine writers and the stage is crowded.

Fox Midwest Plans To Classify Pictures

Topeka, Kan., Aug. 14.—Fox Midwest Theatres will classify all films shown in the 1934-1935 season according to whether they are family or not. No musicals will be shown.

Chairman to Testify

Mr. Green will also announce the name of the chairman of the code committee and will initiate legal steps for the enforcement of the code. A. C. Blumenthal, who has been accused of violating the code, will be the first to testify.

Blumenthal Has a New Offer For Fox Met. Houses, He Says

A. C. Blumenthal has been offered for Fox Met. which he says is better than anything yet presented. He has offered to meet Picture Daily yesterday in Cleveland, Aug. 79, to settle the case.

Rogers has been presented to the U. S. District Judge Mack tomorrow in Blumenthal's behalf.

No action on it, however, can be taken until the court decides next Tuesday whether to accept the petition for reorganization under the new bankruptcy laws. Blumenthal will not say who is associated with him in his proposal.

Blumenthal says he is the largest approved creditor of Fox Theatres Corp.

Fox Met Plan Goes Over to Next Tuesday

Declaring that only bondholders had a right to file a petition for reorganization, Judge Julian W. Mack yesterday stated that stockholders whose certificates are worthless cannot file plans for reorganization of Fox Metropolitan Playhouses. He pointed out that Fox Theatres, which owns all common and preferred stock in Fox Met., has been in receivership for the past two years and that the stock is worthless and hasn't been paid.

Lab Code Cost Meets Attack In Washington

WASHINGTON, Aug. 14.—Objections to the $21,000 budget for administration of the laboratory code to amendments of the agreement designed to achieve price fixing through determination of "lowest reasonable cost of production" today were voiced before a group of independent exhibitors who have been on the case.

Appearing in the dual capacity of chairman of the code committee and distributor, Blumenthal was active in meeting the attack.

Jersey Allied Dual Move Gains Ground

Progress was reported yesterday by the dual's committee of Allied New Jersey. Additional signatures are being obtained from Allied members and the circuits are expected to come through shortly. From present indications the single feature plan will not go into effect until after Sept. 3.

Diamond to Produce Abrasion for California

Preliminary negotiations were completed yesterday between Dave Diamond and Jack Cohn whereby the former will produce independently for

Northern California Indies Give MPTOA

SAN FRANCISCO, Aug. 14.—Independent Theatre Owners of Northern California, Inc., has joined the M. P. T. O. A., and Morgan A. Walsh,

Changes Are Predicted For Producers and Distributors

WASHINGTON, Aug. 14.—Camp's plan for assessment of producers and distributors will probably be rejected and instructions issued for the development of a new method of raising the $30,000 to be contributed toward code administration by these groups. It was indicated today by Division Administrator Sol A. Rosenberg that the plan will be rejected and that the new method will be developed.

Just what form of new plan will be worked out by Campi will be up to that body, but representations are said to have been heard.

"U" Reports Sales At New High Point

Universal reported yesterday that its sales at the moment are far ahead of activity at any time in the history of the company, being "nearly 800 per cent" ahead of $1.53 in the number of contracts closed at this period of the year.

James R. Grainger, general sales manager, Universal, said that its sales at the moment are far ahead of activity at any time in the history of the company, being "nearly 800 per cent" ahead of $1.53 in the number of contracts closed at this period of the year.

May Settle Holders' Suit Against Loew's

That plans for a settlement have been worked out in the suit for $10,000,000 against Loew's Theatre and Realty Corp., Loew's, Inc., and Paramount Publix was learned yesterday.

Another Giveaway

New Orleans, Aug. 14.—Fiorito's Dream, a film house in the lower section of the city, featuring "Should Ladies Behave?" gave away a cocktail set to each woman purchasing a ticket at $3 cents.

Cocktail sets at retail are $75 cents and $1 in the major-
Chadwick Advocates Film Import Tariff

PHILADELPHIA, Aug. 14.—L. E. Chadwick favors a tariff against the importation of foreign pictures. He was guest at a dinner in honor of Al Blossom.

American producers do not fear quick effects. They feel that, in the wake of a flood of English and other foreign product is bound to affect American production, he declared. Foreign country check imports of American films, he said, and this country should do the same to foreign product.

The talk created a stir and was followed by considerable discussion.

Schenck, Zanuck and Fairbanks Due Today

Joseph M. Schenck, president of United Artists; Darryl F. Zanuck, production head of 20th Century, and Douglas Fairbanks get in on the Exc today.

Zanuck has been away four months. During that period he has been busy in the game in Africa. This was followed by conferences with Schenck and Alexander Korda in London. Fairbanks has been abroad for a long time.

Also in the party are W. P. Lipscombe and R. J. Minney, writers signed by Zanuck.

Theatre Man Grabs Senate Nomination

St. Louis, Aug. 14.—Official returns from the recent primary show that John P. Shea, North St. Theatre manager, won the Democratic nomination for state senator in the 34th District. The half-all as many votes as all his opponents combined.

Louis C. Heil, secretary-treasurer of the MPTO, St. Louis, Eastern Missouri and Southern Illinois, finished fifth in a field of 14 in the race for the Republican nomination for the Missouri House of Representatives in the First District.

Stevenson Opens Office

Edward F. Stevenson, former president of Visagraphic Pictures Inc., has opened an office as a publicity counselor and will take charge of a fund-raising campaign for the Benson party. Stevenson has been connected recently with the Crosby Gaige theatrical interests and with General Wines & Spirits Corp. as general sales and advertising manager.

Eastman Pfd. Off 5 on Big Board

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St. Louis Theatres Personnel Shifted

St. Louis, Aug. 14.—Personnel switches have been numerous as a result of the reopening of the Ambassadors. Harry Greenman, Fox manager, who is key man for F. & M., has assumed the Ambassadors. He can supervise that house as well as the Fox and Missouri. Charles Kurtzman, former manager of the St. Louis, has succeeded Greenman at the Fox.

Harry Arthur, general manager for F. & M. is expected in the near future to supervise the central west and south. Larry Davis, assistant treasurer at the St. Louis, has taken the same post at the Missouri. Jack Rosenzweig, Fox treasurer, has been moved down to Greenwood. Benny Batters is the new Fox treasurer.

Admission Tax Now Asked in St. Louis

St. Louis, Aug. 14.—Theatres continue to be the target of the Aldeorean Special Tax Raising Committee. The latest proposal, already approved, is that the full board, is an admission tax as follows:

Tickets costing 25 to 50 cents, one cent of $0.50 to $1, two cents; from $1 to $2, five cents; from $2 to $3, ten cents; from $3 to $4, 20 cents, and of $4,00 under 25 cents would be exempt.

Total income from this source is estimated at $10,000. The plan is one of a number designed to raise $4,450,000 to take care of a deficit.

"River" Aims at $80,000

"One More River" stands a chance of reaching $80,000 on the week at the RO Morgan. All it will have to do to reach the mark is maintain the race it has been holding. Opening daychalked up $4,000. That was Thursday. The total Monday was $10,648, and at the end of the fifth day, Monday, the total was $68,950. The picture opened and closed to make this city campaign. It cannot be held over, because of the booking on "The Cat's Paw."

Roxy Holding "Andy"

"Handy Andy" will be held a third week at the Roxy. To take care of the crowds the theatre is opening at 11 A.M. this week.

Lehman Praises Pagent

Howard S. Cullman has been praised by Governor Lehman for booking for the Roxy the Roxy opening Sept. 7. The state chief executive states that the popular-price show sad a "lucid understanding of the history and ideals of the Jewish people."

"Cleopatra" Opening Set

Society and diplomatic circles will be represented along with stage and screen celebrities tomorrow night at the premiere of Cecil B. DeMille's "Cleopatra" at the Paramount on 2 o'clock. The stars expected to attend are the consuls general of Great Britain, China, Panama and France.

Hobby J oins Muller

Jack Hobby, manager of the Inwood, Forest Hills, has resigned to join J. P. Muller & Co., advertising agency, as head of their theatrical advertising accounts. Hobby was formerly district supervisor for Fox Theatres and publicity man for the New Jersey division.

De Luxe Pickets Freed

The one woman and 23 men arrested Thursday as they picketed the De Luxe in the Bronx were freed of disorderly charges in Morrisania Court yesterday. The picketing was in protest against alleged non-employment of union labor by the house.

Purely Personal

LEE OCHE, HARRY THOMAS, JAY WEINBERG, LOUIS BLEMENTHAL, JACK SHAPIRO, NATH COHEN, SOL SCHNITZER, JACK SHIPMAN, LOUIS NIER and J. C. BARRISTON lunched at the M. P. Club yesterday.

ERNEST TRUX is having a busy week. He is working in an Educational comedy at Astoria, rehearsing for a new John Golden play for the Ruby Valley hotel and is also in charge of the Trux players in White Plains.

FLORENCE ABRAMS, secretary of the New York clearance board, is on vacation. LILLIAN SILVER, secretary of the local grievance board, is on vacation as well.

ROBERT MOCHIE, assistant to A. W. SMITH, Warners' sales and distribution chief in the east, departs for England today. He will be away a couple of days.

W. SOMERSET MAUGham's "The Sacred Flame" has been acquired by the John T. WILLIAM of a Paris producer. CLAUDETTE COLBERT is being considered for the leads.

LOUIS NIZER, secretary of the New York Film Board of Trade, sails Sat. for Europe on a four-weeks' trip.

L. W. (MIKE) CORNWY, eastern division general manager of sales for Epi, leaves tonight for a sales trip to Boston and New England.

NICK LUCAS finishes work today in "Run on the Bank," two-reel musical shot for the Vitaphone plant in Brooklyn.

POLAN BANKS' story, "She Made Million," has been bought by Universal.

MORREY GOODMAN, foreign sales manager for Mascot Pictures, left yesterday for Toronto.

GORDON HAMPTON, star, has been assigned a role in "Gigolote.

SAM MORRIS is thinking of making another trip to Europe within the next few weeks.

CONSTANCE BENNETT is on her way to sail Friday for a Europe return trip of 10 per cent theatre tax as well as levy on theatre signs.

Weights End of La. Tax

Baton Rouge, Aug. 14.—The Louisiana legislature met in special session tonight to consider repeal of 10 per cent theatre tax as well as levy on theatre signs.
“TREASURE ISLAND” starts off with a whoop-la weekend at Baltimore, beating the record-holding “Tugboat Annie” by 16 percent. Boston terrific! You’re next! What a sensation!

“GIRL FROM MISSOURI” spreading box-office sunshine from coast to coast! She’ll show you!

“HIDE-OUT” looks like another “Thin Man”, it’s got that certain something! Talk it up!

COAST PREVIEWS on “Barretts of Wimpole Street”, “Merry Widow” and “Chained” have set the whole film colony shouting M-G-M! Hello ’34-’35! Leo’s on the loose again!
GAUMONT BRITISH ANNOUNCES ITS AMERICAN DISTRIBUTION POLICY

COINCIDENT with the publication of this announcement, Gaumont British will assume the important position in the American motion picture field to which it is rightfully entitled through the indisputably high quality of the product which it has to offer to the exhibitors and the theatre-going public of this country.

Arrangements are rapidly being consummated for the establishment of an exchange system nation-wide in scope, which will offer the same high quality of service now provided by major American distributors. Without exception these exchanges will be manned by an all-American personnel.

On the opposite page we have described briefly some of the productions which we will offer to discriminating exhibitors for presentation to their supporting patrons, and it is worthy of especial mention that every picture which emanates from our studios has been produced with particular consideration of the requirements of American audiences.

Current and future production plans of Gaumont British include the employment of many of the best known American stars and directors. Technically, as well as artistically Gaumont British and Gainsborough pictures are comparable with the finest produced in America.

We earnestly urge all exhibitors to reserve ample open time in which to book our product in its entirety, a group of not less than twenty pictures for the 1934-35 season, all of which can be secured on equitable terms which will insure their presentation at a liberal margin of profit.

JEFFREY BERNERD, General Manager
GAUMONT BRITISH PICTURE CORPORATION
1600 Broadway, New York
WITH SUCH FINE PICTURES AS THESE!

Anna May Wong in
CHU CHIN CHOW
With George Robey and Fritz Kortner. This splendid, dramatic musical extravaganza, reflecting all the glamor and fascination of the Orient, presents the exotic Anna May Wong at her loveliest. Directed by Walter Forde.

Conrad Veidt in
POWER ("JEW SUSS")

Jessie Matthews in
EVERGREEN
With Sonnie Hale and Betty Balfour. The world-famous Cochran stage play by Benn W. Levy brought to the screen with all the drama and charm of the original production. Romance, comedy and drama blended with unforgettable melodies, in a distinctly different motion picture. Directed by Victor Saville.

George Arliss in
THE IRON DUKE
With the completion of “The Iron Duke” George Arliss will have given to the screen the outstanding portrayal of his distinguished career. This dramatic story of the historical “100 days” and Wellington’s defeat of Napoleon at Waterloo is directed by Victor Saville.

Matheson Lang in
LITTLE FRIEND
Co-starred with Mr. Lang in this gripping drama of marital life is a child star whose poignant, appealing, yet poised performance definitely establishes her as the most important screen discovery of recent years. She will take America by storm. The picture is directed by Berthold Viertel.

Evelyn Laye in
PRINCESS CHARMING
With Yvonne Arnaud and George Grossmith. Never has the bewitching charm and vivacious loveliness of Evelyn Laye been seen to greater advantage than in this liltling tale of a serio-comic revolution in the mythical Kingdom of Ruritania. Directed by Maurice Elvey.

In addition to “The Iron Duke”, George Arliss will make two more pictures for Gaumont British; Jan Kiepura, sensational star of “Be Mine Tonight” will be seen in his second picture, “My Song For You”; and Conrad Veidt will be starred in three, the first to be titled “King of the Damned”.

We shall release not less than twenty box-office productions during the coming season, and exhibitors have our assurance that every one will possess outstanding entertainment values and, furthermore, will be absolutely clean in both theme and dialogue.

GAUMONT BRITISH ASKS YOU TO SEE THESE PICTURES BEFORE YOU BOOK THEM
Lab Code Cost
Meets Attack
In Washington

(Continued from page 1)

representatives of the exchanges, A. B. Poole presented the budget and the M. P. Laboratories Ass’n amendment as a code official and opposed them as a member of the faculty.

A budget of $7,500 would be amenable for the work which is in sight for the faculty. Poole declared, and the $21,000 budget would impose a burden of $15 per employee per year upon the industry. At the suggestion of Farnsworth, he agreed that the $7,500 budget might be accepted temporarily for three or six months, and such an increase as deemed necessary be adopted when the proposed code authority is operating and knows what it is facing.

The only support for the larger budget was given by Charles J. Hirliman, president of the association, which shared $2,000 inadequately, while Poole’s position was supported by Alan Friedman of De Luxe Laboratories, Frank Meyer of Paramount News, J. H. Smith of Cinelab, Ralph I. Poucher of Consolidated Film. Industrial and Labor Marks of the Malcolm Laboratories Corp. No support of the association’s amendments was offered by Poole and no one made either of the two-union proposals that are the present code’s history.

An attempt to tear down “an advantage claimed and technical skill” he pointed out that the code now contains a provision against selling below cost, which, he added, has been made enforce “due to the insistence of a group of laboratories upon fixing of prices.”

There is no apparent trend toward monopoly, Poole declared, and no patient control in the industry, so that every effort has been made of the latest developments in equipment.

The witness also objected to the proposed method of the authority, contending that Paramount, Paramount News, Consolidated, De Luxe, Columbia, Warners and Pathe do not allow 58,000,000 feet, of which $50,000,000 to 600,000,000 is strictly commercial, while the rest of the laboratories combined do not more than one-fifth that included so that any method of selecting the authority which gives the small laboratories equal representation would be unfair.

Challenging many of Poole’s statements, Hirliman declared government supervision of financing essential to the smaller laboratories, he said, “have been trying to get relief from the committee’s history an over a year.” He charged that Pathe has a 49 percent interest in the Dupont Co. and that it could take advantage of its arrangement with that company, profits from which would be sufficient to control laboratory operations. There will be no small laboratories within a year unless something is done about this situation, he declared.

Too much money is paid executives of small companies, Friedman told the Administration officials in opposing the proposed cost section, and there is also a distinction in the type of work done by larger and smaller firms which makes fixed prices unnecessary, he added. He opposed a proposal for overtime pay on new employees in the fiscal year. The work was such that overtime was a normal thing, and objected to putting employees on laboratory pay, which, he said, would cost his company $25,000 a year.

The proposal that the code should be fixed on orders for more than 10,000,000 feet was offered by Stephen H. Eller of the H. E. R. Laboratories.

Four Cases Heard by
Campi Appeals Body

Four appeals were heard yesterday by a Campi committee consisting of H. Cochran, chairman; Rube Jacter and Joseph Seider. They are: James Piwaronas and Edward Friedman, Garden, Indiana Harbor, Ind., against Alex Manta and Jack Rose, Indiana, Indiana Harbor, Ind., on overtaking; Joseph Theiss and Mulberry, Indianapolis, against H. A. Calloway, Emerson; G. W. Wolfard, Hamilton; R. B. Cohn, Bedford, on premature advertisement; B. K. against H. Schoenstadt & Sons, on reduced admissions; B. K. against John Kampion, Newcastle, Chicago, on reduced admissions.

Eastman to Report
For 6-Month Period

ROCHESTER, Aug. 14—Eastman Kodak Co. will publish a report of its earnings for the first 24 weeks of 1954 this week, marking the second time in company’s history its interim report has been made public. Operations at the plants in the first six weeks of the year ran approximately 45 percent ahead of the corresponding period of 1933, with employment at the highest point since 1930.

Madge Evans Has Termer

HOLLYWOOD, Aug. 14—Madge Evans was today signed to a new long term contract by M-G-M. Termer will be “What Every Woman Knows.”

Para. Drive on Sept. 2

Paramount’s latest sales drive starts Sept. 2 and continues until Sept. 8.

May Settle Holders’ Suit Against Loew’s

(Continued from page 1)

through E. Barrow Rockwell, secretary of the householders’ committee for an issue of $9,000,000 of Allied Owners Corp. first mortgage real estate six percent sinking fund bonds.

Under the proposed settlement, which must be approved by two-fifths of the bondholders’ committee, Loew’s Theatre and Realty Corp. would have to pay a total of $12,875,000 at the rate of $500,000 a year until June 1, 1943, and the rate of $525,000 until June 1, 1958.

Northern California
Indies Enter MPTOA

(Continued from page 1)

president, who is general manager of the Redwood-Midland Theatres, will be named M. T. O. A. board of directors.

Other officers are: vice-presidents, Aaron Goldhaber of New York, and John D’Statio; secretary, H. V. Harvey.

Three years ago the organization has been in sympathy with M. T. O. A. policies, but this is its first affiliation with a national organization.

Diamond to Produce
Aboard for Columbus

COLUMBUS in London. Diamond returned yesterday from the coast where he conferred with Harry Cohn and sailed today on the Manhattan to close the deal with Joseph Seidlemann, in charge of foreign activities for Columbus, and Joseph Friedman, London head.

No stories are set, but the budget on each product will be around $100,000. No date has been set for the start of the first picture. It was definitely stated the pictures will not be quota films.

“U” Reports Sales -
At High New Point

manager for Universal, has just closed a deal with the Buttefield circuit for 80 houses in 34 Michigan cities for the “IT” lineup.

A similar deal has been closed by Grainger with the Durfee circuit of 16 houses in Baltimore.

Only two important circuits in the United States and Canada remain to be signed by Universal. Negotiations with these are now under way.

L. A. Board Works Past

LOS ANGELES, Aug. 14—Decisions in 50 cases were handed down today by the L. A. Board of the local MPTOA. It was more to be handed down tomorrow.

Tomorrow night the proposed clearance of Chinese territory will be forwarded for filing with Campi in New York.

Hood, Architect, Is Dead

Raymond Hood, noted architect, one of whose creations was Radio City, died of a complication of diseases yesterday at his home in Stamford, Conn. He was in his 54th year. His widow and three children survive.

Revision of Code Charges
Seen Looming

(Continued from page 1)

to have been in favor of a charge based upon gross receipts. The producers and distributors are to raise $180,000 a year and exhibitors are to raise another $300,000 when the budget worked out by Campi.

Motion Picture Daily on Aug. 3—exclusively reported that major companies would make protests and the action would have to await Rosen blatt’s return.

2 Theatre Transfer Cases Up Tomorrow

Two theatre transfer cases are slated for hearing by the New York grievance board tomorrow with Louis Nizer, secretary of the local Fil Board, as attorney for distributors.

One case involves the Fortway Theatre, claimed as a local business monopoly and the three Levin brother as defendants. The other case is M-G-M, Paramount, Columbia, I. W. W. and other defendants against the Monna Theat Corp., Glad Amusement Corp., Abba Hamburg, Gloria Glazstone, Henry Lyman and Morris Shapiro.

Yesterday the New York clearance board, after several hearings and re-hearings, decided that the Tri-Consol- dated’s theatres the Symphony, Thalia, Carlton, Olympia and Arden are not local businesses, and each of these houses is entitled to seven days’ clearance on the Edison and vice versa.

The Park West, Manhattan and Edison are not competitive, the board held.

Kenosha Giveaways Are Ordered Ended

MILWAUKEE, Aug. 14.—A case on order against advertising ticket giveaways and giveaways has been issued against the Southport Theatre Co., Kenosha.

The complaint was made by the Vogue Theatre Co., operators of the Vogue.

Another complaint by the Vogue against the same defendant charging giving away of stars’ photos was dismissed.

Two Boards Act on
One Clearance Case

(Continued from page 1)

involved were Cleveland, Pittsburgh and Columbus.

After the local board had heard the protest and rendered a decision it was forwarded to Pittsburgh for the approval or comment of that board. When it is returned here the board action will be reconsidered on the suggested modification with its original decision.”

Another case on clearance board no cases on file.

Campi Takes More Root

Campi has enlarged its quarters at the 23rd floor of the RKO Building in Rockefeller Center.
It's getting to be a habit with FOX

HIT AFTER HIT!
RECORD-BREAKER
AFTER
RECORD-BREAKER!

THE WORLD MOVES ON

with
MADELEINE CARROLL
FRANCHOT TONE

Produced by Winfield Sheehan
Directed by John Ford
Story and screen play by Reginald Berkeley
Fox Met Plan Goes Over to Next Tuesday

(Continued from page 1)

given any value or standing in the corporation.
Judge Mack added, however, that it is
a matter of personal pride on the part of stockholders to see the
company alive even if they didn’t get any
thing out of it.
Upon suggestion by Archibald
Palmer, representing bondholders
whose holdings amount to $11,000 that
the bondholders’ protective committee
return to his clients the bonds now
on deposit so that he can institute ac-
tion another year. Judge Mack asked that
William L. Bainton of Beekman,
Bogue & Clark, counsel for the
committee, conduct with him on the
matter. The meeting was adjourned
next Tuesday morning when Judge
Mack is expected to decide what action to take as a result of the rong-
tion under Section 77-B of the new
bankruptcy laws. Bainton and Palmer are
expected to confer on the with-
drawal of the bonds from the com-
mittee and report back to Judge Mack
Tuesday.

Palmer Overruled by Court
During the hearing Palmer attacked
the motion by which the bondholders
had elected new officers and then had
petitioned for a reorganization, but
Judge Mack overruled principally
of Palmer’s objections. Judge Mack
was emphatic in disagreeing with
Palmer’s criticisms of the manner in
which the election was held telling
Palmer that stockholders could hold
an election at any time after an
expiring year.
Judge Mack expressed doubts as to
the good faith of the reorganization
plan and this was one of the reasons
he had decided whether to permit
Fox Met to enter bank-
ruptcy under 77-B of the new
laws. That matter was also attacked
by Palmer. Judge Mack
pointed out that in the event the com-
pany goes into bankruptcy, whether
voluntary or not, the present
receivers will be continued as trustees
and counsel will be the same.
In the course of Palmer’s argu-
ment, he said he had filed suit Sat-
urday in behalf of his clients to in-
validate the reorganization agreement
of stockholders. He charged that
the committee had been buying bonds
not deposited and canceling the market.
He insisted the reorganization agreement
was not in good faith and also that
the voluntary petition filed by Fox Met
was not correct.
Bainton argued that by not permitting
security to be withdrawn after deposit, the bondholders
were dealing with them as representing themselves.

Fox Midwest Plans To Classify Pictures

(Continued from page 1)

day entertainment, it was disclosed
today by Howard E. Jemerson, Wichita
district manager, at the open-
ing of the organization’s two-day
convention here.
Jemerson told the meeting that the
answer to reform agitation lies in the
classification of pictures, which will
put parents on their own respon-
sibility, whereas at present the respon-
sibility rests on the shoulders of the
exhibitor. Jemerson declared that, while
this system is not infallible, it will
at least demonstrate that the
exhibitors are sincerely attempting
to solve the problem of child suitability.
It is expected that the organization
poses to reprint the lists of selected
films issued by previewing bodies and
distribute them to patrons and local
atmospheres.
Elmer C. Rhoden, division manager,
summed up the past year’s record
and told the circuit managers what
would be expected of them for the
new season.
The meeting winds up tomorrow
ight with a banquet to which Kansas
City district and branch managers
have been invited.

Lichtman-Reade in Deal
At Lichtman and Walter Read’s en-
counter, this former exhibitor of the
chain is acquiring all of the U. A. product in
Reade theatres. Each feature will
turn in a week’s run on a percentage basis.

Flash Review
The Defense Rests— excellent
program fared. It pleased a
review audience.
This film will be reviewed in full in a
later issue of Motion Picture Daily.
Both Schenck, Zanuck Report Gains Abroad

Marvelous in England, Declares Former

Conditions abroad are improving, according to separate and individual statements made yesterday by Joseph I. Schenck and Darryl F. Zanuck on their return from Europe.

Schenck stated business in England "marvelous and everyone is going to see pictures." In France, he said, tickets are doing a good business, but not as much as in England, since there public there does not go as often films as the English.

United Artists does not intend to produce abroad, Schenck added, adding that Alexander Korda will make £ six and British & Dominion eight for a next season. Last year Korda (Continued on page 6)

Barthelmess-Camp Talking Film Deal

Negotiations are under way between Richard Barthelmess and Walter Camp whereby the star will make a series of pictures for Inspiration. Barthelmess made 18 films for Inspiration before he went with First National, the first being "Tulip Time." The star is disappointed in the last three pictures he has made. It is believed that many pictures he will take a year depends on stories he can

Wisconsin Circuit Expands Operation

Milwaukee, Aug. 15—Additional acquisitions by Wisconsin Amusement enterprises, Inc., on operating agreements include the Paradise and Allis West Allis; Fox and Strand in Janesville; the Lloyd in Menominee. (Continued on page 8)

The Lone Wolf

Mobbed by autograph hunters at the pier yesterday after the Rex docked, customs guards had to surround Douglas Fairbanks to keep off the crowd.

One of the guards took advantage of his position. He quietly asked the star for his signature and was the only one to get it.

M-G-M, U. A. Interested with Consolidated in London "Lab"

London, Aug. 15—M-G-M and United Artists are interested with Consolidated in the plan for the construction of a new laboratory plant here by the three American companies. Ben Goetz, who arrives Friday on the Paris, will make a survey of the possibilities and then will report back to the United States, where he will confer with the heads of the three companies.

M-G-M is slated to start its own production unit here within the next few months. United Artists has Alexander Korda for six and British & Dominion for eight next season.

Dual Billing Talks Go on In St. Louis

ST. LOUIS, Aug. 15—Dual billing elimination continues to be the subject of discussion between Fred Wulzenberg, M.P.T.O. head; Nelson Cunliff, head of the St. Louis Amusement Co., and F. & M., but with Warners out of the talks little hope is seen for a citywide agreement.

Warners intend to open the Shubert-Kilbourn on Aug. 18 with "Here Comes the Navy" and "Ladies Should Listen," and it is understood that the Orpheum will be reopened about Sept. 1. Both houses are out of the downtown sector and it is understood Warners take the stand daces are never again attempted. (Continued on page 6)

See No Handicaps From Silver Order

Nationalization of silver by Presidential order is not expected to affect the manufacture of film. Under the order the holders of silver for industrial purposes are limited to 500,000 ounces, but it is expected that (Continued on page 8)

Industry for Drive; Makes Hays Real 'Czar'—Cochrane

Many producers welcome the clean film drive, declares R. H. Cochrane, executive vice-president of Universal, executive result is to make Will H. Hays a czar in fact as well as in name.

Responsibility for what appears in pictures will be placed directly upon him, Cochrane says in a signed article in the N. Y. World-Telegram titled "The Truth About 'Czar' Will Hays.

"If Mr. Hays does not exercise this power, the cheap publicity-seeking critics who thrive on raising hell with Hays will be justified," wrote Cochrane. "If he does exercise it, with the pledged backing of his board, the knockers will be hushed."

Answering recent demands that Hays be asked to resign, Cochrane wrote: "His resignation would not be (Continued on page 6)

Indies to Ask Campi Aid on Morals Code

Object to Circuit Bans On Unsealed Films

HOLLYWOOD, Aug. 15—Independents intend to appeal to Campi next week to set up a morals code and proper enforcement machinery, declares W. Ray Johnston, head of Monogram, who was regarded as a spokesman for all the independents.

Barring of pictures lacking Joseph I. Breen's purity seal from circuit houses is an unfair trade practice, Johnston asserts.

His statements were intended to end the general impression here that independent producers have about decided to submit their product to Breen.

"We thought we had a bit of unfair competition on our hands," Johnston said, "when clearance and zoning (Continued on page 7)

First Outside Code Approval to Powers

First certificate of compliance with Production Code Administration standards issued to a producer not a member of the Hays association goes to F. A. Powers, as producer, and Edwin and Hays under the Home, an animated cartoon, as the picture.

The Hays office, at the same time, stated the producer's approval, Certificate No. 154, was in conformity with the "association's purpose to afford all producers, whether or not members, the opportunity to use the facilities which the association has developed to help assure the highest standards of picture production.

Warner Deal on Fox Product About Set

Signatures are pooled over an agreement by which Warner theatres, except those in New York which confine themselves to Warner-First National (Continued on page 7)

N. Y. Passes West

"Belle of the Nineties," Mae West picture revamped under the strengthened Production Code Administration, has been passed by the New York censor board without a deletion, declared Paramount yesterday. It is set for September release.
**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

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**JOHN FITZGIBBONS, PATRICK, JIMMY CRON AND JOHN WALKER were at the Tavern around lunch time yesterday.**


**Harvey Day, special representative for Terry-Toons, and William Clark, Educational sales manager, left yesterday for Dallas, Kansas City and other points in the mid-west.**

**HYMAN J. RUBLER, until recently with Muley's, has been transferred to Powersant on Sept. 1. Ceremonies are to be held at the Chateau D'Or in Brooklyn.**

**Robert B. Steinberg, of Eureko Prod., left yesterday for Washington with a print of "Coward" for showing at the Italian Embassy.**

**Joan MOLLER has gone to Boston for a week of personal appearances with her picture, "Adventure Girl," at the Boston Theatre.**

**Malcolm Weis and Charles Cohen of the M-G-M publicity department leave on vacation Monday.**

**Tony Muto is after his picture in the studio in Maine and that's where he is going next week.**

**Dave Epstein, Hollywood agent, is on route to the coast following a trip to Detroit.**

**Harold Lloyd leaves for the coast in three weeks.**

**Medicine Shows a Worry**

**KANSAS CITY, Aug. 15—Competition from medicine shows is disturbing small town children in Kansas and Missouri this summer. Both states are said to have a law requiring medicine shows to pay a fee to the county of $10 a day, and in some instances the exhibitors check up to determine if the law is complied with.**

**Hunt for Mrs. Janney**

**Police here have been asked to help find a child of the late Mr. and Mrs. Leon Janney, former actor, to inform them of the death of her mother. Mrs. Janney's divorced husband, an automobile accident at Atascadero, Cal.**

**Mosskowitz Sails South**

**Harry Mosskowitz, who has been surveying theatre conditions in India and Australia for Loew's, sails from Naples for the United States on the Andros on Aug. 22. He also witnessed the opening of Loew's new theatre in Melbourne.**

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**Vancouver "Arrest" of Greets Fitzgibbons**

Vancouver, Aug. 15.—J. J. Fitzgibbons of Famous Players Canadian was "arrested" as he stepped off the train here on its arrival from Montreal. Two city detectives booked him and his companions, R. W. Bohtestein, Alfred Grenville and Bernard Gildress, head of the booking department, on charges of conspirey laid by Laurence A. B. Fitzgibbons, vice president, and Frank Gow. The B. C. men charged that the Montreal Pictures were masquerading as motion picture men.

After Fitzgibbons and friends had been properly "policed," beard broken by the Vancouver police chief, who "pardoned" the men, who are here for the convention of B. C. Famous Players Committee, which opened yesterday. Everyone seemed to enjoy the hoax, including the "prisoners."

The Montreal executives were then carried off to the yacht Moonlight Mald, which left for a week-end cruise in the Gulf of Georgia with a passenger list of 22 theatre men.

**Lincoln Legalizes Sunday Film Shows**

**LINCOLN, Neb., Aug. 15.—Sunday shows have been legalized here by the surprising plurality of two to one, in an election in which the opposition had been beaten three times in the last three years.**

**Would Hit Film Men**

**ALBANY, Aug. 15.—Film men, along with others in general industry, face an additional income tax levy of one per cent on personal incomes. The Senate Finance Committee, controlled by the Democratic party now in power, has reported favorably on such an impost, designed to raise $8,000,000 from $1,000,000 in personal income and $2,500 for married individuals.**

**Paul Lukas Is Sued**

**HOLLYWOOD, Aug. 15.—Paul Lukas has been made defendant in a suit for about $5000, brought by a local law firm in behalf of Ben Blumen- thal, Budapest theatrical man, and the Theatre Operators of Hungary. It is claimed that Lukas borrowed 207,727,000 crowns from them on notes and paid back 672,000 crowns.**

**A. T. & T. Votes Dividend**

A quarterly dividend of 22.25 a share totalling $42,000,000 for the 18,009,675 shares outstanding was voted yesterday by the board of directors. It is payable Oct 15 to stockholders of record Sept 15.

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**MOTION PICTURE ALMANAC AND THE CHICAGOAN**


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**Rothschild Pulls $106,726, 4 Weeks**

"House of Rothschild" ran up a total gross of $106,726 in three weeks and six days at the Rivoli. Up to Tuesday night, the sixth day of the fourth week, it was still good for $33,820, or about one third the first week take of $106,726.

The week by week tabulation follows:

<table>
<thead>
<tr>
<th>Week Ending</th>
<th>Gross</th>
</tr>
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<tbody>
<tr>
<td>July 25</td>
<td>$33,820</td>
</tr>
<tr>
<td>August 1</td>
<td>$29,250</td>
</tr>
<tr>
<td>August 8</td>
<td>$25,000</td>
</tr>
<tr>
<td>August 14, 6 days</td>
<td>18,656</td>
</tr>
</tbody>
</table>

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**New L. A. Unit Seen As Blow to I. T. O.**

LOS ANGELES, Aug. 15.—That the announcement of the merger of Armitage and Bickel, Inc., of Los Angeles is likely to sound the death knell of the I. T. O. of Southern California is the opinion expressed in editorials circles on the coast. The new group is the result of a breach in the ranks of the I.T.O. and the dissolution of the older organization. Ben Bernstein is president; Harry H. Hicks, vice-president; Russell Rogers, secretary, and Arnold Shank, treasurer.

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**Stan Laurel Injured**

HOLLYWOOD, Aug. 15.—Stan Laurel, formerly of the troubles of the I. O. of Southern California, is injured in a fall from his bicycle on Hollywood Boulevard. He is said to have sustained cuts, bruises and abrasions. Laurel is now recovering at his home in Hollywood. He is expected to return to the screen shortly.

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**Para. Seeks Tracy**

HOLLYWOOD, Aug. 15.—Paramount is negotiating with Fox for the loan of Spencer Tracy for two pictures. The company has given a long-term contract to Larraine Bridges, former singer from Oklahoma. Her first assignment is "Code of the West."

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**Burrr Plans Features**

HOLLYWOOD, Aug. 15.—C. B. Burr, former producer for Educational, has established headquarters at the Sennett Studio, and is planning to produce feature pictures for the independent market.

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**Reade Gets Fox Lineup**

Walter Reade has signed for the entire Fox lineup for his 39 houses in New York, New Jersey and Long Island. The deal includes features and shorts.

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**Sign Up Anita Louise**

HOLLYWOOD, Aug. 15.—Warners and Anita Louise have finally agreed on a long-term contract. The actress has one more picture to make for Fox.

---

**Many Unchanged on Big Board**

**Warner Bonds Advance 1/4**

**Lowe's 6 1/4, w/w deb rights...**

Bonds 6 3/4, w/w deb rights...
Front covers of all leading fan magazines for September monopolized by Warner Bros. stars! . . . Five million of these full-color star portraits on nationwide display now! Making every newsstand in the country a 24-hour sheet for

WARNER BROS.
PICTURES ... THE HITS OF THE HOUR

DAMES—Year's record shattered in first week-end at Atlantic City world premiere!*
HERE COMES THE NAVY—Breaking records everywhere!*
BRITISH AGENT—"Among the powerful dramas of this screen era."—M.P. Daily*
FRIENDS OF MR. SWEENEY—"A riot—a howl—rich fun."—N.Y. Critics*
DESIRABLE—"An entertainment honey . . . triumph for Jean Muir."—Variety Daily*
DRAGON MURDER CASE—"A cinch to satisfy."—Variety Daily*
*A Warner Bros. Picture  *A First National Picture
Vitagraph, Inc., Distributors
AUDIENCE! ...all the time! ... that's why BEN HECHT and CHARLES MACARTHUR are known as the “Greatest Writing Team in Motion Pictures!”

They started something

LASTING success in any endeavor is not to be achieved unless built on a foundation that is fundamental and basic. When BEN HECHT and CHARLES MACARTHUR started work on “CRIME WITHOUT PASSION”, they started more than a motion picture! They started to establish—once and for all—that revolutionary ideas are more important to the box-office than lukewarm traditions ... and that real story values and naturalness of characterization are more vital than names that scintillate on the marquee and lack lustre in portrayals on the screen. HECHT and MACARTHUR started—in brief—on the assumption that unless audiences are vitally absorbed and interested in what's going on—all the time—it can't be real entertainment!

In “CRIME WITHOUT PASSION” Ben Hecht and Charles MacArthur have crystallized their ideas with startlingly dramatic results. They have produced an intensely absorbing and entertaining picture guaranteed to tear the heart out of audiences as the action untolds on the screen. Seldom has so terribly fascinating a character been conceived as their central figure of the criminal lawyer who literally took women's souls apart to satisfy his insane ego. Seldom has a picture maintained so startling a dramatic tempo from start to finish. “CRIME WITHOUT PASSION” is box-office!

It is told with honesty, portrayed with virility, and directed with a real sense of dramatic values and human understanding.
...with Stirring Melodrama!

"CRIME WITHOUT PASSION"

A Ben Hecht-Charles MacArthur Picture with

CLAUDE RAINS • WHITNEY BOURNE • MARGO

Written, directed and produced by Ben Hecht and Charles MacArthur
Lee Garmes, Photographer and Associate Director A Paramount Release

...and they finished it!

Read What the Critics Say:

Hollywood Reporter, July 28th:
"A stirring melodrama and a darned swell piece of entertainment ... A picture that has sufficient creeps to send any audience out talking ... Hit of the picture is MARGO ... she comes through with an astonishing performance."
—Billy Wilkerson

Screen Book, October: "At last a picture at a different sort ... opens with a flash and whips along to a furious climax ... Packed with thrills and suspense."

Photoplay, November: "Expertly handled. Good entertainment for those who appreciate a highly dramatic story."

"A superlative piece of craftsmanship ... is as refreshing as it is a tribute to Mr. Hecht and Mr. MacArthur."
—Pare Lorentz

All of which tends to prove that HECHT and MACARTHUR not only started something with "CRIME WITHOUT PASSION" ... but they finished it in a way to meet with the approval of all audience-wise showmen who have seen it.
Both Schenck, Zanuck Report Gains Abroad

(Continued from page 1)

made only two. Neither does U. A. intend to acquire theatres abroad at the present time, Schenck stated. The company already has the London Pavilion.

Asked about his forthcoming marriage to Miss Oberson, Schenck said that when his fiancee arrives in the United States later in the year a wedding date will be set. Miss Oberson is to appear in a U. A. picture to be made in Hollywood.

Zanuck found conditions abroad are booming. He added, however, that U. A. does not intend to increase his program, but stated Douglas Fairbanks will appear in about 10 which Century will make for 1934-35. George Arliss in "Cardinal Richelieu" will be another. Stories for nine of the 10 al-

Set to Exchange Talent

Arrangements have been completed between Zanuck and Korda for an exchange of talent. Zanuck does not intend to add to his program, but stated Douglas Fairbanks will appear in about 10 which Century will make for 1934-35. George Arliss in "Cardinal Richelieu" will be another. Stories for nine of the 10 al-

Industry for Drive; Makes
Hays Real ‘Czar’—Cochrane

(Continued from page 1)

accepted if he presented it, not even individuals should or should not.

Cochrane expresses the opinion that the industry owes a debt of gratitude to Hays and “so does the public.”

The article continues:

“12 years, with no weapon ex-
cept persuasion, his efforts were not 100 per cent perfect, but they worked wonders nevertheless. They stopped thousands of movie ‘shots’ and dia-
logue with which short-sighted pro-
ducers were willing to take a chance for the sake of box office returns.

Sees Hays Unjustly Criticized

“Little of this was ever made public. During all of these years, Mr. Hays has submitted patiently and without rancor to the role of target for the shot of every cheap publicity seeker on the ragged fringe of the industry who felt that the best way to keep his job was to ‘raise hell with Hays.’ For years he has been urged by the faced-

Hays Job Report Is
Laugh for Johnson

WASHINGTON, Aug. 15.—Reports from the coast that he would succeed as successor of Mr. Hays as the “Pussolli” of the film industry” today elicited from Re-
cover Administrator Hugh S. John-
on a short of laughter and a refusal to comment because there were “too

Clauses in new sales contracts

DeMille Shies Off Morality in Talk

Cecil B. DeMille is shying clear-
discussing the clean film drive or
new code of conduct of the current trip about the country.

I’m not on this trip to discuss morality or censorship,” he said, when asked about his trip to the South.

“Art must be true,” he says, “must be a mirror of life. In the line of true, art doesn’t need to offend anyone, whether it’s as applicable as the Atlantic or be undeveloped.”

On his trip across the country, he has spoken to acts of Kansas and Wichita. Yesterday he spoke to the Teachers’ College, Columbia University, and Aug. 20 he will speak to the Pennsylvania State College, Dickenson, Cleveland, and the University Press, Atlanta; S.

Camps Legal Group

Clauses in new sales contracts would be studied by the Campi-le.

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Complaints on Cancellations
Heard in K.C.

(Continued from page 1)

religious objections are most ef-
fective. Some, however, are from
the public, and in some instances,
exchange managers all say they in-
proof that the protest is "bona
fide." At United Artists, it was said
each is given careful consideration
its merits and that it must be
accompanied by a written protest
one in authority." RKO "will
glad" to cancel any picture to
which patrons genuinely object, it
eral as that company's policy.
other subtractions are made
thereby, the number of pictures the
latter, rentals and other
cluding to avoid complaints.

10 Cancellations by M-G-M

M-G-M has made ten "morality
"cancellations," it was learned, E. S.
Lang of Kansas City has obtained
from the studio.

Universal has had two re-
tests, Columbia has made one sub-
traction, and Paramount likewise
few cancellations. United
has several requests under con-

Majestic, Consolidated and Midwest
Distributors, Monogram fran-
chisee, report no requests. Man-
gesfrom M-G-M, it is declared
that independent product has not
subject to the "decency" boy-

W. D. Fulton, a leading indepen-
dent distributor, charges "some distributors ques-
tions about protests," and refuses to
inform him of the objections,
and the exhibitors are taking ad-
avantage of the situation to eva-
cer certain pictures. Fulton asserted
iano of a supposed office in
change manager was a letter signed
three priests in the neighborhood
in the neighborhood of the Theatre presenting
a picture.

capital Men Query
Hays on Canceling

WASHINGTON, Aug. 15.—Washington
film reformers have asked Will
Hays whether the code, producers and exhibitors are responsible for bad
takes, it was revealed today by
œur Lorain, chairman of the com-
mittee on civil affairs of the District
of Churches.

We are now informed that, even where there is local organiza-
ton to certain films, an exhibitor
limited, perhaps because of code
visions, to canceling one picture
of a hundred that he dislikes.

As this is one of the matters now actively before the committee I shall appreciate your
and am going to send you a par-
icular reference to the amount of ice which is open to the exhibitor and which
is the point that it is hardly fair to
the signers to give the impression
that they have a wide choice in the rejec-
tion of undesirable films if, as a mat-
tial fact, their choice is narrowly
rged by code provisions or other-

Campi yesterday handed down 17
opinions after hearing appeals from
distributors against the advisory
ance boards. Of this number, eight
are from the New York board.

In the case of the Luxor, New York,
Campi ordered that the defendant
would have to account to the own-
er and that the complaint have
right to negotiate a lease for the
house before anyone can step in.
Campi's complaints that the
Weistock of the Rialto, Newark, that
of the 54th Street Theatre, New
in the case of the Playhouse, New
and it was played in a
terest in another theatre before

Deadline for Code
Assets Is Passed

(Continued from page 1)

complaints by producers and distri-
butors on assessments.

WASHINGTON, Aug. 15.—Admini-
stration officials tonight watched
interests render final returns of code
assets on which midnight, Thursday.
Although Washington was without
formation regarding the exact situa-
t—the assets going to Code
securities, or to the New York—its
understood the list of acceptors has
veloped by many hundreds.

Handbills in Kansas
Stir New Code Issue

KANSAS CITY, Aug. 15.—Because
the practice is held not to come within
the scope of the code, the local
griership will sit as a Local in-
Hearing Adjustment Agency in hearing
a complaint by Mrs. Gladys Mc Ardle,
Dowell, Kan., that John Crotzer,
Downs, Downs, Kan., circulates hand-
bills in her town. The towns are 20
miles apart.

The grievance board can find
thing in the code prohibiting such cir-
cularization but will be governed by
local policy provisions. The indus-
tries itself to maintain high standards of
marketing and public relations.

Mrs. Mc Ardle complains on the
plea tickets are dated into her theatre a
two after the Downs, although proximity of
turn is said to be

Campi Awaits Word
On Code Cost Plan

Campi is awaiting official word from
the NRA to go ahead and draft a
new schedule of assessing major and
independent producers and distribu-
tional cost of $180,000 for the first year.
A meeting of the code finance
committee probably will be called
Monday. On the committee are Har-
ner, New York, S. R. Kent, Nathaniel
Yamins and Charles L. O'Reilly.
A meeting is set for Wednesday.

Shnitkin on Cincy Board

CINCINNATI, Aug. 15.—Al Shitkin,
recently transferred here from In-
minapolis as Warner-First National
manager, has been appointed affiliated
distributor of the local griev-
ace board. He replaces Maurice
White, who resigned as Warner man-
er to enter exhibition.

Indies Ask
Campi Aid on
Morals Code

Boards stepped outside their powers in
the recent case of RKO, and the fact
that young independent producers are apparently faced with
a ban on their product by circuit houses,
becoming a matter of concern which
be secured except through an organization composed
of major producers, whose
which can be formed.

"Apparently the big fellows are be-
ing ill-advised again, for they seem
to have forgotten a clause in the code,
Article VII, Part I, dealing with right
moral standards. For some unknown
reason Campi has never set up a
body to deal with the morals code,
and producers affiliated with the Hays organization evidently
vow that independent producers
not to play pictures not bearing the
purity seal.

To Present Resolution

"The independents will present to
Campi at the meeting next week a
resolution authorizing Code Authority
to set up such a morals production
code and an enforcement body as well
as a second resolution making it an
unfair trade practice for theatres or
circuits of theatres to refuse to book
pictures that are not visibly marked with
the code seal, because it does not bear
the Hays seal."

Johnston says that the present
policy of putting pictures of a code
ence cannot be enforced by
the independent producer and distributor to join the Hays organi-

Green said any independent can
have the seal provided his picture
is clean. Only yesterday, it was pointed
out, he certified the "Scarlet Letter,"
made by Darmour, one of the first in-
dependents to get a seal without plac-
ing his company under any obligation
to the Hays office.

Article VII, Part I, to which
Johnston refers, reads as follows: "Part
nctions of pictures is a move to en-
force the independent producer and
tor to join the Hays organi-

NRA Hears Wage Case

WILMINGTON, Aug. 15.—As a result
of a complaint filed by the operators' union, it was learned that the
the Rialto, a nonunion house, is not
ching the code scale, the case has
been deferred to Charles J. Kurtz, sit-
ing as a referee.

Postpone Cincy Session

CINCINNATI, Aug. 15.—This week's
session of the Cincy board was
postponed for two weeks. Two
cases were on the docket, one of which
was withdrawn. In the other case the
respondent was ill.
Opening of “Dames” Draws Big Turnout

“Dames,” the new Warner musical, opened last night with a nearly full house on Broadway. Ruby Keeler and Dick Powell, who play the leads, were the toast of the evening. With all the visual glamour of a Broadway show, the new musical was well received by the audience.

Looking 'Em Over

“The Defense Rests” (Columbia)

Starring Jack Holt and featuring Jean Arthur and Nat Pendleton, this show proved to be an excellent program fare. It pleased a preview audience at the Rialto. Jo Swerling’s direction, from his own script, keeps the action moving at a fast and interesting pace.

Holt is cast as a criminal lawyer, of the William Lyon type, whose sensational manner of always having placed him on the front pages of the country. Jean Arthur is his assistant. He is forced to take a kidnapping case because of his connection with gangsters and appears to have the case won when the mother of the kidnapped child kills herself in his office. Holt then turns evidence over to the district attorney that not only clears his client but also brings about the arrest of all the other members of the gang.

Holt departs here from his usual sympathetic role and carries the picture with the aid of Miss Arthur, who turns in a fine performance. Pendleton’s comedy is up to his usual standard. Running time, 62 minutes.

Show World Figures At Tom’s Funerat

Many prominent in the show world turned out yesterday for the funeral of Thomas Dart. Services were held at St. George’s Protestant Episcopal Church, 201 E. 16th St. and were conducted by Dr. Karl Reichenbach. A telegram was assisted by Dr. James H. Rice. Harry Burleigh, composer of “Deep River,” sang.


Tucker Is Cremated

The body of Melville F. A. Tucker, secretary, treasurer and director of Consolidated Associates; secretary, treasurer and director of Columbia Phonograph Co. and purchasing agent for Consolidated Film Industries, was cremated yesterday at the Fresh Pond Crematory in Maspeth, L. I.

Among the few present were his son and Harry M. Goetz. The body was borne to the crematory from the Universal Funeral Chapel, 597 Lexington Ave. where funeral services were held Tuesday afternoon. The ashes will repose in the crematory until his widow decides upon their final disposal.

Gave Rasputin’s Warning

If M-G-M had taken her advice and that of John and Lionel not to cast in the part of Rasputin, they might have avoided some of the comment in the picture. Because some of the characters in it were still alive, the producer would have been spared the libel litigation brought by Princess Irina Youssoupoff. It was said by Ethel Barrymore in an interview with Michel Mou of the New York Post on her 55th birthday yesterday.

Miss Barrymore and her brothers were in the cast.

Rogers May Present Fox Met Plan Today

Saul Rogers’ request for permission to present a plan for reorganization of his Metropolitan Pictures was slated to come before Federal Judge Julian W. Mack today. Rogers is representing A. C. Blumenthal.

However, James White of Motion Picture Daily may not be ready to present his plan today because Judge Mack has not yet decided on the bankruptcy status of the circuit. Blumenthal stated the plan he has in mind is better than any so far presented. He would not disclose the group he is representing. Right now, he said, he is acting for himself.

In the Sick Bay

John D. Clark, general manager of distribution for Fox, is at Mountainside Hospital, Montclair, for observation. His condition is not reported serious.

Robert F. Sisk, director of advertising and publicity for RKO, was home yesterday with a recurrent attack of arthritis.

Cincy Houses Opening

CINCINNATI, Aug. 15—The RKO Grand, which closed several weeks ago after a season of vaudeville, reopening Friday with “Their Big Moment” on a straight picture policy.

The RKO Capitol, shuttered early in the summer, will be relighted Sept. 1. “The World Moves On” is set in as the opener.

New Sound Device Out

A device which is said to permit broadcasting sound to reach the ear from a wide angle with resultant increase in realism has been invented by Maxie Zwill, and Alfred V. Rechenberg, consulting engineer. The invention is known as the “audio projector.”

“Too Early”—Van Schmus

“Too early” to talk is the manner in which W. G. Van Schmus, direct representative of the Rockefeller family at Radio City, yesterday described the status of the theater’s short-term leases which expire Sept. 1.
Chadwick Sees Agreement on Purity Seals

Reach Accord On ‘Lab’ Code; $16 Minimum

Makeup of Authority Is Being Worked Out

WASHINGTON, Aug. 16.—Agreement on the proposed ‘lab’ code and minimum price today is a big step forward in the battle against racketeering in the motion picture industry.

WASHINGTON, Aug. 16.—Evidence of the protection afforded small enterprises under the film code is found in the decision of the Code Authority, which prevents any discrimination against exhibitors playing double features, the National Recovery Administration declared today.

“The Milwaukee clearance and zoning board, one of the self-governing units of Code Authority, had drafted a zoning schedule to penalize exhibitors playing double features,” it was asserted. “The proposal to limit the amount of revenue a movie may draw after being exposed was found to be a violation of the film code.”

Loew’s Ready To Join Deal For Dual Ban

Awaits Move in Jersey, N. Y. Campaigns

Loew’s is willing to drop duals in New York and New Jersey provided all other theatres eliminate twin bills, Charles C. Moskowitz states. Both Allied of New Jersey and the I. T. O. A. are anxious to end dual programs, provided circuits will co-operate.

Moskowitz says he has not been approached by the New York independent group within the last few weeks, although Harry Brandt told his members that Loew’s had been visited on the matter. Brandt also stated that a meeting of major circuits was to have been called to decide on eliminating duals, but no time has been set.

Mexico to Impose Film Import Duty

By JAMES LOCKHART

MEXICO City, Aug. 16.—Film import duties on a pound basis are to be imposed immediately upon orders from President Rodriguez. The announced reason is for the purpose of encouraging Mexican production. Unexposed negative will pay 13 cents per two and two-tenth pounds; unexposed positives up to 36 millimeters, $5 per two and two-tenth pounds; wider widths, from $3.60 to $4.68 on the same poundage basis, exposed.

Lloyd to Continue Single Film Deals

Harold Lloyd will continue to negotiate individual distribution deals for his pictures, he states. Although he hasn’t given any thought to his next story, Lloyd said he could not tell at this time whether Fox would distribute his new film or not, if Fox is handling “The Cat’s Paw,” which is at

EPA, MPTO in Move For Harmony in PA.

Philadelphia, Aug. 16.—Wreaths peace over the heads of the independent Exhibitors’ Protective shun and the M. P. T. O. of Eastern Pennsylvania, but nobody is admitting to a preliminary meeting, looking toward a burial of the hatchet, has been held and a consolidation of the rival exhibitor units is anything but real.

Stanley Units Will Discuss Merger Here

WILMINGTON, Del., Aug. 16.—The Stanley Co. of America, Stanley-Fahlan Corp. and Stanley-Crandall Co. of Washington, all three Delaware corporations, will hold special meetings in New York City, Aug. 23, to consider and vote for the adoption or

TEN CENTS
Fan Writers, Publicity Men Bury Hatchet

Hollywood, Aug. 16.—Diplomatic relations have been resumed between studio publicity heads and fan magazine writers. The writers get their interviews, but agree to eliminate anything regarded as false or salacious.

It all came about through a conference held at the Hays office. The magazine representatives arrived, were greeted by Vice-President and Treasurer, James A. Cron, and a decided battle the publicity men’s ultimatum that all interviews would have to be submitted for pre-publication. They went away in an amiable mood.

Acting with authority from their home offices, the writers pledged their individual words that they would endeavor to cleave to a policy of “clean, constructive and honest material” on that leaves the publicity men with nothing to do but take the dippers into the front office to show the boss how hard they are working.

In the Sick Bay

John D. Clark, Fox sales chief, who is in the Mountains Hospital, Montclair, for observation, is down with a high temperature for a couple of days that he would be out of his office only 10 days were snapped years ago. He is in the hands of E. T. (“Peck”) Gorham, western sales manager for Universal, who did a Prince of Wales in Central Park yesterday.

Leo Abrams, manager of the “Big U” exchange, who has had a three-month siege resulting from complications growing out of a hernia operation, is hobbling about with a cane.

He’s getting on.

Alicoto Sailing

Jack Alicoto, publisher and editor of The Film Daily, sails tomorrow on the Paris for the Continent, accompanied by Louis Nizer. Alicoto will check on foreign production, but goes principally for relaxation.

Rising Trend on Big Board

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<th>Columbia Pictures, etc.</th>
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<th>Net Change</th>
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<td>Consolidated Film Industries</td>
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<td>WARNER BROS.</td>
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Purely Personal

Mickey Mayer is still in Yugoslavia. Pete wants to stay in Russia for a couple of years. The couple is keeping an eye on Mother Lillie. That assembles part of the Arthur Mayer clan on the front earth once again.

Freddie Rush, Cleveland, Cincinnati and Pittsburgh district manager; Percy Block, Philadelphia and Washington district manager, are out in the field. The latter manager for Paramount, are in town for a couple of days on the Warner deal.

Charles Curran, Arthur Jeffrey and Philip Lauder of the Strand’s publicity staff have left their typewriters to usher, take tickets and otherwise assist in front of the house.

Pat Barnes and the radio team of Lee Sims and Iloay Bailey are writing in the third of Vantage’s “Rambling Round Radio Row” series at the Brooklyn studio.

Nate Blumberg isn’t sure, but he thinks his 16-year-old son is in Yugoslavia en route east from the coast; will be back one of these days. Doesn’t know which.

Grenda Farrell has started back for the coast, now that she is completely recovered from her recent anxiety operation. She is due the Mother Meyer Weisgal, general director of “The Romance of a People,” returns today on the Berengaria after six weeks with Max Reinhardt in Europe.

Robert C. Bruce is back from a two-months’ trip to Europe during which he photographed scenes for “Musical Moods” series in Ireland and Italy.

F. E. Lane, English actress, is due today on the Berengaria. After a short stay she will go to coast to start work for M-G-M.

Ben R. Katz, advertising and publicity man for Samuel Goldwyn in Milwaukee zone, is spending his vacation in New York.

Lucas Weitz, attorney for Skouras Theatre Corp., is making nightly trips to various Skouras houses. He takes his wife with him.

Ruth Weisberg drops secretarial duties for Columbia, rifles through and leaves these shores on a freight.

Mezzogiorno is smiling these days. He has three major offers for “This Is My Heart,” formerly “Blossom time.”


Ralph S. Harries of Hughan, Sherman & Dwight, attorneys for Frank West Coast, has gone to the coast.

Howard S. Cullman, receiver for the Loew’s, Blue Mountain Lake Hamilton County, N. Y., is out in the country. Al Jolson will depart for the coast today by plane to visit his wife, Ruby Keeler.

Saul Rogers is vacationing on the Jersey shore.

Moe Streicher is upstate in U. S. business.
"Andy" is $7,000 Indianapolis Wow

Indianapolis, Aug. 7.—"Handy Andy" just about ran away with all the business there was in town last week. It piled up $7,000 at the Apollo where the average was $2,500.

The Old Fashioned Way" reached a part of $4,000 at the Circle. Give Me Love, with John Dillinger, Sr., and his family on the stage of the Lyric failed to stir up any box-office excitement. The take was $3,500.

Total first run business was $15,000. Average without the Lyric was $11,000.

Estimated takings for the week ending Aug. 4:

- "HANDY ANDY," (Fox) APOLO—$2,000. (Average: $1,050.) Gross: $2,000.
- "THE OLD FASHIONED WAY" (Para.) CIRCLE (2,000) $1,500. (Average: $750.) Gross: $1,500.
- "I GIVE ME LOVE" (Univ.) LYRIC: 2,000. (Average: $1,000.) Gross: $2,000.
- "PARIS INTERVIEW" (M-G-M) PALACE: 2,000. (Average: $1,000.) Gross: $2,000.

"Baby" Hits $20,000 for Frisco's Top

San Francisco, Aug. 7.—Business is still feeling the effects of the recent water-front strike, but "Baby" Take a Bow" pulled the Warfield out of the gold-rushes. The $30,000 take was over the line by $1,000.

Human Bondage" held up to $12,000 in its second week at the Golden Gate but elsewhere business was pretty bad.

Total first run business was $44,500. Average is $9,000.

Estimated takings:

- Week Ending Aug. 1:
  - "OF HUMAN BONDAGE" (Radio) GOLDEN (1,500) $1,200. (Average: $800.) Gross: $1,200.
  - "GRAND CANAL" (Fox) "HERE COMES THE GROOM" (Para.) "I CAN'T ESCAPE" (Bosco) WARFIELD—$7,000. (Average: $1,000.) Gross: $10,000.

- Week Ending Aug. 2:
  - "LOVE CAPTIVE" (Univ.) ST. FRANCIS—$1,200. (Average: $350.) Gross: $1,200.
  - "HANDY ANDY" (Fox) BABY, TAKE A BOW" (Fox) "BABY, BOW" (Fox) "BABY, TAKE A BOW" (Fox) WARFIELD—$7,000. (Average: $1,000.) Gross: $10,000.

"Canary" with Show Detroit Top, $19,800

Detroit, Aug. 7.—"Grand Canary" with a stage show sent the Fox up to $19,800, which beats normal by $1,800.

"Here Comes the Navy" at the Michigan and "Bullrrom Drummond Strikes Back" were both disappointments.

Total first run business was $46,200. Average is $6,500.

Estimated takings for the week ending Aug. 2:

- "MY HEART'S MELODY" (Univ.) "THUNDER OVER MEXICO" FISHER—$7,000. (Average: $1,000.) Gross: $7,000.
- "GRAND CANARY" (Fox) "HERE COMES THE NAVY" (Warner) "BULLDOG DRUMMOND STRIKES BACK" UNITED ARTISTS—$7,000. (Average: $1,000.) Gross: $7,000.

"Baby" Pulls Washington's Top, $20,400

Washington, Aug. 7.—With one extra morning performance, Baby Pulls $20,400 to Loew's Fox, a meager $100 under the average of $20,400. Stage show might have helped, but Shirley Temple's popularity is generally credited.

"Bulldog Drummond Strikes Back" drew $6,000 in its second week at Loew's Palace, while "Murder in Trinidad" at Loew's Columbia tumbled to $2,700.

The Earle took $15,000 with "Midnight Alibi" and a stage show, $2,000 under average, and the Metropolitan exceeded par for a gross of $4,500 for "Return of the Terror".

"Whom the Gods Destroy" was weak at $8,300. The revival of "Cimarron," which opened last Wednesday, took $4,400 on its first two days.

Total first run business was $72,200. Average is $7,100.

Estimated takings:

- Week Ending Aug. 2:
  - "MIDNIGHT ALIBI" (Fox) EARLE—$1,200, 26-75c. Stage: Hal Leven & Barbara McDonald, Fort, Publicity: E. & D., Cummings, Stewart Sisters, $150. (Average: $500.) Gross: $1,200.
  - "MURDER IN TRINIDAD" (Fox) LOEW'S COLUMBIA—$1,200, 26-75c. Stage: Hal Leven & Barbara McDonald, Fort, Publicity: E. & D., Cummings, Stewart Sisters, $150. (Average: $500.) Gross: $1,200.
  - "RETURN OF THE TERROR" (F. N.) METROPOLITAN—$1,200, 26-75c. Stage: Hal Leven & Barbara McDonald, Fort, Publicity: E. & D., Cummings, Stewart Sisters, $150. (Average: $500.) Gross: $1,200.

- Week Ending July 31:
  - "WHOM THE GODS DESTROY" (Col.) PRO-SHEPHERDS—$1,200, 26-75c. Stage: Hal Leven & Barbara McDonald, Fort, Publicity: E. & D., Cummings, Stewart Sisters, $150. (Average: $500.) Gross: $1,200.

Hold "Navy" on Coast

Los Angeles, Aug. 7.—"Here Comes the Navy" held over after a strong showing.
Janet Gaynor as a merry modern million-heiress masquerading as a maid servant. Lew Ayres as a chauffeur with an inventive turn.

Janet GAYNOR

Servants'

NED SPARKS
LOUISE DRESSER
ASTRID ALLWYN

Produced by Winfield Sheehan

Fox ALL THE WORLD
of mind and a leaning toward romance. Gay entertainment with these two star favorites shining their box office brightest.

Lew

AYRES

Entrance

WALTER CONNOLLY

G. P. HUNTLEY, JR.

SIEGFRIED RUMANN

Directed by Frank Lloyd

From the novel by Sigrid Boo

Adaptation: Samson Raphaelson
Detroit Clearance Held Up by Appeals

Detroit, Aug. 10.—The new clearance and zoning schedule for the selling season of 1934-35 has been issued and is now in the hands of interested parties.

The schedule was to have become effective yesterday and all features running at this time are to be cleared up under the new ruling. Protests to Campi delayed it, however.

The new rule affects all theatres in the Detroit metropolitan area and first run houses are entitled to 28 days' protection on week runs, 60 days' protection on second run, and all theatres within a 60-mile radius served by local exchanges.

Campi will set a date for a hearing on Detroit protests. No appealed schedules can become operative until Campi authorities hand down rulings on protested clauses.

Nizer Wins Ruling
On Sale of Theatre


Omaha Theatre Men Resent Bard Moves

Omaha, Aug. 16.—Local leaders of film organizations expressed resentment at the action of Calvin Bard, a former exhibitor, in representing himself to Sol A. Rosenblatt, when he paused here last week, as spokesman for 200 independent exhibitors of this territory who are "off the code."

Check of the records in the local code office show there are about 200 theatres being operated in the Nebraska and western Iowa territory. Of that number, more than 200 independent exhibitors are affiliated with the Blue eagle, leaving about 30 non-code members. About half of the latter are believed to be sympathetic with Bard in his efforts to form a new organization of independent exhibitors.

IHO Complaint Asks
K. C. Free Show Ban

Kansas City, Aug. 16.—Acting to protect his free show picture, Kansas City, the I. T. O., through Mrs. A. Baier, secretary, has filed a complaint with the local grievance board against the Interstate Film Co., silent film exchange, asking the board to instruct the company to discontinue film service to a merchant's sponsoring free showings at Lyons Square.

Baker Makes Short

Kansas City, Aug. 16.—Revealing an unusual talent, George S. Baker, manager of the local Publicx Newmark, turned camera on his honeymoon in Yellowstone Park and produced a six-minute short which he is showing at the theatre under the title "An Amateur Photographer Visits Yellowstone."

Strong Films Lift Grosses
On Broadway

Broadway box- offices started August off with several box-office tonics, the Music Hall, Capitol, Rivoli and Roxy all having strong holds. "The World Moves On" took $72,000 at the Music Hall, "The Girl From Missouri" reached $41,000 at the Imperial and "Hobart Gay" garnered $25,000 in its third week at the Rivoli. "Handy Andy" was considered a second run exhibitor, but garnered $27,600 in the Roxy that it was held over for a second and is going into a third week. "Here Comes the Navy" held up to $17,521 in its third week at the Strand.

Refuse Reade Complaint

Reade's complaint against cut rate tickets at New Jersey dog tracks has been turned down by the New Jersey Racing Commission. The commission inflicted a very light sentence to take the complaint up with the tracks and the NFA. Reade replied warmly to the effect that he would do just that.

Code Assents Arriving

Many new assents are coming into Campi headquarters, but no estimates of the total can be made at this time. However, a tabulation of all new assents since the deadline was extended to Aug. 15 will be made before the next Code Authority session Aug. 23.

"Loves Me" Is
Wooed; Lop; Gets $66,600

CHICAGO, Aug. 16.—"She Loves Me Not" hit a sensational $66,000 at the Chicago last week, with Fred Waring and his Pennsylvanians on the stage. Normal for the house is $34,000.

Sadie McKee" was also an exceptional moneymaker. It pipped up $21,000, up by $6,000, in its second Loop week at the Oriental. There was a strong show. First runs found the going rough as a result.

Total first run business was $137,000. Average is $115,600.

Estimated takings:

BULLDOG DRUMMOND STRIKES BACK" (U. A.)
UNITED ARTISTS—550 (Fox) 3rd-4th-6th, 10 days. Gross: $9,000. (Average: $900.)
Week Ending Aug. 7.

"HERE COMES THE NAVY" (Warners)
ROOSEVELT—(1,591), 3rd-5th-6th, 2nd week, Gross: $8,000. (Average: $1,600.)
Week Ending Aug. 7.

"SADIE MCKEE" (M-G-M)
(Second Loop Week)
ORIENTAL—(4,500), 3rd-5th-6th, 7 days. King's Jesters, Hap Hazard, Dander, directed by Louis L. de Fleury, Marcellle Williams & Co., on stage. Gross: $21,000. ($3,000.)
BACHELOR BAIT" (Radio)
PALACE—(3,500), 3rd-5th-6th, 7 days. Ted Fox-Rita and orchestra. Two Davies brothers in stage. Gross: $30,000. (Average: $150.)
Week Ending Aug. 11.

"LET'S TALK IT OVER" (Univ.)
STATE-LAKE—(2,570), 2nd-3rd-4th, 3rd week. gross: $10,000. (Average: $1,500.)

"ANDY" Top in 2nd
Indianapolis Week

INDIANAPOLIS, Aug. 16.—"Handy Andy" nearly doubled the normal take at the Apollo, topping pari by $2,000 for a gross of $4,500, in its second week.

Business picked up all along the line. "Here Comes the Navy, Cockeyed Cavaliers" and 'The Girl From Missouri' were all up to average.

Total first run business was $17,000.

Average is $15,000.

Estimated takings for the week ending Aug. 11.

"HANDY ANDY" (Fox)
APOLLO—(4,500), 2nd-3rd-4th, 3rd week. Gross: $6,500. (Average: $2,100.)

"HERE COMES THE NAVY" (Warners)
CIRCLE—(2,680), 3rd-5th-6th, 7 days. Gross: $4,500. (Average: $650.)

"COCKEYED CAVALIERS" (Radio)
LINDEN—(1,930), 1st-2nd-3rd, 7 days. Gross: $6,500. (Average: $925.)

"THE GIRL FROM MISSOURI" (M-G-M)
THREE—(900), 2nd-3rd-4th, 3rd week. Gross: $4,500. (Average: $1,500.)

Tampa Victory Is Closed

TAMPA, Aug. 16.—The Victory, second largest house here and the best up to date, has closed for the rest of the summer. Stage shows have been switched to the Park, located in the Hyde Park section, where all of these houses are operated by Sparks.
Boston Low;
"Two Faces"
Gets $27,000

Boston, Aug. 16.—The week's total for the Boston area was $27,000, the lowest of the first week, with slight gains and losses distributed among the different first run houses.

Metro Pictures grossed $27,000 on "The Man With Two Faces," with the original "The Goldbergs" cast in for the stormy show. KRO has kept the playgoer happy, grossing $15,000 on its double feature program of "The Lady Is Willing" and "Monte Carlo Nights" with an average of $16,000.

Totals for first runs were $84,000, average was $9,400.

Estimated takings for the week ending Aug. 9:

"THE LADY IS WILLING" (Col.)
BOSTON—$2,300, 39c-50c, 7 days, Gross: $16,000.

"RIENDS OF MR. SNEAVY" (War)
FENWAY—$1,800, 38c-50c, 7 days, Gross: $11,800.

"HIS GREATEST GAMBLE" (Radio)
KEITH—$3,300, 38c-50c, 7 days, Gross: $20,000.

"THE GIRL FROM MISSOURI" (M-G-M)
LOEW'S STATE—$1,300, 38c-50c, 7 days, Gross: $94,500, Average: $13,500.

"THE MARCH GIRL" (F. N.)
METROPOLITAN—$1,300, 38c-50c, 7 days.

"LADIES SHOULD LISTEN" (Para)
PARAMOUNT—$1,000, 38c-50c, 7 days, Gross: $7,000, Average: $9,900.

Boston Grosses:

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**Grosses Gain in 13 Keys For First Week of August**

BUFFALO, Chicago, Denver, Indianapolis, Minneapolis, Oklahoma City, Omaha, Philadelphia, Portland, Providence, St. Paul and Seattle.

At the same time slight losses were reported by Cleveland, Detroit, Kansas City, Los Angeles, Montreal, New York, Pittsburgh, San Francisco and Washington.

Comparative grosses for the latest available period:

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**"Love Me" Is Big Holdover Draw on Coast**

Los Angeles, Aug. 16.—Despite continued holdovers in most of the territory, "Love Me" continues to hold up encouragingly. Known as "She Loves Me Not," the play has connected for some time, but its advance is still strong.

Reports indicate that the fun and intrigue of the story indicate a solid holdover, with tastes continuing to build up in this week's first average.

Here Comes the Navy" held up to an average of $15,000 in its second week at Warners' Downtown, but dropped off at the Hollywood to $11,000.

First run business was $63,688, Average was $9,600.

Estimated takings for the week ending Aug. 9:

"STAMBOL QUEST" (M-G-M)
LOEW'S STATE—$1,418, 38c-50c, 7 days, Gross: $10,168, Average: $1,452.

"SHE LOVES ME NOT" (Para)
MONTGOMERY—$1,458, 38c-50c, 7 days, Gross: $9,600, Average: $1,371.

"HERE COMES THE NAVY" (Warner Bros.)
RADIO—$1,458, 38c-50c, 7 days, Gross: $9,900, Average: $1,300.

"HERE COMES THE NAVY" (Warner Bros.)
BROOKLYN—$1,458, 38c-50c, 7 days, Gross: $9,900, Average: $1,300.

"ONE MORE RIVER" (Loew)
PANTAGES—$3,000, 26c-40c, 7 days, Gross: $9,000, Average: $1,286.

To Golf in Idaho Soon

Portland, Aug. 16.—Members of the Cinema Social Club expect to gather at the famed Idaho golf course. The date has not been set, but William Green of National Screen Service says it will be within the next two weeks and that representatives will be invited from Washington, Oregon, Idaho and Utah.

Geiger Joins Munds

Cleveland, Aug. 16.—Maurice Geiger, formerly of Los Angeles, has been appointed the northern Ohio sales manager for Munds Distributing Corp., with headquarters in the local United Artists exchange. Geiger is a former manager of the United Artists Cleveland office.

Yaeger Is Made Booker

Omaha, Aug. 16.—Sol Yaeger, former midwest traveling auditor for Columbia, has been appointed booker at the local Columbia exchange. He succeeds J. H. Burke who was named RKO-Radio office manager in Kansas City.

Fairhaven Sets Deals

Fairhaven Prod., Ltd., has closed with Arthur Greenblatt for distribution of "Ri-Mu" in the New York territory, with Majestic Pictures covering Philadelphia, Cincinnati, and with Majestic of Missouri for St. Louis.

New House for Beirut

Washington, Aug. 16.—A 1,500-seat theatre, to be opened in January, 1935, is about to be started near the center of Beirut, Syria, according to a report submitted to the U. S. Department of Commerce by Vice Consul Daniel Gaudin.

"Handy Andy" in Cleveland

Cleveland, Aug. 16.—Will Rogers' popularity seems to be gaining in this city, "Handy Andy" was a sensation earlier this week, with Warners' Hippodrome last week, which was over two different shows, at $1,000.

The "Handy Andy" was also re-issued, and grossed $92,000 at one's Week.

Total first run business was $33,900, average: $4,100.

Estimated takings for the week ending Aug. 10:

"HANDY ANDY" (Fac)
WARNER'S HIPPODROME—$1,800, 38c-50c, 7 days, Gross: $12,000, Average: $1,600.

"OF HUMAN BONDAGE" (Radio)
METROPOLITAN—$2,000, 38c-50c, 7 days, Gross: $14,500, Average: $2,070.

"THE GIRL FROM MISSOURI" (M-G-M)
LOEW'S STATE—$2,000, 38c-50c, 7 days, Gross: $15,500, Average: $2,143.

Open Phila. Exchange

Philadelphia, Aug. 16.—Equity Lim. Exchanges, Inc., has been formed here by Geiger and M. J. Heenan. A branch in Washington is planned within the next few months.

Revue Sennett Comedies

World Wide is reviving 12 two-reel Sennett comedies. The first will be "The Bride's Relations" set for Aug. 22, with one every two weeks thereafter.
Heigh-ho, Albert... I’m at a loss for words to describe this sensational “Dames” premiere to our radio audience. Suppose you tell them about the 3 customers that have fainted, and about all the celebrities that are here—and I’ll just make a short announcement about “Sweet Music,” the show I’m going to do for Warners.

AND AS WE RUSH TO PRESS—
Crowds Force Box-office Closing at 1 P. M. First Day!
Hartford Reports $500 Over “42nd Street” Opening Take!
New Orleans Reserved Seat Premiere Sold Out 2 Days in Advance!
Look, Rudy. Now that you’re a Warner star too it’s only fair that you should have the honor of telling the folks how much bigger this opening is than all the other Warner musicals—and I’ll just sign off with a few words about “Casino de Paree,” starring Al Jolson.

**CRITICS DO NIP-UPS!**

“Audience gasped.” — Times
“Best Warners have produced.” — Telegram
“You’ll go for ‘Dames’.” — American
“Maintains the Warner quality.” — News
“Audience roared.” — Sun

“IS IN!”

LONDELL, ZASU PITTS, GUY KIBBEE,
ERKELEY BEAUTIES ARE IN “DAMES.”
Fox Met Goes In Bankruptcy This Morning

(Continued from page 1)

Fox Theatres and Archibald Palmer get together on a petition for the reorganization of the company, which would consider after they reach an agreement. Palmer stated in court he would withdraw his petition until the bondholders' protective committee let him sit in on conferences reorganization plans.

The court had the hearing with Morton G. Bogue of the bondholders' protective committee on Wednesday and an agreement was reached on certain points.

Bogue urged putting the corpora- tion into bankruptcy to make it safe and expense for both his committee and Fox Met.

It was pointed out that negotia- tions were being conducted with Fox Film for changes in the reor- ganization plan as originally submitted by the bondholders' protective group. With the court approving the changes, Palmer said he would like to make certain modifications in the plan, but did not want to destroy the entire work of the committee.

Palmer was afraid that Loew's and Warners would make another bid for the company, through 77-E, Loew's final talks on the bankruptcy act, but Judge Mack convinced him that the bond- holders' committee could, if need be, court the approval of the plan. The judge also stated that the bankruptcy obviates the necessity for a federal receivership.

Further Facts Brought Out

Judge Mack brought out the fact that J. Robert Rubin, attorney for Loew's, told him that if Fox Met were reor- ganized, it would not be in the best interest of the circuit.

From all indications, since no objec- tions were raised in court yesterday, it is likely that the many and Skouras will continue operation of their present groups. Louis Frisch and William H. Palmer are reports of the Randforce-Penrose group under the original agreement, the six months' employ- ment contract with the bondholders'-guardians will be the independents any possible losses not having been ap- proved by Judge Mack. With the signing of the order, a meeting scheduled for next Tuesday, at which time the order was to be announced.

Saul E. Rogers, who had previously told the court he had a plan for re-organization, was absent. His client, A. C. Blumenthal, was present, but silent when the judge asked if any new bids were to be made. The court ruled that Blumenthal would not present a new plan for reorganiza- tion was exclusively reported in Motion Picture Daily on Wednesday.

Blumenthal is understood to have been after the New Jersey Fox Met theatres on Warners behalf, but his bid was never submitted to the bondholders. After the various groups evolve a new reorganization plan which justifies presentation to all bondholders it will then be turned over to Judge Mack for approval. The bondholders' committee represents 85 percent of the outstanding bonds. It was stated that most of the bondholders have not yet been identified. Palmer rep- resents the Adler Brothers who have $11,000 worth of bonds.

When the session opened yesterday, Bogue asked the court for a two weeks' postponement, but at the conclusion of the meeting, Judge Mack, willing to cooperate with the bond- holders' committee, it was agreed to enter the bankruptcy order this morning at 10 o'clock.

Weisman Co-Receiver

Milton C. Weisman, senior partner of the law firm of Weisman, Allen and Spett, yesterday was named co- receiver of Fox Theatres Corp. by Judge Martin Manton in the U. S. District Court for the Southern Dis- trict of New York.

He is attorney for the I. T. O. A. of New York.

William E. Atkinson is the other co-receiver. Fox Theatres has about eight houses leased to individuals and corporations and does not operate any of its theatres.

John Sherman, who died some months ago, had been a co-receiver with Atkinson.

Stanley Units Will Discuss Merger Here

(Continued from page 1)

rejection of an agreement entered into by the directors of the three corpora- tions for a consolidation or merger of the Stanley-Fabian Corp. and the Stanley-Crandall Co. of Washington and Stanley Co. of America.

Stockholders of record at the close of business Aug. 2 will be entitled to vote.

Stanley-Crandall will meet at 10 A.M.; Stanley Fabian at 10:15 and Stanley Co. of America, at 10:30 o'clock.

All of these theatre subsidiaries are controlled by Warners.

Disney-Penney in Tieup

A tieup with the J. C. Penney Co., which operates 1,500 retail stores throughout the country, has been negotiated by Kay Karten in behalf of Walt Disney productions. The campaign, to be known as "Mickey Mouse's Back-To-School Days," will run until late next month. The pur- pose of the tieup is to push the sale of children's merchandise.

Mexico to Impose Film Import Duty

(Continued from page 1)

positive with Spanish sound, $2.08 per two and two-tenths pounds; with any other language, $12.00 to $10.20 per two and two-tenths pounds, the range being determined by the classification of the film.

Discs with Spanish dialogue and music for use in films will be ad- mitted three cents each.

The Ministry of Finance has been authorized to fine importers who fail to keep within their yearly quotas as high as $27.2 per two and two-tenths pounds on positives with any language other than Spanish.

"Cleopatra" Opens In Repolished Para.

With its orchestra converted into reserved seats only for the opening, "Cleopatra" went under way at the Paramount last night, following one dark week. During the closed period, the house, never before shuttered since it opened, was closed for many days, with fresh coats of paint, new carpets, a new screen, an overhauled refrigeration plant which was anything but necessary in last night's cool weather, and new outfits for ushers. The orchestra, too, was augmented.

Paramount spent a reported $30,000 on its New York daily newspaper campaign for the DeMille picture.

Among those who thronged the lobby at the premiere, which attracted one of the most representative audi- ences in some time, were:

Nicholas M. and Joseph M. Schenck, Barney Balaban, George J. Schaefer, Austin Keough, A. B. Blank, Ralph Branton, Henry Saul- bury, Jack Cohn, Dr. Julius Klein, George E. Anderson, James Young, Harry Gold, Roy Norr, Leon Nett and Boris Morros.

Cecil B. DeMille, who directed, or- dered aside seating in the center section of the orchestra, as per its custom. In the middle of the picture he left to keep a radio broadcast date, giving the near closing scenes. Schaefer was host to DeMille at a party after the show.

Circumventing a difficulty present at earlier important openings was an arrangement with the police depart- ment whereby parking facilities were provided on both sides of 43rd St. from Broadway to 8th Ave. Cards to be distributed by invited guests gave

Loew's Ready To Join Deal For Dual Ban

(Continued from page 1)

Moskowitz denies this, declaring it the first time he has heard of it.

"We are willing to go along," Mos- kowitz states, "as long as everyone else does, too."

Loew's already has advised the Al- lied New Jersey unit it will drop twin as soon as signatures are obtained, from all independent houses and circuits. The single plan for Jersey is tentatively scheduled to go into ef- fect Sept. 3, but a delay is expected due to the amount of time required to canvass individual exhibitors for signatures.

An Allied dual committee meets to- day for the second time this week to discuss latest developments in its nature drive.

Reade Calls Duals Industry Detriment

Duals are a detriment to the indus- try, thorough and complete, says the wrong, declares Walter Reade, oper- ator of 39 theatres in New York and New Jersey, and who insists the evil themselves, he insists.

Talking for himself Reade says that he doesn't want bad pictures for the circuit, and that if a picture had the exhibitor should not double but should exploit it and build it up. He calls a dual program a "tame duds show."

Reade does not run a twin bill if any of his theatres, he says, "I don't want reductions in rentals, what I am after is produce."

"I don't expect Adolph Zukor or Sidney R. Kent to tell me how to run my theatres, I can do that myself, so long as these men give me product if the pictures they give me are no topnotchers, I don't double them. In short, I expect the twin sisters to all they are worth." Doubles, he declares, only necessitate the purchase of new seats.

He has just completed product deal with Fox for the entire lineup in all his houses and with U. A. for all the output in 11 towns. He has an understand- standing with M-G-M which virtually gives him all of this company's films in most of his theatres.

Exploitation on Exhibits

Samples of Warners' exploitation work will be placed on display at the Advertising Club of New York next Monday. Titters on "Anthony Adverse" and "Six-Day Bike Rider" are in- cluded. The exhibit will later be transferred to Columbia and Ford- ham universities, where it will be used in connection with classroom instruction on sales promotion.

Studios

MOTION PICTURE

DAILY

Friday, August 17, 1926
Looking 'Em Over

"Beggar's Holiday"

(Twentieth)

No better than so-so, "Beggar's Holiday" may get by on double-deal- ing with a small audience. The main trouble with it is that it doesn't entirely make sense. In addition, the acting, save for that of Hardie Albright, is routine. The picture has the saving grace, how- ever, of nice settings and a mild sense of humor.

Sally O'Neil, the daughter of a tugboat captain, takes up with a taxi dancer. Albright, facing the trial of an embezzler, is planning to skip the country. In the two weeks before he sails he plans to make whoopee on a grand scale, and Miss O'Neil is to help him make it.

The understanding is that love comes into it at last, and when the time comes to part the pair discover that they are passionately in love with each other. Albright tells her the truth about himself, takes his medicine and is sentenced to a year in prison. Paroled, he vows to go straight and gets himself a job as a deck hand. Again true love conquers all.

Miss McDonald and Derriances are also in the cast.

Sam Newfield directed. Running time, 60 minutes.

Academy Will Study New Industry Ideas

Hollywood, Aug. 16.—Recognizing the fact that there is no machinery within the industry to consider new developments of a scientific and theoretical nature in relation to their application to production, the Academy Research Council has decided to establish a committee where such projects may be studied.

This means that anyone believing he has a new invention of interest to the industry can submit it to this committee for analysis, and the committee later will recommend it to studios or reject it.

Re-Sign Franklin, Evans

Hollywood, Aug. 16.—M-G-M has handed new long term contracts to Sidney Franklin, director, and Madge Evans.

Franklin recently directed "Barretts of Wimpole Street" and is preparing to do "Marie Antoinette.", Miss Evans is slated for one of the top spots in the Helen Hayes play, "What Every Woman Knows."

Iwerks to Start Series

Hollywood, Aug. 16.—Ub Iwerks is about to launch a new series of "Comicolors," including 12 subjects in color combining human characters with cartoons. Among the subjects already selected will be "The Headless Horseman," "The Legend of Sleepy Hollow."

In addition, Iwerks is finishing foreign versions, and in some instances is making 17 separate versions on each subject.

Princess Gets $250,000

Hollywood, Aug. 16.—Princess Irina Yousoupoff gets $250,000 in settlement of her libel litigation against M-G-M over the "Rasputin" film. It was revealed today by Fanny Holtzmann, one of her attorneys.

Miss Nixon Bride Again

Yuma, Ariz., Aug. 16.—Maryan Nixon became the wife here today of Director William Selter. She received the new gown from Edward Hillman three days ago.

Chadwick Sees Agreement on Purity Seals

(Continued from page 1)

ordered that the agreement of Chadwick said he is pretty certain that the newest independent squawk will be settled favorably.

When he gets back on the coast he plans to go over the revised clearance schedule for Los Angeles. Chadwick returns to New York Sept. 3 when the schedule comes up for protest.

Johnston Refuses Breen Peace Offer

(Continued from page 1)

"We will not let any organization with ideas that are at such wide variance with our own set itself up as a censorship board," he declared. "Independents are in favor of the decency campaign, but Campi should be the final court of appeal."

Griffith, Falls Will Take in 103 Houses

(Continued from page 1)

Rex, Hobbs, New Mexico, 750 seats; New Cactus, Carlsbad, New Mexico, 800. The last house was opened July 29; the New Lindsay, July 30, and the New Rex, July 31.

A consolidation recently was effected between Griffith and Exhibitor Hodge in Midland, Texas. The former previously owned the Yucca and the latter the Rit. The six theatres the circuit will acquire will be in Texas and Oklahoma. Griffith and Hodge expect to be here another four weeks completing product and preliminary theatre deals.

Lloyd to Continue Single Film Deals

(Continued from page 1)

opened at the Music Hall yesterday and which brought Lloyd to New York.

"For eight years I made individual distribution deals with Paramount and "The Cat's Paw" is my first through Fox. What I will do with my next picture cannot be prophesized at this time."

The comedian plans to leave for the coast within the next three weeks.

Fairbanks Flies West

Newark, Aug. 16.—Douglas Fairbanks left Newark Airport by plane today to attend a meeting of his son-in-law, Mr. John Fairbanks, in Denver. He will continue on to Hollywood after the services.

McCrea to Hunt by Plane

Hollywood, Aug. 16.— Joel McCrea and Henry Stephenson have charted a plane for an air hunting trip into Mexico.
"CRIME WITHOUT PASSION"

PRODUCED
WRITTEN AND
DIRECTED BY

Ben
Hecht

Charles
MacArthur

A Paramount Release
PRODUCED AT EASTERN SERVICE STUDIO
"CRIME WITHOUT PASSION"

Produced at

EASTERN SERVICE STUDIOS

ASTORIA, LONG ISLAND
EXECUTIVE OFFICE AT 250 WEST 57TH STREET, NEW YORK
WESTERN ELECTRIC SOUND SYSTEM
Chicago, Aug. 16.—Education of children beginning with the appreciation of pictures so that censorship extension will be unnecessary is the aim of a plan urged by Ollie F. Aker, superintendent of schools of Cook County.

Aker's plan, which will be put into effect when the opening of the fall school term, is predicated on the idea that it is possible, through proper instruction, to so educate the public to good pictures that the bad ones will stand out in relief as bores. Behind this is his thought that censorship and drastic action brings only temporary relief from a situation such as is being highlighted from other sources at present.

In the development of critical and intelligent audiences he foresees the elimination of offensive films because public interest has been educated away from them.

Superintendent Aker sums up his plan in the following words: "This is not our purpose to save the movie. It is to save the movie and another bad. Proper education will lead the children to decide to save the movie.

While Superintendent Aker is away on a vacation the chairman of the committee which he has put into a new program into effect is engaged in research work in connection with the plan at the University of Illinois. Other members of the committee, most of whom are also on vacation, have been instructed to have ideas ready for the formulation of a completed working program to be evolved at a meeting scheduled for the latter part of August.

Cleric Sees Danger

In Drive on Films

Chicago, Aug. 16.—That "education psychology" is the answer to the current clean film problem is the opinion of the Rev. William D. McCann, rector of St. Mark's Protestant Episcopal Church here. In line with Superintendent of Schools Aker, the clerical leader regards the film as a primary film angle in a message to his parishioners.

"We find ourselves in the very midst of the throes of reform," he asserts. "The clergy of the country are uniting to crusade against the indigents in the film of life. Deacon, Priest, minister and rabbi have finally decided there is much need of reform where the film of life is concerned and are perfectly right in their indignation.

"There is danger in the "crusade psychology" of such movements as the Legion of Decency; we sincerely trust it is not just a fad. What we believe we need most is an education in the film of life. Men and women should be able to decide for themselves whether or not they want to see a particular movie or read a particular book.

Cohan Ready to Start

George M. Cohan starts work in "Gambling" in about 10 days at Eastern Studio, New York. Will be directed by Harold B. Franklin Prod. which Fox will distribute.
"I wish to take this opportunity publicly to acknowledge receipt of the 1934 issue of the Motion Picture Almanac, compiled by the Quigley Publications, one of the most valuable reference works of which I know. The book consists of 1,114 pages, closely packed with every conceivable type of information of value to a motion picture editor, from brief biographies of the stars to complete analysis of the financial structure of the motion picture industry. The Almanac is edited by Terry Ramsaye, foremost in his field in the United States. Thank you, Mr. Quigley, Mr. Ramsaye, and you, too, Managing Editor Ernest A. Rovelstad, because I suspect it was you who actually put it in the mail for me. If I didn't think you all had one already, I'd send you a book some time!"
The drama in that story about Leslie Berger, now a bus boy at the hotel, is on an act turning point, new fold—and the long arm is too lazy to change the lights out front! Helen Morgan will be in demand after the "You Belong to Me" revival. Watch David J. Holt in it. Al. A. Lee.

Cabin John, hostile man, and Jean Barton, of Baltimore, in a Nevada merger yesterday. Wonders (Ray White, Eiegled field) is divorcing More biggies than you can imagine (and Supreme Court Jcake) will be indited in montgo. And it's about time... Grover Whalen will not be seen for Comptroller. The Democrats haven't seen the new "Pried yet... Eligliile George Sherman and Mr. East Hampton levies, are thermometric... and Israel Gray, the social register... The sister of Eugene. Reserve banker, are among the elegance of Wardens, to the moment. William D. McCallin.

"YOU BELONG TO ME"... SURE HIT: Direction, Writing, Cast O.K., Boy Tops "YOU BELONG TO ME" (Paramount)

If you don't imagine the possible characterizations of Helen Morgan, it is the debut of one of the most remarkable and brilliant actors Jack Holt has now. She is considered an "improved" Helen Morgan. The talk is on again that the Hay's online file is on schedule. The man who had his hands on the theme of Helen Morgan, is divorcing.

Frank Merlot, the producer, adds for his new play and then with, Helen Tracy. But his plans will be considered. The Helen Gray trouble, BKO is an office back to the Palace Bldg. Issi had been in a flourishing field to run your car. The New York Times field is on schedule to Hay's. Virginia Pine is romance.
MOTION PICTURE DAILY

NEW YORK, SATURDAY, AUGUST 18, 1934

TEN CENTS

Only Judge's Order Shy in Fox Met Case

Judge Fails to Sign Routine Papers

Although he indicated in court yester-
day morning that he would sign an order placing Fox Metropolitan, 
which is in bankruptcy under pro-
vision 77-B of the new laws, Federal 
Judge Julian W. Mack failed to do so 
until a late hour last night. After Archibald Palmer's petition 
for bankruptcy was objected to by at-
torneys for Irving Trust, receiver, on 
grounds that it did not give them 
'\text{a chance to continue operation} of the Fox Met group, Judge 
asked for the petition for amend-
ments which were added yesterday.

(Continued on page 4)

wo of New Series For Time Finished

Time has completed two of what is 
announced as a series of 32 one-reelers 
announcing in celluloid form its na-
tionally popular radio broadcast, "The 
Arch of Time." Louis de Rochemont, long with Fox 
Movietone News and the Magic Cart 
of Movietone organizations, is 
working on the production end in 
joining hands with Roy E. Larsen, a 

assemblyman seeks 
Censorship Survey

ALBANY, Aug. 17.—Investigation of 
censorship in the state so that the public "may enjoy cleaner and 
wholesome motion pictures" is 
being conducted by a joint legis-
lative committee. It is rumored that the committee is receiving 
requests for an appropriation of $25,000. It is referred to the Ways and Means 
committee.

(Continued on page 4)

B'way Picks Up; Operators 
Hope Better Days Are Here

Unable to account for the sudden 
shift but giving proper credit to the 
calibre of current attractions, circuit 
operators were encouraged yesterday 
by the sharp increase in grosses along 
Broadway. At the same time, they 
expressed the hope that business will 
stay at or near its prevailing level.

(Continued on page 3)

Alleged Discrimination in 
Code Seals Due for Check

WASHINGTON, Aug. 17.—Following 
a request by the National Board of 
Censorship and the Hays office today by an independent produ-
cer who alleged discrimination is be-
ing practiced in the issuance of 
production code seals, Division Ad-
ministrator Sol A. Rosenblatt's office 
filed a petition which was presented by the 
Hays office on the charge.

Rosenblatt was informed that no 
members of the Hays organization 
have been voluntarily submitting 
their pictures for censorship and have been 
accorded certificates, but get no seal 
which can be shown on the screen. 

Since it was stated the rules of the 
organization prohibit the showing of 
pictures without seals in any theatre 
owned by a Hays association member 
company, it was charged that the in-
dependents are being kept out of many 
houses, particularly produced in Mono-

tone and Universal.

The name of the complaining com-
pany was not divulged.

Local 306 at Work on New 
Seasonal Pacts

K. C. Groups 
Demand Check On Petition

With present union contracts expiring 
on Sept. 1, Local 306 is negoti-
ating new deals with exhibitors now 
employing I. A. T. S. E. men. 

A drive is also under way by the 
union to line up theaters employing 
other union operators. Within 
the last week, the De Luxe, Fenway and 
Lido in the Bronx have joined the 
union after considerable picketing. 
The Taft, Flushing, and Rugby, 
Brooklyn, are now being picketed. 

Tri-Consolidated houses not em-
ploying Local 306 men and the Brandt 
circuit are understood next in line 
for picketing by the I. A. T. S. E. af-
iliate. It is possible that 30 Tri-
Consolidated houses may sign up be-
fore a picketing campaign gets under 
way. The houses in question are now 
using Empire State men.

(Continued on page 4)

NRA Rejects Code Budget 
On Producers

Sol Rosenblatt Suggests 
Step Be Taken

WASHINGTON, Aug. 17.—Formal 
rejection by the Planning and Re-
search Division, following a recom-

dendation from Division Administra-

tor Sol A. Rosenblatt, of the produ-
cer budget was announced today by 
the National Recovery Administra-

tion.

Investigation of the opposition to 
the budget filed by Campi showed 
a total of 37 complaints, including 
one from United Artists criticizing the 
method of levying assessments which 
was followed by similar complaints 
from other companies. 

Campi was today notified of the 
rejection of its budget and, while no 
thought has been given in Washington 
to the development of a new one, it 
is anticipated Code Authority will be 
asked to draw up another plan and 
submit it for consideration.

"Lah" Code on Cut 
Budget for 3 Mos.

WASHINGTON, Aug. 17.—Working 
further toward agreement on the code 
for the laboratory industry, NRA offi-
cials and members of the trade today 
settled that for a period of 90 days the 
code authority should work on a 

budget at the rate of $7,800 a year, 
slightly more than one-third of the 

Cut in Taxes, Idea 
Behind Stanely Step

Merger of the Stanley Fabian Corp. 
and Stanley Crandall Corp, with the 
Stanley Co. of America is planned as 
a step to consolidate subsidiaries of 
Warner as part of a general move to 
make the parent company's tax struc-
ture less costly.

The merger will be voted on Aug. 
23 and is a routine affair. Stanley 
Co. of America owns the two 
subsidiaries 100 per cent. Warner's own 
Stanley Co. 99% per cent.

N. Y. Senate Passes 
17% Tax on Incomes

ALBANY, Aug. 17.—The Porter bill, 
providing for a tax levy of one per 
cent on gross incomes, was passed by 

(Continued on page 4)
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Zukor in for Stay

Hollywood, Aug. 17.—Following Adolph Zukor’s return here, Emile Cohen announced the Paramount executive will henceforth spend the greater part of his time on the coast.

Cohen stated that the studio will have 30 pictures in production between now and Nov. 1, an average of one film going into work every two days.

The understanding has been general for some time that Adolph Zukor will spend most of his time in Hollywood keeping a "fatherly eye" on Paramount production.

Coming for Atmosphere

Hollywood, Aug. 17.—J. P. McEvoy left for New York yesterday to gather material and atmosphere around the Ellas Island Fair for the production of the Paul Hervey Fox story, "The Goddess."

Fairbanks at Funeral

Denver, Aug. 17.—Douglas Fairbanks, Sr., attended the funeral of his sister-in-law, Mrs. Margaret Fairbanks, here today, He flew in from New York.

Zanuck Enroute West

Darryl F. Zanuck, production chief of 20th Century Fox, left yesterday by boat for the coast. He will spend one day in Chicago.

Seeks a Film Test For New Reproducer

That his "audio projector," a device said to permit broadcast sound to reach the ear from a wide angle with increased realism and fidelity, is applicable to talking pictures as well as radio was asserted yesterday by Max- 
imilian Weil, New York electronic- 
acoustic consulting engineer.

The inventor said he planned within a month or two to take steps to interest the film industry in the device. Well declared the "audio projec-
tor would be especially advan-
tageous in the reproduction of musical numbers, to which, he said, it would give a brilliance of tone and a fidelity to the original unmistakable under present projection equipment, in weightless.

Through the use of the device, ac-
ccording to Weil, a group of musi-
cians playing in a film would sound as though they were performing before the audience in the flesh.

One chief source of the improved realism is said by the inventor to lie in the fact that in the cabinet in which the projector is installed contains nar-
oces, around the cabinet through which the sound issues in every direc-
tion at once.

One source was recently demonstrated to a group of prominent musi-
cians with what were said to be highly successful results.

Talbot Becomes Star

Hollywood, Aug. 17.—Warners will promote Lyle Talbot to stardom in a series of six action pictures to be made on the current season’s pro-
gram. The first will be "Racing Luck," an original which D. Ross elanderman will direct.

Contract for Kibbee

Hollywood, Aug. 17.—Warners have written a new long-term con-
tract for Guy Kibbee with a tilt in salary. His next assignment will be in "Babbitt."

Warners Borrow Dunne

Hollywood, Aug. 17.—Warners today borrowed Irene Dunne from Radio for the lead in the attack Adeleine Mervyn Le Roy will direct.

Otterson Enroute Here

John E. Otterson, president of Erp, is on his way to Hollywood from the other side on Thursday.

Columbia Up 1/4 on Big Board

Technicolor Off 1/4 on Curb

Pathé Bonds Up One

Claims Perfection
In Synchronizing

BUDAPEST, Aug. 17.—Perfect syn-
chronization of lip movement and sound was claimed to have been achieved by way of Karl Pulvari, young engineer.

His invention, an electrical, machine, will hold for proper prop-
motion the basic vowel sounds, he says. It is claimed that, when his machine is used, it is impossible to detect a syncronized film from an original.

Two Reopenings Are
Set in Pittsburgh

PITTSBURGH, Aug. 17.—Two Aus-
ust openings are scheduled. The Ful-
ton, dark for seven weeks, will be reopened by Warners Aug. 24 with "She Learned About Sailors." L. B. Cool continues as house manager.

The Alvin is to be reopened by Harris Amusement Co. Aug. 31 with special ceremonies at $1 top. The picture will be "Baby Take a Bow."

Pick Nominating Group

Hollywood, Aug. 17.—The execu-
tive committee of the assistant direc-
tors of United Artists has named a nominating committee to pick candi-
dates for a new executive committee to be chosen next month. On the committee are William Cameron, Horace Hough, Charles Kerr, Jay C. Marchant, William J. Reiter and Eric Swayne. After are Bob Fellows, Doran Cox and Arthur Rose.

Nominations will be made Monday.

Shauer Estate Worth $261,820

A valuation of $281,542 gross, with assets listed at $280,600, was released yesterday by counsel for late Emil E. Shauer, former vice-president of Paramount International Corp., and a founder of Paramount Publics Corp., according to the trustee’s tax appraisal filed yesterday. Shauer died Nov. 16, 1933.

Mrs. Julia K. Shauer, his widow; Melvile A. Shauer of Paramount, his son, and his mother are the three beneficiaries.

L. A. to Allow Smoking

LOS ANGELES, Aug. 17.—By a vote of 8-7 the City Council has passed an ordinance to permit patrons to smoke in fireproof balconies.

Agency Code Unfinished

LOS ANGELES, Aug. 17.—The code committee last week was unable to conclude its code of fair practice. Another meeting will be held next week.

Victor Zobel Recovering

Hollywood, Aug. 17.—Vic-
tor Zobel, Mascot supervisor, is resting satisfactorily following an appendectomy operation performed at Cedars of Lebanon Hospital.

Stunt Men Seek Rise

LOS ANGELES, Aug. 17.—Stunt men today petitioned the council for a rise, stating the committee for more pay for danger-
ous assignments.

"Fair" for Criterion

"State Fair" goes into the Criterion

Monday for a return Broadway en-
gageinent. Educational’s "Krakatoa" will be part of the program.

Tryon Turns Director

Hollywood, Aug. 17.—Radio has given Glenn Tryon a long-term on-
tional contract as a director. His first will be "The Kick Off."
Montreal, Aug. 17—"The Scarlet Empress" proved good enough at the box office as to merit another week, with additional gross coming in at $3,800, and "Charlie Chan's Course" to lead the week. The two British pictures, "The Old Fashioned Way" and "Hamrick's Wife," were new entries.

Estimates taking place for the week ending Aug. 18:

THE SCARLET EMPRESS (Para.)—Gross: $3,800.
The Old Fashioned Way (Para.)—Gross: $3,500.
Hamrick's Wife (Para.)—Gross: $3,000.

The Personality Kid (Warners)—Gross: $2,500.
Harley's Ranch (Fox)—Gross: $2,000.
The Constant Nymph (British)—Gross: $2,000.
Harley's Triumph (Fox)—Gross: $1,500.
A LA REINE (British)—Gross: $1,000.

Film Group Sampling Film and stage folk were well represented on the passenger list of the luxury liner de France which sailed for New York.

Among them are Constance Bennett, Kay Francis, Errol Flynn, William Beaudine and their friends, Gladys Henson, English actor, John W. Alcott, publisher of The Daily, Madeline Kline and J. Phillips, song and dance team; and Ray, Art Clifton and Edgar Gerson, comedy team, and the Radio gues.

Schiller Back Shortly Edward A. Schiller, vice-president of Locwe's, Inc., may be back in New York on the job in about four weeks, according to Louis K. Sidney, new executive. The latter said yesterday that he had met Schiller's physician, who was authority for the statement.

Schiller is in Hollywood recuperating on a long illness.

Consolidated Dividend Consolidated Film Industries, Inc., declared a dividend of 50 cents on cumulative stock of the earnings for the quarter.

Jolson in Chicago Stop Al Jolson, who left New York yesterday on the 20th Century, will stop in Chicago long enough to be guest of the new team of producers for the next European film Festival at Soldier's Field

Hicks a Counsellor Frank H. Hicks, long connected in Fox theatres in New York and elsewhere, has become a Counsellor, one of those places for gowns, fur costumes for show people and others.

MOTION PICTURE DAILY

Looking 'Em Over

"Crime Without Passion" (Hitch-MacArthur Prod.-Paramount) Ben Hecht and Charles MacArthur, occasional playwright co-workers, make their maiden bow as film producers on their own in "Crime Without Passion."

The pungency of their style, their flair for the dramatic, the realistic and the buckless have their way and their say. The result is an intelligent motion picture, replete with nuances for intelligent people and perhaps limited in its appeal for the rank and file in the provinces. But there is another positive, and for it may be that, the fine points will soar over the heads of the mob, there will prove to be sufficient in story highlight to catch the routine fancy.

"Crime Without Passion," written, produced and directed by Hecht and MacArthur with Lee Garmes, expert cinematographer as associate of the entire production deals largely with the mental. It probes into the analytical workings of a nearly criminal brain, that of Lee Gentry (Claude Rains), shows how this legal and crooked "champion of the underdogs" (average person) is guilty of crime because he gets a kick out of it, but finding the lesson to be drawn from it all is that the game isn't worth the name: he loses his own life as payment executed for an accidental attempt to murder an ex-sweetheart (Margo) and a frenzied shooting of the man (Stanley Ridges) from whom Rains stole her.

Rains' method of covering his tracks after leaving the girl's apartment in a move to establish his alibi, how he thinks he has cleared himself only to find circumstance has dictated otherwise and his quick undoing follow through with a dramatic wallop and a rising tide of emotional excitement that one thinks, will pass on their impact to the audiences that will shortly see it.

The treatment of the whole and the performance by Rains have bite, vigor and substance which stamp "Crime Without Passion" as one of the most interesting pictures this reviewer has seen in considerable time. The effort, first from the philosophical side, is largely intriguing in that it indicates Messrs. Hecht and MacArthur have something to deliver. That something, present in their initial picture, may require another picture or two to make more definite form. It and they bear watching.

"Irvis March" (M-G-M)

Hollywood, Aug. 17.—Married by haphazard plot movement, rendering the story somewhat confusing throughout, this film emerges limited in entertainment value despite capable, name cast portrayals. The production neither conforms to Michael Arlen's story, "The Green Hat," on which it is based, nor has it originality all its own. The preview action reflected the film's scattered story thread.

The plot involves the romance between Constance Bennett and Herbert Marshall. Their marriage is blocked by Henry Stephenson, Marshall's father, who works on the payola and the plot is worked by circles because of class distinction and because of the fact that Miss Bennett's father died a drunkard and her brother, Hugh Williams, is following suit. While Marshall is in India, Miss Bennett becomes engaged to Ralph Forbes and subsequently marries. Following this, Forbes jumps out a window to his death. Suspense centers on the suicide motive.

Years of disillusionment find Miss Bennett living a careless life with love still existing between her and Marshall, who has married Elizabeth Allen in the meantime. Ultimately Williams dies and Miss Bennett becomes engaged to Ralph Forbes.

The climax finds Marshall discovering the reason for Forbes' suicide was because Miss Bennett had discovered him as an escaped convict. Reconciliation is never effected and Miss Bennett kills herself in an auto wreck.

Direction by Robert Z. Leonard satisfies. Running time, 80 minutes.

"Navy" Leads Gain In Portland Spots

Portland, Aug. 17.—With the long waterfront strike over business is picking up. Films showing Tuesday and Wednesday topped last week, with "Here Comes the Navy" leading the procession at $3,800 in Hamrick's Music Box.

"One More River" and "Murder in the Private Car" were $5,000 up at $3,500 in Harnick's "Late Again" and "Friends of Mr. Sweeney" were strong at $2,500 in Hamrick's Oriental.

Total first run business was $22,800. Average is $22,000.

Estimated takings for the week ending Aug. 14:

"ONE MORE RIVER" (Univ.)—"MURDER IN THE PRIVATE CAR" (M-G-M)

BROADWAY—$1,902, 25c-35c-40c-50c, 7 days. Average, $260.
"HERE COMES THE NAVY" (Warners) HAMRICK'S MUSIC BOX—$2,400, 25c-35c-40c, 7 days. Average, $343.
"LET'S TRY AGAIN" (Radio) FRIENDS OF MR. SWEENEY (War.) HAMRICK'S ORIENTAL—$2,556, 25c-35c-40c, 7 days. Average, $365.
"THE OLD FASHIONED WAY" (Para.) "SHE WAS A LADY" (Fox) PARAMOUNT—$2,080, 25c-35c-40c, 7 days. Average, $301.
"GIRL FROM MISSOURI" (M-G-M) LITTED ARTISTS—$61, 25c-35c-40c, 7 days. Average, $8.50.

Fear 10% Admissions Leavies in Louisiana

(Continued from page 1)

power, and will change the act so that the money will be distributed through Federal agencies.

This move is regarded as a real menace to Louisiana theatre men. Hittorto, the threat had been only in New Orleans, where a committee of three from the localcalculation sprung from the stocks of Owners Ass. was to confer with the mayor yesterday on the proposed city ordinance. In view of state action the mayor cancelled the meeting.

Traco Theatre Dividend Traco Theatre yesterday declared a dividend of $1.50 per share on account of accumulations on the 7 per cent preferred stock. After this payment such accumulations will be $12.25 per share.

Finish Educational Film Production was completed yesterday at the Eastern Service Studios in Victoria on "Big-Business," two-reel musical produced by Sam Backrift for Educational.

Goes First Run Soon Buffalo, Aug. 17.—Charles Hayman will open the Great Lakes, Sept. 1, as a first run theatre, "One Night of Love" will be the opening attraction.

Lober Sailing Today Louis Lober, head of M-G-M's activities in Egypt, sails for home today on the Rex after several weeks in New York.

Spingold Returns Today Nate Spingold arrives from Chicago today. He was on the coast for several days conferring with Harry Cohn.
K. C. Groups Demand Check On Petition

(Continued from page 1)

the vote himself, told Motion Picture Daily he saw no reason why anyone who had assisted to the code and paid the assessment should not be permitted to check the vote. The premium users, called Means with the board's refusal to honor their request to withdraw the six exhibitors' names.

It is estimated that there are 71 unaffiliated theaters in the area eligible to vote. It is understood 56 of this number and all affiliated houses with the exception of the Publix Newman and the RKO Mainstreet voted for the premium ban.

In event the protestants win their fight to withdraw the six names, which appears highly unlikely, the petitioners would require their guarantees to compensate for the loss, on the basis of the 75 per cent required vote.

— "Lab" Code on Cut Budget for 3 Mos.

(Continued from page 1)

originally $51,000, has been reduced to $35,000. Within the 90-day period it is anticipated the authority will have lined up its chief responsibility, for which money it will need for permanent operation.

An agreement was also reached on the question of newscasts, whereby companies handling that type of work are given a leeway of four hours' overtime before they are required to give employees overtime pay. It was also settled that two weeks' vacation with pay annually shall be given all employees who do not receive overtime.

Cleancut Up Monday

Various problems dealing with clearance and zoning and grievances will be discussed by a joint committee, consisting of George Schaefer, R. W. Metz, Robert S. Borden, Charles L. O'Reilly and Nathan Yamin, on Monday.

Managua House Opens

MANAGUA, Aug. 17.—The Gonzalez Theatre, one of the largest in Central America, was opened here last night with "Ni-Gy-M's " "The Deadline." The house, seating about 1,500, is fully equipped with all modern improvements.

Fan Mags Check Writers

Hollywood, Aug. 17.—Carrying out their agreement with studio publicity heads, Los Mags was given the task of checking the letters of writers so that they can furnish an accredited list to the studios.

Benefit at Stadium

A benefit will be held at the Yankee Stadium on Thursday, Sept. 20, for the German-Jewish refugees. Many stars of the screen, radio and stage have promised to lend their services.

B'way Picks Up; Operators Hope Better Days Are Here

Skouras Name Goes

St. Louis, Aug. 17.—The last visible link between the St. Louis theatre world and Spiros, George and Charles Skouras was removed a few days ago when workmen painted out the Skouras name from the top of the large electric sign in front of the Ambassador. The name was placed on the sign in 1926 and remained during control by Warners, Paramount and Central Theatres.

Two of New Series For Time Finished

(Continued from page 1)

vice-president of the magazine publishing company. Production is being centered at the Fox Movietone plant on Cahuenga Blvd.

The "March of Time" weekly broadcast from which the new series has drawn its ideas is one of the phenomena of the radio field. Reenactment of highlights of the week's news in dramatic form, simulating the world's events where called for is the crux of the formula.

De Rochemont was identified with a similar idea known as "The March of the Years," a series of two-reelers predicated on news sensations of other years, Columbia is distributing the latter series.

Breen Finishes His First Newsreel Clip

Hollywood, Aug. 17.—Joseph I. Breen has completed his clip for the newsreels at the Radio Studio. It is a three-minute number, the first of a series of six, in which he explains the production code seal work.

In subsequent clips he will attempt to drive home the self-regulatory measure adopted by the industry.

N. Y. Senate Passes 1% Tax on Incomes

(Continued from page 1)

the Senate today. The vote was 43 to three. The purpose of the measure is to provide funds for an additional $13,500,000 appropriation for school aid. The bill is expected to raise between $12,000,000 and $14,000,000 a year.

The Assembly is expected to take similar action on the measure when it is presented to it for approval.

Mrs. Wiggs of the Cabbage Patch

(Paramount)

Hollywood, Aug. 17.—Tugging at the heart strings, alternating sob with robust laughter and suffusing the audience with a mantle of well-being, this homespun entertainment seems bound for smashing boxoffice success. Taken from the famous play of yesteryear, its spirit endows a family drama extolling the virtues of courage, simple faith and humor in the face of adversity and, as such, the production should have a strong heart-and-home appeal.

Simple as a linen sampler, backgrounding its main title, the story weaves a pattern around the home struggle of Mrs. Wiggs, her brood of three girls and two boys, her absent husband (Donald Meek), her home companion (ZaSu Pitts), and a picture bridegroom (W. C. Fields) and a romantic couple (Evelyn Venable and Kent Taylor).

Pauline Lord's performance in the name role is a gem of the finest ray, brilliant and inspiring. Her scene at the death of her boy (George Breakston) is superb artistry. Noteworthy also are Fields' explosively hilarious "Jumping Fleas" bit and Pitts' spirited vivacity. Norman Taurog's human direction plays delicately on the feelings.

The production, in the spirit of the 90's, is showmanship entertainment with moral values as well. "Mrs. Wiggs of the Cabbage Patch" looks like ready money, and Miss Lord looms as a new screen personality. Running time, 75 minutes.

Motion Picture Weekly's Hollywood Preview

Fox Met Hearing Is Fixed for Sept. 12

Federal Judge Julian W. Mack yesterday set Sept. 12 as the date for a general creditors' hearing for Fox Metropolitan Playhouses.

At that time objections to reorganization plans submitted between now and that date will be heard in addition to permanent appointment of Irving Trust as trustee. Irving Trust has been named receiver and is now temporary trustee.

FPC Radio Deal Closed

F. W. C. has closed with RKO for the entire 1934-35 lineup. Jules Levy, vice-president; Cresson Smith, western sales manager, and Harry Cohen, western district manager, for Radio, and by Spyros Skouras, Eddie Alperson and Jack Sullivan for F. W. C.
Church and Industry in Accord on Picture Drive

Product for Adults, Others
For General Patronage Urged

A definite line of demarcation to denote pictures suitable for adults and those for children is advocated in Archbishop John T. McNicholas' letter to Will H. Hays, in which the chairman of the Catholic Bishops' Committee on Motion Pictures indicates his church is satisfied to allot reasonable time for decisions of Production Code Administration to become effective.

"Those who have thought the problem through are convinced that many pictures should bear approval for adult patronage, while others could well be approved for general patronage," the archbishop told Hays.

Stronger Enforcement May Be a Result

Field Bodies To Hear Ills Are Scrapped

Field Bodies to hear complaints of any character, but there is to be no action from the union or its officers.

Hays Reaches Basis of Understanding with Archbishop

Complete text of the Hays-McNicholas correspondence appears on page 6.

Significant for the cordiality their contents reveal, an exchange of letters between Will H. Hays and Archbishop John T. McNicholas, made public yesterday, indicates the Catholic Church willingly accepts the industry's promise of reformation at face value, and will allow sufficient time to observe how the efforts of the Production Code Administration eventuate.

The basis of an accord between the industry and the church, therefore, has been achieved.

The correspondence was couched in highly diplomatic language. While the archbishop, who is chairman of the Catholic Bishops' Committee on Motion Pictures which was appointed at

(Continued on page 6)

Code Costs on Gross Income Basis Likely

Revision of the producer-distributor assessment cost of $180,000 to provide for levies based on annual gross business is seen by code observers as what common denominator will be used for levying the individual tax will be up to the finance committee, comprising S. K. Kent, Nathan Vann, Harold S. Bareford and Charles L. O'Reilly.

Within the past two weeks, 37 major and independent producers and (Continued on page 11)

Production Activity Remains Unchanged

Hollywood, Aug. 19—Production activity last week hovered around the same level as the previous three weeks with 37 features before the camera, 35 in final stages of preparation and 27 replying in the cutting rooms. The (Continued on page 10)

First Division Is in Shorts; Gets Audio

First Division will release a series of Audio Prod, "Musical Moods," according to a deal closed between W. A. Bach, president of Audio, and Harry Thomas, head of the distributing company.

A short subject sales force will be (Continued on page 6)

Mack Signs Fox Met Bankruptcy Papers

After several changes in the petition submitted by Archibald Palmer, representing bonds of $90,000, Judge John W. Mack on Saturday signed an order placing Fox Metropolitan Playhouses in bankruptcy under provision (Continued on page 6)

Allen, Cleveland, Is Part of 4-Way Pool

Cleveland, Aug. 19—The Allen, until recently Cleveland's only independently operated first run, will be operated by a local committee under a pooling arrangement between RKO and Warners. Affected in the pool are the RKO Palace, the Allen, Warners' (Continued on page 6)

Midwestern "Rebels" Are Now Complying

Although it is believed the Iowa-Raska exhibitors have been advised of the new code, the exhibitors have not been moved by the letter or conference held in Chicago, by Division administrator Sol A. Rosenblatt, to racial communication to effect a change in the exhibitors in Nebraska and Iowa in compliance, but there has been no action from a unit or its officers as a whole.

Don't Fill Vacancy in Campi Hurriedly

Access to the late Marie Dresser, a member of Code Authority studio problems is not expected to be filled until sometime in the fall. Miss Dresser who is scheduled to visit the Code (Continued on page 11)

Cases Reach 1,000

More than 1,000 cases have been heard by the 64 clearance and zoning and grievance boards. Campi headquarters states the various boards went into action May 15 and are still hearing cases.
Myers Opposes High Rentals, Music Taxes

Seeking coordination from independent and affiliated units, Abram F. Myers, general counsel for ASCAP, has asked for unified support in fighting high film rentals, various code clauses and other tactics to demand for higher music taxes. Myers makes his plea in a foreword in the program of the 15th annual convention and Eastern regional conference of ASCAP which is to be held in Atlantic City Aug. 22-24.

"Exhibitors have one comforting thought," Myers' article reads, "the industry is engaged in a great business. Motion pictures are and will continue to be the cheapest, and best, and most popular, entertainment there is.

"The business has made money for those engaged in it and will do so again. Remove a dozen personalities, revise a few policies and it would be the greatest business in the country right now.

"Exhibitors alone can bring these reforms to pass. If they make an honest, determined effort in the 12 months just ahead of us, I predict that you will hear a few of them laughing heartily on next year's stage, their satisfaction is so damned complete!"

Rebuilding in Columbus

COLUMBUS, O., Aug. 19—The destruction, by fire several weeks ago with loss of approximately $150,000, will be rebuilt and work started immediately, according to Duseberry Bros., owners of the house. Harry Holbrook, local architect, has drawn the plans, which are understood to call for a 1,500-seat house, including balcony. Although being rebuilt for pictures, a vaudeville show to accommodate vaudeville and motion picture shows will be included. The house was leased and operated for many years by J. Real Neh. No indication could be obtained from the owners as to management or personnel.

Alhambra Reopens

Milwaukee, Aug. 19—Wisconsin Amusement Enterprises, Inc., reopened the Alhambra with "The Renegadoons of Youth" yesterday, plus six acts of vaudeville, including community singing under Martin Pfug; "Grand Canary"; dancing on the stage and some numbers at the Bar. Jack Stanley is master of ceremonies. George Gambrill is manager. Admission prices to this three ring circus are 25 cents to 6 P.M. and 35 cents until closing.

Big Board Stocks Recede

Trans Lux Lorne Curb Opener

**Purely Personal**

GRAD SEARS, that funny man, has his hat in his locker at the idea permitting him to meet the mood dictates. Slants on Sears, as the mood dictates, is to jockey's cap of battered high silk topknot, pith helmet.

For WEIL continues his poster hall. This time, writing from Ventura, he asks: "What could a golfer do here? What could I do with a golf club?"

W. V. LIPSCOMBE, and R. J. Mo- ney, authors of "Clive of India," rived on the Beringravia Friday route to Hollywood to work on screen adaptation for 20th Century.

BURKE HERSHEY has been sign by MONTY SHAFF, president of Tele- cal Pictures, to adapt the first story of his current schedule for product in the East.

WALLACE IRVINE's novel, "Nor Shore," has been acquired by Warn Bette Davis in mind for lead.

CONSTANCE BENNETT arrived in Hollywood Saturday and sailed the Ile de France for a holiday.

JOHN SANTE's "Dinkly" has been purchased by Warners and is to be made by a director.

ROBERT ARMSTRONG may take stage job. Ditto for DONALD CON.

ZANE GREY's "West of the Pac has been purchased by Radio.

RALPH BELLAMY is casting long eyes toward Europe.

JOE ROYCE is in town from coast.

JANET GAYNOR heads west show.

As Manila Sees Then

Hollywood, Aug. 19—N. A. T son, owner of four theatres in Ma including the Metropolitan and Pantages, Saturday, is expected to route home. Tsunao had been in J lwood for a week buying new e ma.

The exhibitor says that Jose jica, Fox Spanish actor, is the big draw in Manila. Janet Gaynor is whule Clark Gable and Shirley Te are practically unknown in territory.

Methodist Pledges OI

Groups connected with the Ma- dist Episcopal Church are circul from headquarters in Chicago ple to the Far East films that "offend dec public morality and violate Chi Christian ideals of life." Metho are asked to fight block bookin "blind buying."

Pick Up Two Option


The actress recently complet role in "Happiness Ahead," Ty last role was in "Housewife."

James J. Tynan Dead

Hollywood, Aug. 19—Funera arrangements are under way for J. Tynan, scenarist, who died Friday. He was 43 years old.
### ACTION PICTURES

**SEASON 1934-35**

**"Meeting the Responsibilities of Leadership"**

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**WESTERN ACTION THRILLS**

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Hays-McNicholas Letters

Aug. 10, 1934.


Your Excellency: The M. P. Producers & Distributors of America, Inc. the members of which are owners of a very large per cent of the motion pictures in the United States, is happy to bring to your Excellency that arrangements previously outlined which are intended more effectively to influence the character of picture productions made by members of our association have been carried into effect. These arrangements are producing results which, when they become fully known to Your Excellency will, I believe, be a source of gratification.

Your Excellency will, I hope, realize that even with the utmost determination on our part a reasonable length of time from this point on is necessary in order that the results of our efforts may be known and understood. In this connection, likewise, it is our hope that the confusion now arising from black and white pictures, which would be a means toward a better understanding and more rapid progress toward our common objective if these instances were eliminated in which one locality a particular picture is placed on a condemned list while another locality the same picture is placed on a condemned list. Without doubt these are matters growing out of the confusion of the campaign.

We wish not to discourage, but definitely to encourage, all reasonable criticism and comment on our motion pictures. We are glad to have your motion pictures discussed by persons who have actually seen them and it is entirely agreeable to us that those persons communicate their opinions of the pictures to those groups and communities with which they are connected. Facilities for pre-release reviews of pictures to that end have been established in Hollywood. We are frank and direct discussion of individual pictures, which is consequent upon such deliberate and experienced information, aids materially in the discriminating selection of its entertainment by the public.

You Excellency is informed that the organized industry has arranged to place an emblem and declaration of its approval upon each motion picture which is released and which is to be subject to July 15 indicating that it conforms with and has been passed by the code. The industry's revised plan of self-regulation its reorganization is arranging to give wide publicity to the use of this emblem. It is proposed that company advertisements will be used, through the use of space and well-selected motion pictures which have been approved. Local exhibitors will be encouraged further to afford this guidance to the public.

I am, Your Excellency,
Sincerely yours,
WILL H. HAYS.


My dear Mr. Hays:

I thank you for your letter of Aug. 10. I am pleased to learn officially from you that the industry's revised plan of self-regulation has been approved. The Bishops were informed at its meeting on June 21, has now been carried to the members of your association and it is understood that it will effectively and permanently influence the character of motion pictures.

I congratulate the reasonableness of the point you make concerning the time required to show proper results in the new program. It is assumed, however, that the industry will shortly give such evidences of good will and determination as to justify a confident expectation of satisfactory and permanent results.

I notice your reference to the confusion arising from the multiplicity of lists, both black and white. It is to be hoped that the emergence of such a plan will ultimately be the solution. If the emblem itself could be made a sufficient guarantee of the picture bearing it assures the public of a wholesome screen and is worthy of general patronage on which it is expected to be open to you.

From many sources the suggestion has been received by the Bishops' Committee that in giving the four-line name certain lines of distinction be drawn. One recognizes that there are legitimate dramatic values in light affairs, but the general public, and profound interest to mature minds, which would be utterly unfit for the impressionable minds of youth. Those who have thought the problem through are convinced that pictures should bear approval for white patronage, while others could well be approved for general patronage.

There are many motion pictures now on the market, presumably intended for children, which in the next few months, which do not bear your emblem of approval. In the application of the industry's amendment, it would be important that the industry give the public the opportunity to have the pictures which are objectionable to their patrons.

It must be preserved that the right to review and to criticize a motion picture bearing the emblem of approval cannot be restricted. In discharging its responsibility to the public by complying with the requirements of the code, the industry may be set up by your organization to regulate the character of motion pictures and wisely to be helped by reasonable criticism.

Your wish definitely to encourage all reasonable criticism and comment on motion pictures is very erafining and should prove helpful. This willingness of the industry to remind agreement to tent sources criticism tending to

Mack Signs Fox Met Bankruptcy Papers

(Continued from page 1)

72-B of the new bankruptcy law. The procedure was a formality. The bondholders' committee also submitted its claim and received favorable acceptance of Palmer's modifications.

Under the bankruptcy, Irving Tru will become temporary trustee until Sept. 12. When the creditors will hold a meeting to appoint permanent trustee, Irving Tru and another trustee are expected to be named permanent trustee next month. Whether he will submit one of the members to be appointed in absentia, and will be appointed in absentia, is expected to be named permanent trustee next month.

With the bankruptcy, the circuit court of appeals will remain intact. The court will be in force until Sept. 12 hearing is problematical. Morton G. Gogue, attorney for the bondholders' committee, and Mill C. Weisman and William E. Atkin, co-receivers for Fox Theatre in Oklahoma, will serve on a new organization.

Palmer states he may present plans attending the original one submitted by Fox. There are certain provisions in the plan to which he objects. Until the process is agreed upon, he will continue to serve on the contract issues. Palmer will continue to attack the plan, it is understood.

PROVIDENCE GROUNDS Held Down by Race

PROVIDENCE, Aug. 19—Horse racing continues to cut into receipts for exhibitors. It is reported that down the scale, Loew's State, a house for the week, caught only $9,10, but ran club business at $20,250. Average business, $33,500. Estimated takings for the week continued to be $13,000.

“STRAIGHT IS THE WAY” (MG-M)

LOEW'S STATE—(3,000), 1st-6c, 2d $4,00, Average $1,500. $9,100. Average $3,000.

“BUT NOT A DROP” (UA)

PROVIDENCE THEATRE—(1,000), 1st-7c, 2d $5,00, Average $1,500. $7,000. Average $2,500.

“HANDY” (Des.)

RKO—(8,000), 1st-7c, 2d $3,00, Average $1,500. $3,000. Average $1,500.

“BLIND DATE” (Cc.)

RKO—(10,000), 1st-5c, 2d $4,000, Average $1,500. $3,000. Average $1,500.

“THE MAMMOTH” (Monogram)

PROVIDENCE THEATRE—(4,000), 1st-4c, 2d $2,000, Average $1,000. $2,000. Average $1,000.

“UPPER WORLD” (W. B.)

MAJESTY—(2,000), 1st-6c, 2d $1,000. Average $500. $1,000. Average $500.

“THE OIL RAID” (Cc.)

RKO—(1,000), 1st-25c, 2d $500. Average $250. $500. Average $250.

“SAM BURLINGTON” (Metro)

RKO—(10,000), 1st-125c, 2d $4,000. Average $2,000. $9,000. Average $4,500.

“HAN'T MECHIE” (Des.)

RKO—(1,000), 1st-5c, 2d $500. Average $250. $1,000. Average $500.

guide the code administration will assure also that freedom essential to management in any given community.

The widespread organization of the Legion of Decency has a clear objective which is to carry on no destructive, its members will be urged to keep up an active interest in the eradication of items of motion pictures. This interest will prove very helpful in the formation of the understood public opinion. Such a program cannot but redound to the benefit of the motion pictures.

With best wishes, I am,
Faithfully yours,
JOHN T. MCNICHOLAS,
Archbishop of Cincinnati.
**“Navy” Hits Washington’s Top, $18,000**

Washington, Aug. 19.—The Navy landed and took undisputed command of capital grosses last week, as the total came in $18,000 for “Here Comes the Navy.”

Loew’s Fox, for many months Washington’s No. 1 ticker, slipped, being replaced for good second with $14,980 for Grand Canyon.

A revival of “Cimarron,” at RKO-Keith, without loss in its week’s average, although considerably under the height-of-the-season average.

A gross of $12,200 on the first seven days of “Handy Andy” sent the picture into its second week, at Loew’s Palace.

The week’s total gross was $69,000, as against an average of $71,200.

**Week Ending Aug. 9**

**“HERE COMES THE NAVY” (Warners) EARLE—(2,218), 26c-77c, 7 days. Stage: Patricia Bowman & George Taupin, Helen Ault, William Demarest, Ruth Mix, and及… Keys. $18,000. (Average, $2,569.)**

**“SHE LEARNED ABOUT SAILORS” (Fox) LOEW’S COLUMBIA—(1,350), 26c-40c, 7 days. Stage: Betty Compson, John Miljan, Karen Morley, and及… Keys. $6,500. (Average, $925.)**

**“GRAND CANARY” (Fox) LOEW’S FOX—(4,354), 26c-40c, 7 days. Stage: Betty Compson, John Miljan, Karen Morley, and及… Keys. $12,000. (Average, $1,714.)**

**“HANDY ANDY” (Fox) LOEW’S PALACE—(990), 25c-77c, 7 days. Stage: Andy Devine, Lillian Langford, and及… Keys. $12,500. (Average, $1,857.)**

**“THE CLOWN’S REVENGE” (Fox) EARLE—(1,218), 25c-30c, 7 days. Stage: A. H. Wallis, Bert Roach, Bert Gralton, and及… Keys. $2,500. (Average, $357.)**

**“A VERY HONORABLE GUY” (F. N.) METROPOLITAN—(561), 26c-35c, 7 days. Stage: Frank Morgan, Dorothy Tree, and及… Keys. $5,000. (Average, $714.)**

**Week Ending Aug. 7**

**“CIMARRON” (Radio) RKO—(1,200), 25c-40c, 7 days (revival). Stage: Barbara Stanwyck, and及… Keys. $1,500. (Average, $214.)**

**“Two Faces”, Denver Top, Gets $7,000**

Denver, Aug. 19.—The Man with Two Faces” pulled a fine $7,000 and 25c-50c, for the week ending Aug. 16.

The week’s total gross was $20,150, against an average of $20,500.

Estimated takings for the week ending Aug. 16:

**“SHE LEARNED ABOUT SAILORS” ALADDIN—(1,200), 25c-35c, 7 days. Stage: Beulah Bondi, and及… Keys. $2,000. (Average, $286.)**

**“THE SCARLET EMPRESS” (Paramount) RKO—(1,200), 25c-35c, 7 days. Stage: Greta Garbo, John Gilbert, Marcella, and及… Keys. $3,750. (Average, $536.)**

**“FIERCE BATTLE” (M-G-M) LOEW’S—(7,000), 25c-35c, 7 days. Stage: John Barrymore, Jobyna Ralston, and及… Keys. $6,000. (Average, $857.)**

**“WILD WOLF” (Fox) PARAMOUNT—(1,000), 25c-40c, 4 days. Stage: H. B. Warner, and及… Keys. $1,300. (Average for week, $325.)**

**“HOUSEWIFE” (Warner) PARAMOUNT—(2,000), 26c-40c, 4 days. Stage: H. B. Warner, and及… Keys. $3,000. (Average for week, $750.)**

**“Key” and “Moment” Hit Pittsburgh’s Best**

Pittsburgh, Aug. 19.—The best showing in town last week was made by the Warner, where a double feature, “The Key” and “Their Big Moment,” brought in $6,700 for the best takings here in several months. It was a field day for the bargain hunters, inasmuch as they had little to choose from, the other two first run houses playing ordinary product that couldn’t quite stand up against the Warner’s two-for-one.

At the Penn, “Stamboul Quest” was a disappointment at $7,000, while the Stanley, with “The Man with Two Faces,” did slightly less than that, at $5,200.

Total grosses in three first run houses were $20,000. Average was $6,666.

Estimated takings for the week ending Aug. 16:

**“STAMBOUL QUEST” (M-G-M) PENN—(1,200), 25c-50c, 6 days. Stage: Sydney Greenstreet, and及… Keys. $7,000. (Average, $1,167.)**

**“THEIR BIG MOMENT” (Radio) STANLEY—(1,000), 25c-40c, 6 days. Stage: Ray Milland, and及… Keys. $5,200. (Average, $867.)**

**“Andy” Aims for Record**

Cincinnati, Aug. 19.—“Handy Andy” is now setting the pace, and is expected to set a new record for continuous first run here. After playing a week at the RKO Albee to an estimated gross of $15,500, the Rogers opus moved to the RKO Lyric, where it is now in its second week and still going strong.
BUILD BETTER PROGRAMS NOW WITH

“GOOD LUCK—BEST WISHES”
with Pickens Sisters, Solly W'l, Teddy Grof's Orchestra

“SHE'S MY LILY... I'M HER WIFE”
with Will Mahoney

MUSICAL COMEDIES

“HELLO, SAILORS”
with Tom Patricola and Buster Keaton

“SUPER-STUPID”
with Vince Barnett and Billy Globe

CORONET COMEDIES

“MOUNTAIN MELODY”
with Frank Luther

“TIME ON THEIR HANDS”
with Charles Carville

SONG HIT STORIES
The Greater Short Subject Season starts with these pictures. Budget increased...four distinct production units at work...new Big Star Names signed up each week...Educational Pictures lead off the parade for the season 1934-1935.

You know that the best fun and the biggest star names are always in Educational's short subjects. But here's new evidence. The grandest array of short subject entertainment that has ushered in a new season in years.
short subject division remained about the same also, with nine in work, 11 preparing and 1 in the cutting room.

Warner's have five features in work, two preparing and 15 editing; Fox; five, five, four; Paramount, five, five, five; Radio, five, five, three; Columbia, three, three, one; Universal, three, three, zero; 3-M-G-M, three, 10, 11; Goldwyn, three, zero, one; Metro, one, two; Radio, one, two, nine, with the independent group reporting four, three and five.

Saenger Bondholders
Get $70,000 Melon

The studio has big plans for the youngster and is boosting him as the male Shirley Temple.

Kill N. O. Sidewalk Tax

New Orleans, Aug. 19—Mayor Walmley's sidewalk tax which imposed a tax ranging from $2.50 to $10 a year for a few garages, awnings and anything that tended to advertise business has been killed.

15th ANNUAL
CONVENTION
AND EASTERN REGIONAL CONFERENCE OF INDEPENDENT EXHIBITORS

K. C. Board Seeks
Time Limit Ruling

KANSAS CITY, Aug. 19.—Whether a statute of limitations exists for the filing of complaints or defenses should be asked of Code Authority by the Kansas City grievance board. The other point submitted for advice refers to a complaint board which has found an exhibitor guilty of a contract violation.

A statute of limitations problem results from a case in which the Madison, local suburban, was charged by E. S. Young with playing a picture for which he was not paid. The offense was committed almost three months before the complaint was filed.

A defense sought to avoid the complaint by time. It was impossible for a respondent to retaliate by complaining against the original complaint.

The second matter presented for ruling is to decide whether A. G. Smith, manager of the Uptown, Pari- son, named the proposed admissions below the contract minimum after the board some time ago issued a written contract. Smith claims he has written authorization from two distributors to double bills at a dime adult admission.

Without deciding the merits of the case, the local board passed the resolution to the state's legal department for an opinion.

Public Pools With
7 on Staten Island

(Courtesy from page 1)

Harry Shiffman, president of the independent circuit, in complete charge.

The Staten Island unit was the first public house opened from the home office. The deal for independent operation is understood to provide that the two units contracts are now ready for signatures.

Contracts involved are the St. George, St. George; Ritzy, Fort Richmond; Liberty, Stapleton; Capitol West Brighton; Strand, Great Kills, Stadium, Tottenville; New Dorp, New Dorp.

The Paramounts on Broadway and the Brooklyn are under direction of Boris Morros.

Production Activity
Remains Unchanged

What N. Y. Critics Think

Consensus of New York critical newspaper opinion on pictures current along Broadway:

"Bulldog Drummond Strikes Back" (20th Century-U. A.)

American—"...* delightful burlesque that reaches heights of exciting fun."

* Many critics who saw this performance rated it as much more entertaining, this latest of the Drummond adventures, for it is more loaded with knockabout, gaggy lines and it is adroitly acted by Clohessy in the title role and by a supporting cast including all the original characters."

Evening Journal—A mystery melodrama which, if not as good as the original, is a film that is amusingly received because it is a good deal lighter in tone and because of the comic relief provided by D'Arcy and Ruskin, who are amusingly cast against type."

There is life in the picture, fun and melodrama. It is characteristic of DeMille and DeMille is one of the few veterans of the movies who is still going strong, and his picture is not a disappointment. It includes some somnolent and striking pictorial effects for his latest big production."

The picture moves a little slowly, as the enormous sets for some of the scenes and the great number of people used are far from adequate; but, in spite of its leisurely motion, the story is absorbing."

Young Holt Signed

Hollywood, Aug. 19.—David Holt, youngster who appeared in Paramount's "You Belong to Me," has been handed a long-term contract by the studio. The contract includes plans for other pictures.

"The Cat's Paw" (Harold Lloyd-Fox)

American—"An amusing, long, hard laugh, and with it the general Mr. Jekyll and Mr. Hyde solution to many production problems."

Post — "Delightfully diverting, slapstick, comedy, the picture is adroitly played, and it is a good deal longer than a picture of its nature should be.”

Evening Journal—Another one of Mr. Lloyd-Fox’s professional comedies. The story is a one of those cat-and-mouse jobs which is nothing but a harmless joke to the audience."

Evening World—Another one of Mr. Lloyd-Fox’s professional comedies. The story is a one of those cat-and-mouse jobs which is nothing but a harmless joke to the audience.

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The producer has departed from his new trend to concentrate on the most tho-防范 of the various characters to another and yet another."

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Field Bodies To Hear Ills Are Scrapped

(Continued from page 1) are on the docket now for protest hearings. Dates on which the individual plans will be heard will be set this week. Milwaukee's proposals, which were heard at the last Camp session and the next plans up for protest will be those from New Haven, Hartford and Bridgeport.

Exhibitors from the New England area mentioned will come to New York tomorrow when a special ap- pearance will be made at the theatre managers' meetings.

The judicial body has not been named, but will probably be set today.

Camp members feel that, since ap- pearance committees hearing complaints on clearance, zoning and grievances during the last few weeks have done such commendable work, the expeditious method to save time is to set up similar committees for hearing protests on clearances with local men as judges.

The Los Angeles schedule is on the calendar for Sept. 18 when L. E. Chadwick and several coast exhibit- ors will come east for the hearing.

Detroit Board Hits Weak Part of Code

Detroit, Aug. 19.—A code weakness that has to do with ad- mission price changes by mutual consent of the distributor and exhibitor after a contract has been signed was criticized by the local grievance board in a recent deci- sion. This weakness, the board decided, "practically operates to permit the respondent to actually circumvent the intent and purpose of the code."

The case was made on a complaint of price cutting brought by Nick Kuris, Ritz, Muskegon, against Paul Schlossman, Theatres, Muskegon, and Detroit exchanges. The case was dismissed.

Dismiss, Withdraw 2 Pittsburgh Cases

PITTSBURGH, Aug. 19.—An over- buying complaint has been dismissed and a reduced admissions case with- drawn as a result of two hearings by the grievance board.

The overbuying case was a com- plaint brought by Roosevelt Amuse- ment Corp., operating the Roosevelt here, against Center-Vue Amuse- ment Corp., Cranberry. Complainant and de- fendant were the same in the cut rate case.

40 More Ohio Assents

Cleveland, Aug. 19.— Since the re- opening of the code assent period on June 28 for the final closing period, Aug. 15, 40 assents from Cleveland and the surrounding territory were filed with Mrs. Georgia Moffett, sec- retary of the Cleveland board. Of these, 26 were from Cleveland.

Radio Borrowed Tabin

HOLLYWOOD, Aug. 19—Genevieve Tabin, under contract to Warner-First National, has been loaned to Radio for the feminine lead in "By Your Leave."

Crime Without Passion

Hollywood, Aug. 19.—When Helen Hayes returned from work at M-G-M the other day, she found a box as large as a steamer trunk waiting for her filled with orchids and gardenias. The card, from her husband, Charles Mac- Arthur, who is in New York, read: "Our anniversary is some time this week. Hope today was the day."

Helen wired back: "You're getting warmer. Please keep guessing."

NRA Changes Not to Shift Picture Code

(Continued from page 1) but eventually it is contemplated that the various agreements will be re- opened with a view to simplifying the trade practice provisions, which in some cases are so numerous and so involved as to make full enforcement almost impossible. Codes in which these provisions are giving no trouble, however, will probably not be affected.

First "Bank Night" Case Up in Omaha

OMAHA, Aug. 19.—Lester F. Martin, distributor for Bank Night Enter- prises and attorney for E. E. Seif, operator of the Rialto, Sioux City, Iowa, has filed an appeal from de- cision of the grievance board order- ing Seif to discontinue "Bank Nights."

The Capitol in Sioux Falls filed the complaint. This is a Blank-Teetrate house.

The Seif case is the first of its kind filed in this territory.

Code Costs on Gross Income Basis Likely

(Continued from page 1) distributors have protested the present plan, United Artists and Universal, in filing protests with the NRA, sug- gested that assessments should be based on annual business of individual companies.

Official word has been received by Camps from the NRA to discard the old assessment plan and draft a new one.

A meeting of the finance committee is expected to be called by Code Authority sometime this week to begin drafting a new assessment schedule.

Akron Is Satisfied

With Its Dual Plan

AKRON, Aug. 19.—Duals are not considered an "industry evil" here according to Robert Menches, head of the local exhibitor association. Akron has never gone for duals on a 100 per cent basis, Menches states. Pictures considered strong enough to stand on their own are shown on a single feature bill right down the line from the first run to the last run. Peak pictures are shown on double bills.

Menches figures that only about 50 per cent of the Akron playing time is devoted to double features. At a recent meeting of exhibitors it was voted to continue this practice.

CANTON, O., Aug. 19.—Seven of this city's first run are dual billing and no complaint is heard. Locw's is on a straight single feature basis, but Warners' Alhambra goes in for an additional film as a preview weekly.

"Belle of the Nineties"

(Paramount)

HOLLYWOOD, Aug. 19.—With shock-proof punches but with haymakers nevertheless, Mae West uncorks a flashy, melodramatic entertainment of the Nineties, tripping gay and gaudy for the most part but lingering in spots.

As with all the West films, her showmanish personality dominates the star. Her story assembles itself as the American Beauty, a head- line actress: Prizfighter Roger Pryor, Villainous Promoter John Milten and his girl friend, Katherine de Mille, sets them in pleasure-loving New Orleans and lets music, gambling, stolen jewels and prizefight knockouts drop work its dire drama, making it clear at the same time Mae West and gets away with it.

While the production is hardly a model of uplift drama, by the same token nothing offends the sensibilities in La West's clean film.

Her performance, including singing and comedy, is the best she's done. Her wisecrack's ripple along in laughable cadence with her curvaceous co-star is no reaching for gags or straining for effects.

Mae warbles four numbers, one, "Scandalizin My Name," counterpointed with Negro spirituals being particularly effective to eye and ear. Leo McCarey's direction has flavor and distinction.

Exploited smartly, "Belle of the Nineties" should do Golden West business even though repeat bookings may or may not be so abundant.
By the light of a single match

Film: DuPont Hypersensitized Panchromatic
Camera: Leica Camera
Summar Lens
Exposed 1/15 Second
Aperature F 2.2
Photographed by the light of a single match.

Photo by Ole M. Hovgaard

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.
St. Louis Dual Ban Killed;
Warnings Refuse to Go Along
St. Louis, Aug. 26.—The local move to end doubles is off, despite the fact that every exhibitor in the city, with the exception of Warners, has signed a contract with Rialto twin bills.

Warnings refused to go single feature at the Shubert-Rialto and attempts by Fred Wehrenberg, head of the local M. P. T. O., to convince the house to adopt a one-feature plan proved unavailing. Warners are said to have a peave on with Harry Koplar, who recently combined his interests with Fanchon & Marco, who now heads the Ambassodor, Missouri.

F. & M. was willing to buy Warners product for its five houses, but the distributor is said to have refused on the ground that it will continue to operate the Rialto and show its own films there.

ITOA to Push Duals War;
Warnings to End N. J. Twins
Warners is the first major circuit to go for adoption of a single feature policy in New Jersey in line with the dual bill ban sponsored by Allied of New Jersey. The circuit has signed up for 36 houses in Northern New Jersey. Warners has signed to theatres across the Hudson, also has signed the agreement.

Signing of the 72 houses was announced yesterday by the Allied committee handling the dual situation, tentatively slated to go into effect Sept. 3.

Loew's, RKO and Walter Reade are expected to go for the plan sometime this week. Loew's already has (Continued on page 4)

Felix Feist Elected
Head of M. P. Club
A new slate of officers was elected yesterday by the M. P. Club. Felix Feist, general sales manager for M-G-M, was named to succeed Lee A. K. Katz as president.

The number of vice-presidents was increased from two to three. Two of them—John V. Allecote, editor and publisher of The Film Daily, and David Loew, M-G-M executive—will continue in their posts. The new vice-president is Phil Reiman, RKO (Continued on page 4)

Mexico City Stage in Move to CURB Screen
By JAMES LOCKHART
MEXICO CITY, Aug. 20.—That five houses in this city be reserved exclusively for legitimate shows is urged upon the civic government by actors, theatre attaches and the (Continued on page 4)

Charge Los Angeles Theatres in Chisel
LOS ANGELES, Aug. 20.—Charging theatres in this area are violating the minimum scale provisions of the code, local projectionists say they will file over 100 complaints with Charles H. Cunningham of the NRA early this week.

4 Zoning Appeals For Hearing Soon
Four general hearings on appeals from clearance and zoning schedules are slated for the next two weeks. The first will be at Hartford, Bridgeport, New Haven, set for this afternoon, with George Schaefer, E. C. Grainger and Edward Rugoff sitting as a committee. Schaefer will be chairman.

George Cuen, New Haven branch manager for Paramount, and Jacob E. Fishman of the Lyric, New Haven, (Continued on page 4)

$45,000 Campaign

"One Night of Love," which opens at the Music Hall Sept. 6, will be heralded by a $45,000 newspaper campaign in New York dailies. Columbia will spend $2,000 and the Music Hall $1,000.

The splurge will equal the sensational campaign used by Samuel Goldwyn to introduce Anna Sten in "Nana" at the same house.

Courts to Be Used to Meet ASCAP Issue
Series of Test Cases Being Planned
Test cases to determine the validity of music tax collections from exhibitors by the American Society of Composers, Authors & Publishers will be prepared by counsel for the exhibitors' national emergency committee in combating the proposed music tax increases, it was learned yesterday.

The test cases will be filed in an effort to eliminate the music tax collection completely and permanently, it was stated. Prosecution of the cases is expected to be assigned to Newton D. Baker's law firm, Baker, Hostetler, Sido & Thompson of Cleveland, which has already filed similar

Carroll Set to Do One on Fox Lineup
Earl Carroll, whose first film venture was "Murder at the Vanities" for Paramount, has signed a contract to produce one picture for the Fox 1932-33 schedule. It is understood Erpi will finance.

Harold B. Franklin's brace for Fox, of which "Gambling" starring George M. Cohan will be a part, will be produced by Brookin Corp.

The Carroll film is tentatively called "Private Rooms at the Vanities" and is slated for completion by January.

B. & K. Appeal Puts Back Chicago Sales
CHICAGO, Aug. 20. — Balaban & Katz's complaint before Campi in which the circuit is seeking additional protection under its new releasing scheme recently turned down by the

Buying Pool On
Harry C. Arthur, representing the Roxy, and Arthur L. Mayer, representing the Rialto, are discussing a buying-pool covering both theatres. Not yet closed, one of the problems is to work out terms and second-hand pictures bought for both houses are to be accorded playing designation.
Kirk Russell Dead; Remains Cremated

Kirk Russell, executive of the Hays office in charge of contact with newspapers, died Saturday. His body and those of three other employees of the office will be cremated today afternoon.

Russell had been associated with the Hays office since its inception. He died Saturday at the home of a friend in the northwest part of the city.

December Pathe's Plan

At Sept. 11 Meeting

A special meeting of the Pathe Exchange stockholders will be held Sept. 11 in New York, on approval of a plan of reorganization, which was approved by the board.

The plan is to be submitted to the stockholders before the meeting.

Pugh Is Lining Up New Export Concern

Ralph J. Pugh, who established distribution in England for the original First National, is working on formation of a new export company to be known as the M. P. Export Corp. Pugh will be president and treasurer and Pugh vice-president and general manager, as well as in charge of sales of independent pictures.

Pugh will sail for the other side shortly to open offices.

Motions Picture Daily

November 1, 1934

Allied Men Pouring Into A.C. for Meeting

Atlantic City, Aug. 29.—With Sidney Samuels, president of A.C., and Sidney H. Jones, president of I.T.O., here today to attend preliminary conferences for the three-day annual convention of Allied of New Jersey and eastern regional units, the influx of eastern exhibitor members starts tomorrow, when at least 25 are expected.

About 300 in all are expected to attend the convention, Abram F. Myers is slated to be the principal speaker at the opening session Wednesday.

Levine In from Coast

Nat Levine, head of Mascot Pictures, arrived from the coast by plane yesterday with a print of "Young and Dangerous," the latest production of his new Enterprise division of the Wampus Baby Stars, which was screened during the day for independent distributors. Levine expects to remain here a few days only.

Bauer's Para. Film Set

Hollywood, Aug. 29.—Max Bauer's first picture since winning the heavyweight title will be "Kids on the Cuff," a fight yarn by Damon Runyon for Paramount. Adela Rogers St. Johns has been assigned the screen play.

Sentry Sole Curb Opener

Light Trading in Bond Market

Columbia Up ½ on Big Board

Columbia Pictures, etc... 25% 65% 25% 50% 25% Consolidated Film Industries, etc... 25% 65% 25% 50% 25% Loew's Inc... 7 24 26% 40 60% Paramount Publix... 35% 35% 35% 35% 35% RKO... 35% 35% 35% 35% 35% Warner Bros... 35% 35% 35% 35% 35%
AND STILL
THEY COME!

BUTTERFIELD
CIRCUIT

W. S. Butterfield, President,
E. C. Beatty, Vice Pres. and Gen’l. Mgr.,

Operating 80 theatres in 32 Michigan towns and
cities—Adrian, Alpena, Ann Arbor, Battle Creek,
Bay City, Benton Harbor, Big Rapids, Cadillac,
East Lansing, Flint, Grand Haven, Grand Rapids,
Hillsdale, Holland, Ionia, Jackson, Kalamazoo,
Lansing, Ludington, Manistee, Monroe, Muskegon,
Niles, Owosso, Pontiac, Port Huron, Saginaw,
St. Joseph, South Haven, Three Rivers, Traverse
City and Ypsilanti—

sign for

UNIVERSAL

Features, News, Shorts and Serials for 1934-35

Thanks, Messrs. Butterfield and Beatty,
for your confidence in Universal Pictures. We will do our part!
Concessions Not Hurting Films: MPTOA

(Continued from page 1)

grow that pictures are wisely-washed and released in a mood of the church crusade,” the bulletin declares. “It is not true. Red-blooded, thrilling pictures are fully being shown, maybe, but the vulgarity and inconsistencies, though as robust and with as much punch and entertainment value as ever, are being carried on the screen of the exhibitor told his home folks that the show at his theatre is really better than ever.”

“Moreover, the problem of adjusting pictures to children’s requirements is just as pertinent to all of us as is the threat of programs and children’s matinees, and genuine community support for these,” the bulletin says.

M. P. T. O. A’s plan of providing a channel through which exhibitors may understand the importance of these recommendations to producers is already proving successful, the M. P. T. O. A bulletin reports, although actual official contacts were undertaken only a few weeks ago. Hundreds of letters are being received by the federation’s headquarters and forwarding directly to the studios whose pictures are specifically commented on by exhibitors, it is stated.

Not Worried by Campi Ruling

The M. P. T. O. A. campaign against double features will not be retarded by the recent resolution of Code Authority prohibiting clearance and zoning boards from drawing up schedules based on whether an exhibitor operates on a dual policy or not, according to the organization’s bulletin.

“Fortunately,” the bulletin states, “rulings of the Code Authority can be taken as an advisory vote. The resolution applies only to zoning plans made by a local clearance and zoning, and there is nothing in the code to prevent individual exhibitors taking clearance as they see fit over double feature houses.”

The bulletin, in discussing national exhibitor plans for opposing the proposed music tax increases sought by ASCAP, admonishes all counsel for local exhibitor organizations to withhold filing of anti-trust actions against ASCAP “to avoid bolstering the issues and to save expense.”

The national exhibitors’ legal fight against ASCAP will be undertaken by a nationally recognized lawyer firm, the bulletin points out.

Immerman, Kaufman In

Walter Immerman, general manager, and Abe Kaufman, film buyer of the B. & K. circuit, are in town on new deals. The Chicago men are directors of the Cleve Film Pool and expect to close before returning west the end of the week.

Schenck Goes West

Joseph M. Schenck, president of United Artists, leaves for Hollywood today. He has just returned from a European tour during which he conferred with United Artists executives abroad.

ITOA to Push Duals Wall;
Warners to End N. J. Twins

(Continued from page 1)

expressed willingness to cooperate provided all other houses eliminate them or run them with only a small block of pictures; if the RKO, which is definitely committed to writing, is understood ready to drop duals along with the rest of the major circuits, T. C. C. managers signing up every day and expectations are that the entire membership will swing to the plan before the three-day convention in Atlantic City winds up Friday night.

4 Zoning Appeals

For Hearing Soon

(Continued from page 1)

have been invited to attend in an advisory capacity.

The second hearing will be Aug. 28, when the Cincinnati, Columbus and Dayton schedule will be discussed. On Aug. 20 the Cleveland and Toledo schedule comes up for protest, and on Aug. 30 the Detroit plan will be aired.

The move to hear appeals on schedules in New York automatically does away with a plan proposed by the same committee last year to drop the hear protests. Exhibitors in each territory are invited to come to New York today.

Yesterday a joint meeting was held at the M. P. C. of the clearance and zoning and grievance committees, comprising Harold S. Barendt, Jack Cohn and Louis Phillips. The last named substituted for George Scheiber.

N. Y. and L. A. Cases

Before Appeals Board

Appeals from two Los Angeles and one New York decision were heard before the committee, consisting of Charles L. O’Reilly, chairman; Nat Cohn and Julius Charnow. Cases appealed were; Mrs. Jene H. Dodge, Mission, Ventura, Cal.; against Fox West Coast, American Amusement Co., Principal Theatres, Inc., Ventura theatre, Ventura, Cal., involving reduced admissions; John T. Rennie & Son, Rennie, San Fernando, Cal., against Feldstein and Dietch, San Fernando, San Fernando, on reduced admissions; Port Jefferson, Port Jefferson, N. Y., against Smith- town, Smithtown, Smithtown, N. Y.; against Patchogue and Grandada, Patchogue; Riverhead and Glen Cove, Huntington and Hempstead, L. I., on clearance and zoning.

Producer Assessing To Highlight Campi

(Continued from page 1)

discussed as a basis for raising $180,000 and draw up a new plan.

Principal topic of discussions will be designation of a committee of counselor for taxiing distributors and producers according to annual gross income.

Alleged code violations in new sales contracts also are on the taps.

he be taken into consideration before duals can be disposed of. He said prices and outside restrictions, like vaudeville, are two factors to be considered before any move can be finally agreed upon. He added he doesn’t know whether the T. C. C. in this season, but has hope some arrangement can be effected.

Felix Feist Elected

Head of M. F. Club

(Continued from page 1)

foreign sales head, Joe Brandt, form the medium for Columbia. The other is the aforementioned Joseph Invited to chair the affairs, as successor to George H. Ebenstein. The number of executive secretaries was increased to two, with Arnold Van Leer named to assist Tom Wiley, who was re-elected.

Elected to sit on the board of directors were: Geo. H. M. P.D.A.; chief; Jack Cohn, vice-president of Columbia; Herbert J. Yates, president of Consolidated Film Industries; Adolph Zukor, head of Paramount; Carl Laemmle, universal president; Jules Broidatou and A1 Lichtman, vice-presidents of the firm.

Completion of plans for the formal inauguration of the club’s forum sessions would be by May 20. It was also said that during the coming autumn and winter the club would conduct its activities on a larger scale than at any time in its history. One of the innovations planned is preview of new pictures on Sunday evenings.

Mexico City Stage in Move to Curb Screen

(Continued from page 1)

unions, who have decided action be taken to prevent Mexico City from becoming a capital city of the world without a single house devoted to the dramatic medium of the screen, which provides the Mexicans with their sole diversion in the theatre.

While the unions insist that legitimate theatre-going is not popular here, they assert that the stage keeps alive national art and culture and is the means of keeping Mexico from being swamped with alien customs through the medium of the screen, which provides the Mexicans with their sole diversion in the theatre.

The unions assure the city their ultimate aim is to maintain the stage as a living institution.

Flash Reviews

She War a Lady—Of average calibre . . . . acting deserves praise . . . .

Young and Beautiful—Fussy over the usual independent effort.

These films will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Holland May Hike Tax

Los Angeles, Aug. 20—Reports from the Hague indicate that the Dutch Government is contemplating an increase in foreign import duties.

Courts to Be Used to Meet ASCII Issue

(Continued from page 1)

suits against ASCII on behalf of radio broadcasters.

Action to adult Baker’s film may not occur until next week, however, as a meeting of the legal committee planned for that purpose may not be held this week, due to the fact the pugilist of Lowendorf’s, chairman, the legal committee, who is expected back at his office before the end of the week.

If the test cases prove successful some exhibitor leaders are of the opinion they may file a suit of action for recovery of music taxes paid to ASCII in the past.

B. & K. Appeal Puts

Back Chicago Sale

(Continued from page 1)

local clearance and zoning board slowing up selling in this territory.

In what is first official move in some months called by Aar Saperstein, Allied president, admit they were not being hesitaxed to sit up on new product. Selling in in fact outside of the city, but local exchange managers are wary in coming any deals in the Mexican area before getting a better line on the B. & K. protest.

In officially all advanced here which protests have been filed to determination of the local boards have been upheld by Code Authority. The motion calls for a secret prie with local board members.

Zoning Plain Schedule

CLEVELAND, Aug. 20—The clearance and zoning board meets Tuesday to hear the protest of William Weil- Mall, against the zoning of the Ma Strand, Standard and Carter as set forth in the clearance and zoning schedule.

The schedule, presented to Camps, provides that clearance and zoning houses be established on the basis of their matinee admission price while other houses are classified according to admission prices.

The theatres involved are all downtown resident run houses.

Portland Board Meets

PORTLAND, Aug. 20—No action was taken by the grievance board at its regular meeting here.

Col. Meets Sept. 20

The annual meeting of Columbus board of directors is to be held Sept. 20. Harry Cohn will be east for the occasion in order to take in the opening of “One Night of Love” at the Music Hall Sept. 6.
Pathe Clears Finance Path To Expansion

To Sponsor Pictures, Is Renewed Report

A contemplated expansion of activities by Pathe is provided for in the plan of financial reorganization which will be submitted to the stockholders at a special meeting on Sept. 11, it was reported yesterday in a letter sent to shareholders by Stuart Webb, company president.

Whether Pathe's expansion plans contemplate financing of production, as reported some time ago, could not be learned yesterday due to Webb's absence from his office and the unwillingness of other officers to comment. The proposed financial reorganization, however, makes provision for new working capital up to

(Continued on page 12)

NRA Asked to End Ban on Premiums

Washington, Aug. 21—Elimination of restrictions against the use of premiums by exhibitors has been suggested to the National Recovery Administration by theatre owners in many sections of the country, it was learned yesterday, and the unwillingness of other officers to comment. The proposed financial reorganization, however, makes provision for new working capital up to

(Continued on page 10)

Finish 'Legit' Code Session: Go to NRA

Hearings on the NRA code for the legitimate theatre were concluded by the code authority for that industry at the Leaman and New York Y. Theatres offices in the Paramount Building yesterday and a transcript of the hearings is being forwarded to Division Administrator Sol A. Rosenblatt at Washington today.

Notes by representatives of the industry were registered during the hearings (Continued on page 10)

NRA's Amusement Setup May Change

Washington, Aug. 21—Reorganization of the National Recovery Ad- ministration may result in the creation of a new section handling exclu- sion of admissions of performers. (Continued on page 10)

Chicago in a Price Confab; Favors Tilts

Hard to Figure—Scales Going Down, Not Up

CHICAGO, Aug. 21—Higher admission prices on new season's product are being discussed by exchanges and exhibitors here in face of the recommendation that the situation represents a difficult problem since admissions locally have been skidding in the past few months. Especially is this true in the Loop where the latest sag saw the RKO Palace drop from 75 to 50 cents top. The Oriental also went to lower prices a few months ago.

One plan under discussion is the designation of a number of Specials

(Continued on page 12)

No Rosenblatt Move In ASCAP Dispute

WASHINGTON, Aug. 21—Division Administrator Sol A. Rosenblatt has made no attempts to intervene in the dispute between the American Society of Composers, Authors and Publishers and exhibitors over increased music license fees, the NRA official said today.

Remarking that his services of assistance had not been sought in the dispute over higher charges, Rosenblatt made clear that he was not refusing to aid exhibitors if requested but that so far he has not been asked to take a hand in the controversy.

Move to Fight ASCAP With Baker Looming

Negotiations for the retention of Newton D. Baker's law firm to lead the national exhibitors' emergency committee's legal battle against the American Society of Composers, Authors & Publishers are expected to

(Continued on page 12)

Cullman a Chiseler—Brandt; Code Board Reserves Ruling

The New York grievance board yesterday reserved decision on complaint of the Roxy against the Globe for subsidies on performers. During the hearing Harry Brandt, operating the Globe, charged Howard S. Cullman with being a "chiseler," after correspondence between Cull-

man and a Warner executive was read into the minutes. Brandt stated: "I don't know why Cullman has set himself up as a policeman for the industry in carrying out the code."

Irving Lesser, managing director for the Roxy, strenuously objected to

(Continued on page 10)

Seal to Outsider

Hollywood, Aug. 21—Indicating anew the willingness of Production Code Administration, Hay-sponsored and financed, to record production of non-members of the identical privileges of members, Joseph J. Breen has passed "She Had to Choose." This is a major release, now stamped with Certificate No. 170.

Samuelson on Salary Basis, Allied's Idea

By WILLIAM ORNSTEIN

Atlantic City, Aug. 21—Members of Allied of New Jersey will offer Sidney Samuelson and annual salary, about $5,000, for his services as head of the unit, MOTION PICTURE DAILY learned tonight, on the eve of opening of the 15th annual convention of the unit and eastern Allied regional.

Samuelson during the past few weeks has not committed himself definitely as a candidate for reelection, but it is understood the membership will not let him resign. The New Jersey

(Continued on page 10)

Loew Officially for Dual End in Jersey

Loew's yesterday went on record officially in favor of dropping duals in New Jersey, provided all other theatres follow the same plan. A brief

(Continued on page 12)

Consider Mason To Head Dual Fight

Independent producers and distributors may retain Lowell Mason as counsel in their fight on bans on dual

(Continued on page 12)

Independents Swing Toward MPPDA Seals

Some Still Favor Campi Supervision

Hollywood, Aug. 21—A majority sentiment of independent producers in favor of submission of pictures to the Production Code Administration and the marking of approved pictures with the code seal is reported to have been voiced at a meeting of independent producers which lasted into the early hours of today.

Dissenting voices, however, were admitted and a strong independent faction is reported still to favor scrutiny of productions through Code Authority machinery working under that section of the code which relates to observance of the production code of morals.

Pending a second meeting of the independents on Wednesday morning, at which a final decision was anticipated, comment on last night's meeting was

(Continued on page 12)

Zukor Envisioning Coast as the Hub

Hollywood, Aug. 21—Hollywood may become the hub of the industry in film distribution matters as well as in production, it was indicated today by Adolph Zukor, president of Paramount

Zukor also said in the future he will make the local studios his headquarters and devote most of his time to production. Herefore he has maintained offices in New York.

Ticket Tax Receipts In July Above 1933

WASHINGTON, Aug. 21—The Federal Government's receipts from ad-

mission taxes during July were $70,000 greater than a year ago, the Department of the Interior has announced.

Collections amounted to $1,046,162 as compared with $972,027 in the 1933

month.

Mayor Orders Unions End Mass Picketing

The mass picketing of the Loew houses in the city by Allied M. P. G. Union Local 396, rival, drew the fire of Mayor LaGuardia at a hearing yesterday. The mayor or-

dered a halt to picketing activities and

(Continued on page 10)
Insiders’ Outlook

YOU’LL see less in the daily prints now about the Legion of Decency. Don’t allow yourself to draw any rash conclusions, however. The interchange of friendly correspondence between Will H. Hays and Archbishop John T. McNicholas, chairman of the Catholic Bishops’ Committee on Motion Pictures, laid down the basis of an accord between religious and business groups. That much has been accomplished and that’s plenty enough to be satisfied with and about.

But continuing very much on trial is the industry. Galvanized into action several years ago by completely ignoring the storm signals which sober observers had been, for the business of a good job for a long time, times does when poked sufficiently hard. The procedure has resulted in a definite commitment and a solemn promise from which there can be no walking without consequences potentially and actually dire. This is why it is of utmost importance to remind again, to stress again and to repeat again a cautionary admonition against any rash conclusions that the battle is over.

It is not. It is, on the other hand, within grasp of victory provided the letter of the promise matches minutely and exactly its spirit. Implied by Archbishop McNicholas, but not so declared in words, is that the Legion of Decency has run its course and is in full into slumber for the time being. At the same time, an even casual reading of his letter to Hays makes it most clear the Legion’s line of thought and action continue unbroken and that the phalanx once more will be ordered to advance if the bad boys in Hollywood don’t wash their hands.

Press yarn from Paramount, timed for release with Adolph Zukor’s arrival back on the coast, that Hollywood may be the hub and the hub of the industry in ways other than production, is a revival of what others have thought from time to time. Like earlier stories, Zukor’s slant, new and so not starting, is no closer to consumption than when it was first offered to editors for their consideration years ago. These stories have been those who liked to cite the comparison with industries maintaining financial and managerial vigour alongside their factories.

Arrival here in a day or so of Mark Oster, member of the British banking firm which financially helps little-grown British, will bring to a head plans of that organization to establish itself as a distributor in this market. Jeff Bernerd, advance man, so to speak, and drummer-upper of arrangements subject to Oster’s final say-so, has been talking in several directions. One has centered around 10th Ave. and the high Fifties, where Sid Kent makes his office. The talk has been Fox will physically distribute B. G.’s line-up, salesmen, however, to be Gummans.

Looks that remind somewhat

Pathe “A” Up One on Big Board

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<thead>
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<th>High</th>
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<tr>
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<tr>
<td>Warner Bros.</td>
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<td>44</td>
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Technicolor Gains 5½% on Curb

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<td>12</td>
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Para. F. L. Bonds Soar 5½ Points

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Joe Kennedy may be in government service now as head of the stock exchange commission but his faithful minions—Sedlare, Delehanty, et al—are talking. It means, that whatever they mean Kennedy would know about it, step by step. Now it Mike Meehan, big boy in KAG and Dave Sarnoff, big boy in RKO, who apparently have the differences. These things have a way about them and it often mysterious. Like those that grows the oak, it squawks from little squeak. This industry often spread.

KAN

Monogram to Adhere To Program Planee

Monogram will adhere to its announced program of 20 features a year and not go outside its eight westerns for next season, even though Campi has ruled a “hands off policy on duals through insistence that clearance cannot be determined.” This statement that company policy was released in New York yesterday on behalf of W. R. Johnston, Monogram president.

4 Holdovers for B’way

Four holdovers are slated for Revolution’s “The Man Who Put the Music Hall, "Dames" at Strand, "Cleopatra" at the Paramount and "Bulldog Drummond Strikes Back" at the Rivoli. Attractions are "Hideout" at Capitol, "Charlie Chan’s Courage" by Roxy and "World Moves On" at the State. The Rialto last week changed its program with "The Slaughter Murder Case" as the feature.

New Ass’n Dies Time

Los Angeles, Aug. 21—Four activity in Associated Exhibitors, which organized recently and promptly affiliated with the national M. P. T. has gone bone. The temporary objection to the rule that additional plans are rounded off.

Kent Arrives on Coasr

Hollywood, Aug. 21—Sidney Kent arrived here today from New York for conferences with Fox studio executives.
It happened Wednesday at the New Yo!

AND IT'S BEEN HAPPENING EVERY MINUTE SINCE STOPPED TIME AFTER TIME! ALL "42ND STREET" AND

POSITIVELY FIRST 5-Figure Week-Day Since "LITTLE CAESAR" (and we said positively!)

Hartford, New Orleans, Buffalo, Syracuse, Denver, Milwaukee all say the same—"'DAMES' IS NOT ONLY AS BIG AS '42nd STREET' AND 'GOLD Diggers'

...IT'S BIGGER!"
night premiere of

"DAMES"

WITH CONTINUOUS CAPACITY! TICKET-SALE
OLD DIGGERS' RECORDS DUMPED IN THE DISCARD!

PASTE THESE ON YOUR MARQUEE!
"Audience gasped"          Times
"Best Warners have produced"  Telegram
"You'll go for 'Dames'"      American
"Maintains the Warner quality"  News
"Audience roared"           Sun

Isn't Life Warnerful!

Eckman Replies to BERNARDI Criticism

London, Aug. 21—Sam Eckman Jr., managing director of M-G-M here, has taken a hot shot at Jeffrey Bernardi, Gaumont British executive now in New York arranging for his company's own distribution.

“I have noticed my friend, Jeffrey Bernardi’s, statement regarding American films in Motion Picture Daily of Aug. 6. With all due respect, he is talking through his hat. I would suggest he devote his time and attention to the marketing of his own films without concerning himself about American films in England.

“If he were to contact his company’s theatre department more closely, he would realize that it is using more American films this year than last. As a matter of fact, all American company business is bigger this year than last.

“If Jeffrey has not seen any recent magazines, I will send him a supply ranging in price from a penny to a shilling so that he would appreciate that the demand for American star photographs and fashion notes is getting stronger every day.

“Perhaps the heat is affecting my friend.”


“About 90 per cent of American pictures released abroad are flops. The public in England is getting sick and tired of what various actresses wear and what they don’t wear,” he said at the time.

Zanuck Re-Signs Long

Hollywood, Aug. 21—First writer to be signed by Darryl Zanuck for 20th Century’s new season is Hal Long. The deal, closed by telegram from New York, is in the nature of a renewal for Long.

Shea Record Tops

BUFFALO, Aug. 21—Opening day records of three years’ standing were broken: the first day of Fred Waring’s Pennsylvaniaians at Shea’s Buffalo, with “The Old Fashioned Way” on the screen.

Gets Spanish Feature

Intercontinental Film Corp., headed by M. D. Strong, has closed for world distribution on “El Escandalo” (“The Scandal”), produced by Ren-Mex Films.

Delay Brooklyn Opening

Because of indecision on policy, the Paramount, Brooklyn, is not expected to reopen Aug. 31 as originally announced. The house will probably open a week or two later.

Nazis Ban U.S. Film

BERLIN, Aug. 21—“Hollywood Party” was banned in Germany by the censor today. No explanation was offered.

Brandt Adds Two More

Increasing its circuit to 26, Harry Brandt yesterday closed deals for two additional theatres in the local area.

Cameo Is Now Dark

The Cameo is closed for the first time in two years.

What N. Y. Critics Think

Consensus of New York critical newspaper opinion on pictures current along Broadway:

“Treasure Island” (M-G-M)

American—A well-flavored, salty saga of the seven seas, liberally sprinkled with swashbuckling, swashbuckling gold, and all the luscious incidents that has endorsed the film’s romance in a generation. And Metro has endowed the piece with cast and setting that add to its delights. The swashbuckling fun for the adult or adolescent.

“Empress” at Apollo

CHICAGO, Aug. 21—B. & K. will open the Apollo, former dramatic house at Clark & Randolph Wednesday. The theatre has been completely remodeled by Rapp & Rapp and boasts an unusual exterior sign and marquee.

“Scarlet Letter” is the initial attraction. Admission will be 25, 35 and 50 cents, plus tax.

Abeles Quits Mundus

Arthur Abeles, Mundus representative working out of the New York U. A. exchange, has resigned. No successor has been appointed.

“The Defense Rests” (Columbia)

American—A small, slightly melodramatic, full of unexpected twists and sustained suspense.

Daily Mirror—**Mr. Holt, as usual, gives a vigorous, straightforward performance, and Mr. Arthur are about as usual, which is to say he is as usual. “Ameri- can” is not a film that can be reasonably expected to please their roles.

Post—The story is dramatically and neatly worked out, even though the material is familiar.

Times—The story is interestingly woven and its telling is sufficiently swift to hold a showing’s interest. Mr. Holt and Mr. Arthur are about as usual, which is to say he is as usual. “American” is not a film that can be reasonably expected to please their roles.

9199 Sabbath Ruling Stirs Seattle Fuss

SEATTLE, Aug. 21—If Seattle police不理 the city’s Sabbath closing law which makes it illegal for restaurants to sell beer within the city limits, the police, restaurant owners and patrons of this city, declared yesterday, he would use his authority as a special deputy sheriff to force closing of all theatres and bars in this city on Sun- day.

These amusements, declares Paris, are also prohibited under the same law.

Sheriff Claude Bannick, advised of Paris’ threat, stated that his house would take no part in any closing program against the “entertainment racket” and that if Paris insisted upon a “one- man” program of enforcement against the Sabbath closing law, he would ignore his authority. The special deputy sheriff would be immediately withdrawn.

Two Capitol Houses Too Much for Detroit

DETROIT, Aug. 21—A fight is brewing over a six-lettered word spelling CA-P-I-T-O-L.

George W. Trendle, United Detroit Theatres, claims he has a prior right to the tag stating that the building housing the famed Capitol Theatre and Mount was always the Capitol Theatre, Detroit, and never was dropped.

When Alex—ever—refused to condition his Ferndale, a west side "nabe" house, he acquired the name of Capitol and entertained there, he hired up until the last two weeks, when Trendle wanted the old name back. Schreiber refused to budge from his stand and Trendle has changed all signs and copy on the old Paramount to the former tag. So now Detroit has two Capitols.

Neuman with Zeidman

Hollywood, Aug. 21—Kurt Neuman is set to direct “I’ve Been Around” for Universal. This will be the first of four Zeidman pro- ductions on the producer’s new ticket and stars shooting on completion of “Zest.” Zeidman’s last on the old contract.
Looking 'Em Over

"She Was a Lady"

(For)

Of average caliber, "She Was a Lady" repeats the tale of the suffering that lovers must endure when they are of different stations in life. While the story is familiar, it is told with such a feeling for human values that it holds the interest. The early chapters, laid in a mountain village of Montana, are so touched with tenderness that they are quite affecting. These sequences, also rich in pictorial beauty, are the best part of the picture.

The suffering pair here is Helen Twelvetrees and Donald Woods, an easterner, son of a fruit magnate. They meet when he comes to the Montana ranch where the girl is engaged as a riding instructor. She refuses to become his wife until he can prove himself something more than a player. Off he goes to South America to work for his father. On his return she accepts his proposal. The boy's father is opposed to her because she is not on the same social footing. Reminiscend of the unhappy marriage of her parents—her mother (Doris Lloyd) had been a servant in her father's (Ralph Morgan's) home in England—Miss Twelvetrees agrees not to marry the boy without his dad's consent. The film puts her through considerable torture before the old man regrets his attitude and gives his sanction to the romance. The acting deserves praise. Among the other players are Monroe Owsley, Paul Harvey, Barbara Weeks, Jackie Earl, Karol Kay and Ann Hawthorne. Al Reaett produced, while Hamilton MacFadden directed. Running time, 77 minutes.

Ready to Launch 18

HOLLYWOOD, Aug. 21.—George Batcheller, president of Chesterfield, and Maury Cohen, president of In-

vincible, are back after two months in New York. They will prepare for the new season's product of 18 features, four of which will be specials. The first to go into production will be "Fier of Lost Dreams," with Frank Strayer directing.

Cagney Hits Charges

HOLLYWOOD, Aug. 21.—District Attorney Neil McAllister's charges that James Cagney, Ramon Novarro, Dolores Del Rio and Lupe Velez had contributed funds to the furtherance of Communist propaganda are held by Cagney to be a "cheap" attempt for personal notoriety. A general denial has been entered by all parties named.

"Black Moon" Banned

DETROIT, Aug. 21.—"Black Moon" has been banned in Detroit. Police censors claim that it may, if shown, tend to stir up racial prejudice in the city. The film, an ace West Side house, had it booked and advertised but it was never shown.

Miss Barnett to Wed

HOLLYWOOD, Aug. 21.—Marcella Barnett, executive assistant to David O. Selznick at M-G-M, will wed Dr. Marcus H. Rubwin Oct. 17. The couple will sail to Honolulu on the Mariposa for their honeymoon.

Bank Nights Hit Tampa

Tampa, Aug. 21.—Bank nights are getting a play here for the first time. The Tampa, leading house here, has bank nights each Friday and the Park offers them on Tuesday.

Buffalo Priest Aims Guns at Dual Bills

BUFFALO, Aug. 21.—A campaign against double features is about to be opened by Dr. Edward S. Schwegler, Buffalo diocesan director of the Catholic Legion of Decency. Dr. Schwegler cites three reasons:

1. Double features usually mean at least one bad picture. People who want to patronize a theatre to see the good one hesitate to do so because they wish to avoid the other one.
2. Double feature programs are too long. They tire audiences out.
3. They make a double demand on the industry, which must fill in the gap with cheap trash.

Century Operations Profitless in Year

No profit is expected to be shown in the annual fiscal report on operations of the Century Circuit, which has 23 houses on Long Island. The report is due around Sept. 20.

Included in the report will most likely be the announcement of the Century-Seider pooling deal, which is expected to be signed this week.

Blumstein Quits Col.

Abe Blumstein, who has been short subject sales manager of the Columbia Chicago exchange, has resigned and has moved his family to New York. He is not yet set on his next connection.

"Eagles" Sold for Canada

Excellent Exchange of Canada, through its New York agent, Guaranteed Pictures Co., has purchased "Young Eagles" for Canada. Arthur Beck represented the producers, Romance Prod., in the transaction.

Good for $19,000!

— VARIETY

Sure, it's Ronald Colman in "Bulldog Drummond Strikes Back"

"and in ST. LOUIS!"

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— VARIETY

Sure, it's Ronald Colman in "Bulldog Drummond Strikes Back"

"and in ST. LOUIS!"
Portland gives $7,500 to “Treasure Island”

Portland, Aug. 21.—In a week of considerably better business, “Treasure Island” at the United Artists led with a take of $7,500, or $2,500 over normal.

The Human Bondage” at the Music Box also proved an above normal draw with heavier matinees and a take of $900 over average.

Little Man, What Now?” at the Oriental had an unusual appeal, going $1,500 over par.

Total first run business was $27,400. Average was $2,200.

Estimated takings for week ending Aug. 16:


“ROMANCE IN THE RAIN” (Univ.) Gross: $4,000. Average: $3,500.

“HUMAN BONDAGE” (Radio) Gross: $8,000. Average: $8,500.

“LITTLE MAN, WHAT NOW?” (Univ.) Gross: $2,500. Average: $2,000.

“THE NAVY” ($13,000) Gross: $2,500. Average: $2,000.

“THE GREATEST MAN” (M-G-M) Gross: $2,000. Average: $1,500.

“CHARLIE CHAN’S COURAGE” (Fox) Gross: $1,500. Average: $1,500.

“HAT, COAT AND GLOVE” (Radio) Gross: $1,000. Average: $1,000.

“THUNDER OVER MEXICO” (Principal) Gross: $1,500. Average: $1,500.


Total average: $2,500.

Estimated takings:

Week ending Aug. 10:

“HIS GREATEST CAMEL” (Radio) Gross: $9,000. Average: $9,000.

“SIN OF NORA MORAN” (Majestic) Gross: $2,000. Average: $2,000.

“ALONG CAME SALTY” (Gaumont) Gross: $2,000. Average: $2,000.

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**Washington's B. O. Better; "River" Best**

Washington, Aug. 21.—Summer grosses were slightly last week as summer temperatures slumped to a more reasonable point. RKO-Keith's, which for three months or so has been captivating Wednesday openings, reverted to Friday when "One More River" took two extra days off. They will be back for the nine days. The first seven days grossed $11,100, a figure which, while under the winter average, is probably over the house's average summer take.

Loew's Fox with "The Old Man in the Little House" and a stage show that pulled rave reviews held to the summer average for $18,500. Handy Andy took $4,900 on its second week at Loew's. The palace, the first Will Rogers picture to go two weeks at the Loew, was almost as temptingly grossed by $300 with a return engagement of "Baby Take a Bow."

"Housewife" and a stage show yielded $16,200 at the Earle and the Metropolitan, with "The Personality Kid," did a fair business at $3,500. The week's total, including the full 9-day run at RKO-Keith's, was $50,000. Average was $7,120.

Estimated grosses, exclusive of tax, for the week ending Aug. 16:

- **BABY, TAKE A BOW** (Fox)LOEW'S COLUMBIA—(1st wk.), 25c-4c, 7 days (return engagement). Gross: $3,400. (Average: $485.71)
- **THE OLD FASHIONED WAY** (Para.)LOEW'S FOX—(3rd wk.), 25c-6c, 7 days. Stage: Yasha Burchak, Six Yellow Jackets, Al Trahan & Countess Yolanda Cameron. Ina Bay Bates & Her Moodsters. Gross: $3,300. (Average: $471.43)
- **HANDY Andy** (Fox)LOEW'S PALACE—(2nd wk.), 25c-75c, 7 days (second week). Gross: $3,500. (Average: $500)
- **THE PERSONALITY KID** (Warners)METROPOLITAN—(1st wk.), 25c-5c, 7 days. Stage: Norma Milhiser, Centerpiece. "Annabelle" (First 7 days) $1,100. (Average: $157.14)
- **ONE MORE RIVER** (Universal)RKO-KEITH'S—(1st wk.), 25c-5c, 7 days. Gross: $2,900. (Average: $414.29)

Weather Helps Out; Montreal Still Hit

**Montréal, Aug. 21.** — A cooler stretch gave Montréal a little more of the needed during the week ending Aug. 18 with "Wonder Bar" standing out at the Palace with a take of $8,500, but $2,500 under par even at that. The Capito also failed to $7,500 on "Stamboul Nights" and "Let's Talk It Over" while a $5,500 gross went through the Princess wicket for "Whom the Gods Destroy." The Man with Two Faces" and "Friends of Mr. Sweeney" brought the same total to Loew's.

Total business was $30,500. Average was $4,300 with every first run in town under par.

Estimated takings for the week ending Aug. 18:

- **STAMBOUL QUEST** (M-G-M)"LETS TALK IT OVER" (Universal)CAPITOL—(1st wk.), 25c-5c, 4c-6c, 15c, 7 days. Gross: $7,750. (Average: $1,035.71)
- **WORDER BAR** (1st Natl)"WE'RE RICH AGAIN" (RKO)PALACE—(2nd wk.), 25c-35c-50c-65c, 7 days. Gross: $5,500. (Average: $785.71)
- **THE MAN WITH TWO FACES** (1st Natl)"STAMBOUL NIGHTS" (Para.)ROXY—(2nd wk.), 25c-35c-44c, 7 days. Gross: $5,500. (Average: $785.71)

Band Leaders, Not Pictures, Detroit Draw

**Detroit, Aug. 21.**—Two big time band leaders did well by their employing theatres last week and sent lucrative parties. No other first runs in the city reached that distinction.

While Fred Waring and His Pennsylvanians sent the Michigan gross to $27,000 and thereby gave it $7,000 over average, the Trendle management suffered a keen disappointment. It figured a $41,000 week, including a special midnight show. The picture was "Notorious Sophie Lang.

Ted Fiorito and his orchestra, playing the Fox where the picture was "Charlie Chan's Cure," drove in $7,000, or $2,500 over the average mark. Gross first run was $10,000 against an average of $5,000. Business a week earlier ran to $9,500, giving the Fox a slight holdings for the week ending Aug. 16:

- **LADIES SHOULD LISTEN** (Para)FISHER—(2nd wk.), 25c-5c, 7 days. Gross: $9,500. (Average: $1,357.14)
- **CHARLIE CHAN'S COURAGE** (Fox)FOX—(5th wk.), 25c-5c, 7 days. Stage: Ted Fiorito and his orchestra handling a set of vaudville acts and a Rosetta Deering. Gross: $7,500. (Average: $1,071.43)
- **NOTORIOUS SOPHIE LANG** (Para.)MICHIGAN—(4th wk.), 25c-5c, 7 days. Stage: Fred Waring and His Pennsylvaniaans in person heading stage revue. Gross: $7,250. (Average: $1,035.71)
- **MIDNIGHT ALIBI** (First National)UNION ARTISTS—(7th wk.), 25c-5c, 7 days. Gross: $7,800. (Average: $1,092.86)

**"All that in KANSAS CITY?"**

**"Opened Strong! $14,000!"**

**—VARIETY**

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**Monroe, Aug. 21.—**"Escape Me Never," London stage piece by Marjorie Reynolds, will be made into a film by a British firm, Dominions. For United Artists release, Elizabeth Bergner will be starred in the role which she played on the stage. Paul Czinner, her husband, will direct. Production is scheduled to get under way in a few weeks.

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**Buying "Escape Me Never"**

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Cullman a Chiseler-Brandt; Code Board Reserves Ruling

(Continued from page 1)

Brandt delving into personalities, declaring the case was not concerned with any admission or denial whether the Globe had violated the code.

Brandt stated that, according to conversations had with Division Administrator Sol A. Rosenblatt theatres, whose policies are not in conformance with the code, there was no right to complain. He said that the Globe plays returns on a subsequent run prove, and was not in competition with the Roxy and, therefore, the Roxy had no right to protest distribution of 15-cent release passes issued by the Globe. Brandt asked the board to get in touch with the division administrator for further information of the cut rate ticket provision of the code before making a decision.

The Roxy complaint against the MPPDA proposal for a post-ticket sales price was discussed, the Final Decision was reserved in Loew's Melba charge against the Paramount a non-ticketing advertising. The case will be heard again on Aug. 30, when additional testimony will be taken. Paramount's Morry Ritzman, however, told the board that for illegal transfer of operation was put off four weeks until Louis Niser returns from Europe.

"I Haven't Done Any Wrong," Says Cullman

Answering Brandt's charges he was a chiseler, Cullman yesterday told "Motion Picture Daily": "What right has he to say I'm a chiseler? I haven't done anything wrong."

"I don't care if the Globe charges 10-cent admissions," Cullman stated, "as long as he advertises them as such."

Meanwhile, Cullman has written Division Administrator Sol A. Rosenblatt, asking him to advise Code Authority whether or not he has made Brandt "an exception to the code."

Finish 'Legit' Code Session; Go to NRA

(Continued from page 1)

hearings on the code provisions and Rosenblatt is expected to be guided by these in making changes in certain classes of the revised code, which is slated to go to President Roosevelt for signing in the near future.

Vigorous objections were waved by ticket brokers at the final hearing yesterday to the code's provisions limiting number of tickets sold by "over 5,000,000 population." It was pointed out that New York is the only city which would be within the provisions of the code in that respect whereas the unanimous sentiment at the hearing was that the code's regulation should apply wherever ticket selling abuses may exist.

Extra Compilation Halls

Hollywood, Aug. 21—Mailing of 12,000 questionnaires by the Extra Standing Committee to determine extras to be selected for final registration continues in postponement pending authorization of the necessary funds by Campi.

Samuelson on Salary Basis

Allied's Idea

(Continued from page 1)

president, also head of the national org-

nization and a member of the local's activities are not giving him enough time to devote to national affairs.

The annual election takes place Thursday night and will be followed by a banquet when new officers will be officially inaugurated. While there seems little doubt that his former understanding the only change to take place is the declination of Julius Char-

to run again as first vice-presi-

dent. Exhibitors from the east started converging on the Ritz Carlton, headquar-

ters of the local, Tuesday evening to make the opening speech with other Allied leaders on tap to follow.

Although not officially aligned with Allied, the I. T. O. A. will send a delegation to the New Jersey conven-

tion. A message from its office states that the local has been working closely on mutual industry matters and several members of Allied are also associated with the I. T. O. A.

Mayor Orders Unions End Mass Picketing

(Continued from page 1)

misrepresentations by labor groups op-

posed to unions affiliated with the A. F. of L. on the ground that this constituted "unfair competition." Local 306 is a member of the A. F. of L.

Mayor LaGuardia declared Allied, which is described by its foes as a "company union," had no justification for its mass picketing of the Loew theatres because there was no strike pending and therefore, that the local's right to picket was a nullity.

"Unfair signs" would not be tolerated, stated the Mayor. He added that the "Allied union can go on picketing as long as they don't block entrances or display untruthful signs," but mass picketing was definitely out, he declared.

Other unions reported involved are Empire, United Projectionists and M. P. Engineers.

Charles C. Moskowitz of Loew's and Harry Brandt, president of the I. T. O. A., were instrumental in bringing about the order and appeared at the hearing on behalf of their interests.

Closes Bermuda Deal

Before sailing for Europe recently, Phil Rosenberg, manager of the Bermuda Export Corp., closed a distribution deal for the entire 1934-35 Radio Contract with Reid Hall, Ltd., Ber-

muda.

Await Frisco Decision

SAN FRANCISCO, Aug. 21—A de-

cision on shortening clearance is ex-

pected in the zonung board here Wednes-

day.
**Purely Personal**

BIXXIE BARNES, British actress under contract to Universal, flies to New York from Hollywood by plane Saturday on her way back to England to complete her contract with Alexander Korda of London Films. She is expected to return to the coast Dec. 1.

J. D. WILMONT, now associated with the newly formed Motion Picture Foundation, is resting and recuperating from a recent illness in the Sholom Mountains, New Jersey. His first vacation in two years.

FRANK SNELL, vice-president and general manager of the Van Beuren Corp., is at peace with the world. While making the rounds at the Longshore Golf Club, Westport, he made a hole in one.

WYNN M. DINSON and DOROTHY BURGES are cast additions to the cast. George M. COHN's first for the Brooklyn Corp., headed by Harold B. FRANKLIN.

ELIZABETH LONGBURG, New York representative for a number of British papers and magazines, sails for New York from Southampton on the Majestic Aug. 29.

JOE MORRISON, Paramount's singing juvenile, is now filling theatre engagements in the East and returns to the coast around the first of the month.

CESAR ROMERO, Cuban actor, has reached Hollywood to play the lead in Universal's "Cheating Cheaters," which goes into production Monday.

JAMES A. FLYNN, plans to leave the M-G-M studios the end of September to produce a film based on the life of Franz Schubert.

BOB GILLIAM caught a 300-pound broadbill off Montauk over the weekend. Says it's the largest nabbed in those waters this season.

BILLY HILL, "The Last Roundup," currently being filmed in New York, has been signed by Vitaphone to star in a one-reel musical at the Brooklyn plant.

BARBARA STANWYCK plans to spend a brief vacation in New York before starting work in "Concealment" at First National.

T. E. MORTENSEN, regional trade publisher in Minneapolis, is making headquarters at the Park Central. He likes it there.

MICHEL FORINE and his famous ballet will be on the stage of a film theatre for the first time Friday at the Capitol.

CHARLIE STERN put out over the fact office didn't get his copy of a certain trade paper.

SALMEN CUNNING is extending his stay in Europe by embracing Vienna and Prague.

BILL VINCE, assistant to JON D. CLARK at Fox, is back from a three-day stay in Boston.

LILA LEE will appear in the cast of "Lady Jane," first stage play by Freschi.

LEWIS MAISEL has resigned as vice-president of Latin Artists Pictures and has opened his own offices.

THEODORE SHAW has been named assistant to J. S. CLARK who is aide to NAT B. FINCKLER, contract mana-

ger at Fox. SHAW succeeds TOM QUINN, resigned.

ED KLYKENDALL is due in town today from his Columbus, Miss., home for a Campi session.

HARRY GOLD and PAUL LAZARUS lunched together the other noon.

LEO CANEY of Loew's legal staff is vacationing this week.

JOHN OTTENSON arrives from Europe tomorrow on the Washington. CHARLES TRAMPE, of Midwest Film, arrived in New York from Milwaukee. STANLEY SHUFORD is off on a two-weeks vacation.

**Agents Here Join to Aid Jewish Benefit**

Leading agents here joined yesterday to aid the "Night of Stars" benefit for the relief of German Jews to be staged at the Yankee Stadium Sept. 20. The action was taken at a conference at the office of Louis N. Sidney, who is chairman of the program committee. The benefit will represent the contribution of the amusement industries to the United Jewish Appeal for German Jewish Relief.

Representatives of many opera, concert, radio, stage and screen artists assured Sidney their clients would take part personally in the presentation.


**New Metrotone Units 'Round World Set Up**

E. B. HATRICK, general manager of Hearst's film interests, has completed the new international setup for Hearst Metrotone News. The news-gathering force will get into action on Sept. 1, and the first issue will be released Oct. 3.

Umberto Domagnoli has been placed in charge of the Rome bureau. Henri Cahâtre heads the office covering France, Spain and Belgium. Carl Schuhart will handle Berlin, and Ariel Vargas will be in charge of the Far East.

Gaumont British will cover England for Hearst Metrotone. Leslie Wyand is special representative for Hearst in London. All International News Service headquarters will be made available to Metrotone men.

About 40 men will cover news breaks in the U. S.

**Brecher In New Post**

Leo Brecher yesterday was named by the I. T. O. A. board of directors to succeed Louis Blumenthal as chairman of the board. Union matters also were discussed at the session.

A general membership hearing is slated to be held at the Astor today when the Brecher announcement will be made. Brecher up to this date has been a member of the board.

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**Just listen to these LINES ROAR!**

Grand entertainment! — DAILY NEWS

"The maddest, merriest melodrama of the year!" — SUN

"Not only gorgeous entertainment but Colman at his best!" — EVENING JOURNAL

"Excellent! Roars of laughter!" — NEW YORK TIMES

"As merry a melange of mysteries as ever graced the screen!" — NEW YORK AMERICAN

"Brilliant! The cast is perfect from top to bottom!" — WORLD-TELEGRAM

"You can thank Ronald Colman, along with Darryl F. Zanuck, the producer, and Nunnally Johnson, the screen story teller, for an enormously engaging and continuously hilarious amalgamation of melodrama and farce!" — HERALD-TRIBUNE

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JOSEPH M. SCHENCK presents

**Ronald COLMAN in DARRYL F. ZANUCK’S Triumph "BULLDOG DRUMMOND STRIKES BACK"**

Directed by Roy Del Ruth

It’s a 20th CENTURY PICTURE Released thru UNITED ARTISTS
Pathe Clears Finance Path To Expansion

(Continued from page 1)

$40,000,000, in addition to materially reducing its funded indebtedness.

Prospects of improved earnings, both as a result of the contemplated expansion and of new laboratory contracts, and the start of the new laboratory building by Pathe which will increase the volume of the laboratory business during the second half of the year, are cited by Webb in his letter to stockholders.

The letter also states that, since June 30, earnings of both Pathe and Pont Film Mfg. Corp., 49 per cent of the stock of which is owned by Pathe, have been at a higher average than for any financial year in the company's history.

Pathe's earnings for the six months ended June 30 were $16,433, before interest charges but after deducting all expenses, taxes, amortization and depreciation of properties, as compared with $40,154 for the corresponding six months last year. Net profit after interest amounted to $42,642, compared with a loss of $34,274 last year.

The new $4,000,000 working capital provided for in the plan of reorganization may be realized by withdrawal of collateral securities notes which the new company will be authorized to issue under the plan.

The financial reorganization plan, holders will receive one share of $7 convertible preferred stock and five shares of common stock for each share of the old eight per cent preferred; two shares of new common stock for each Class A share, for each share of the old common stock.

Zanuck to Make 10
At $6,500,000 Cost

Hollywood, Aug. 21.—An appropriation of $6,500,000 for the production of 10 features on the scale of "The House of Rothschild" for the new season was announced by Darryl Zanuck of 20th Century upon his return to the coast today. This sum is double the outlay on the old season's program. Production gets going in three weeks, he said.

Zanuck asserted the church drive on unclean films need not alarm Hollywood to the point of excluding sex pictures. "It is all a matter of the proper handling of situations," he remarked.

Breen on Air Aug. 29

Hollywood, Aug. 21.—Joseph I. Breen delivers the first of a series of radio talks on the industry over the NBC network on Aug. 29 at 5 P.M. (Pacific Time). The broadcasts, arranged at the insistence of Darryl Zanuck, will be spread over a period of two weeks.

"Belle" Passes Boards

"Belle of the Nineties" has been given a "B" rating by the Chicago and Kansas censor boards, according to Paramount.

The New York board approved the picture several days ago.

Expect $70,000

Paramount officials are ex-acting and enthusiastic at course of "Cleopatra" at the Paramount. They predict between $60,000 and $70,000 on the first week and stress the heavier figure.

The picture will stay two more weeks at the $60,000 fol- lowed by "She Loves Me Not." Then, in order, "The Scarlet Empress," "Belle of the Nineties" and "Mrs. Wiggs of the Cabbage Patch." These bookings will run through November or December or thereabouts, the anticipation is.

Johnston Aims New Attack at L.A. Board

Hollywood, Aug. 21.—Before leaving for New York today, W. Ray Johnston, Monogram head, aimed a new shot at the L.A. Board and Paramount board, said that "The 239" series, the raising of the price of Pathe reels to $55, was an assault on the Pathe lab, the laboratory which ended last Wednesday, 642, corresponding.

Under the plan, the board's approval will be required of all picture prints to be made in its laboratories.

Full product will be submitted for approval by the board, and the board's schedule will contain the number of prints to be submitted for each picture. The board will be solely responsible for the approval of the prints, and if it refuses approval, the exhibitor must rework the prints until approval is given.

A number of network stations have refused to accept the prints on the board's schedule, and it is believed that the board's refusal to accept the prints will result in a loss of revenue to the network.

Move to Fight ASCAP With Baker Looming

(Continued from page 1)

meeting was held yesterday between Harry Kridel, chairman of the Allied committee on duels, and C. C. Moskowitz of Loew's, when the recent ruling by the New York Board of the Co-operative United Artists Corp. was given and when the board was eliminated.

Warning that duels have already been signed to ban doubles and Moskowitz, acting for Loew's, said he would sign the agreement at a later date. RKO is understood also willing to go along.

Considering Mason To Head Dual Fight

(Continued from page 1)

bills, particularly code clearance and zoning rules where penalties in one form or another may be inserted. Mason already has been approached on a proposition, but several details remain to be ironed out before he de- cides whether or not to go to his job as a member of the National Recovery Review Board, which was recently dissolved by the President. He is now special counsel for the T. O. A.

Chicago in a Price Confab, Favors Talts

Indeptends Swing Toward MPPDA Seals

(Continued from page 1)

withheld by both independent producers and Joseph I. Breen of the Hays office.

Viewed as a problem here is whether or not the facilities of Breen's office are adequate for handling the large volume of material which would be submitted in the event a agreement is reached.

Attending last night's meeting were W. Ray Johnston, Trem Carr, M. F. Hoffman, I. E. Chodwick, Kenneth Goldsmith, Larry Darmour and Boyle Smith. All except Johnston, who left today on a tour of Monogram Pacific Northwest offices before returning to New York, are expected to attend Wednesday morning's session.

Thomas Gets No Word

Harry Thomas, First Division head and president of the M. P. I., independent producer and distributors association president, is not heard from in recent days. Thomas had his first meeting with the Federation at a time in the matter would be called prior to Johnston's return.

Hays office representatives said that Division Administrator Sol A. Rose- blatt had not been in communication with them on the petition of an independent producer that the NRA intervene through Code Authority regulations and regularize production in production and issuing product code seals. They intimated that any independent feeling was understood to favor use of the Hays advisory facilities and pointed out that if this course was voted by the independent producers it would be the beauty of the necessity of involving.

K. of C. Opens Frise Drive on Indecence

San Francisco, Aug. 21.—First concerted action here against "inde- cent" pictures with All for Today today, the Knights of Columbus appointed morals committee to cooperate with the Legion of Decency and pledge to join the fight for a clean screen.

The committee will urge non-attendance at theatres showing objection- able pictures. It's chairman is Raymond J. Rath, state president the chapter; Dr. J. Joseph Hayden, state president; Richard Roche, Robert Schaefer, Christopher McKee- and William T. Sweeney.

Harry Lorraine Dead

Harry Lorraine, 44, booker for years with Fally Marcus and during the last three years in business by himself, was found this week in his home in Astoria yesterday. Funeral ser- vices will be held tomorrow at the Riverside Memorial Chapel and inermant at Bayside cemetery.
MAY REORGANIZE PARA. BY OCT. 1

Bondholders, Creditors, Banks Jointly Are Making Progress

A reorganized Paramount Publix by Oct. 1 looms as a possibility as a result of progress made on a reorgan- ization plan here by company by impor- tant Paramount creditor groups during the past few weeks, it was learned yesterday.

Factions active in the work of re- habilitation have hopes of completing a plan within three weeks, it is under- stood. Basic details are understood to have the approval now of the three creditor committees whose voice is regarded as essential in whatever plan is eventuating to the creditors.

These groups are the debenture holders' protective committee of which Frank A. Vanderlip, chairman; the bank group committee represented by Percy Johnston, president of Chemical Bank & Trust Co., and the stock- holders' protective committee, repre- sented by Maurice Newton of Hall- garten & Co.

In advancing the reorganization plan the full membership of these three vital creditor groups participated up

Famous Canadian Seen After More

TORONTO, Aug. 22—Regarded as a sign of returning good times is an announcement that Famous Players Ca- nadian has bought a theatre, the inti- mation being that the chain is in the market for additional houses.

The purchase is that of the Capitol,

Kent in Hollywood on Fox Studio Matters

Hollywood, Aug. 22—Sidney Kent, who arrived here yesterday, said to- day the purpose of his visit is to work out current studio problems, get pic- tures started and give the production

Rosenblatt May Name Plan To Handle Royalties Today

Division Administrator Sol A. Ro- senblatt is expected to present a plan to Campi today providing machinery of a royalty system for talent on the Coast. Investigations to that end have been going on in Hollywood under

his direction and it is held that he may be ready to suggest some kind of a plan for approval of Code Authority members at today's meeting.

Also scheduled for discussion by

Fox-Warner Set

Fox has closed its three year film deal with the War- ner circuit, effective with the 1934-35 lineup. New York City is not included, the prod- uct being having gone to Loew's.

Reorganizing Is Asked for Fox Theatres

A petition that Fox Theatres be taken out of receivership and be allowed to reorganize under Section 77-B of the new bankruptcy laws was filed yesterday in U. S. District Court here.

The plea was made by three credi- tors of the company, Louis L. Sed- man, presenting claims for $35,000; the Theatre Builders Corp., Inc., claiming $400,000 for alleged breach of con- tract, and Merriam Rogers, who listed claims amounting to $430,941. The

(Continued on page 5)

Deal in Frisco Gives FWC 1st Run Control

SAN FRANCISCO, Aug. 22—Completion of a deal by which Fox West Coast takes over the Fox here from William Fox on Aug. 31, was re- ported today by Joe Leo on his re- turn here from Los Angeles where he said, he concluded the negotiations with Charles Skouras.

Acquisition of the Fox gives FWC undisputed control of the first run

(Continued on page 5)

Vote $5,000 Yearly As Samuelson Wage

By WILLIAM ORNSTEIN

ATLANTIC CITY, Aug. 22—Sidney Samuelson today smilingly confirmed Motion Picture Daily's exclusive story that Allied of New Jersey, of which he is president, will place him on a salary basis at $5,000 per annum.

The nominating committee meets

(Continued on page 8)

Bernstein Flies to Protest Zone Delay

LOS ANGELES, Aug. 22—Ben Ber- nstein left by fast plane for New York this afternoon to protest against Campi's 30 day postponement of con- sideration of the local clearance

(Continued on page 5)

Newspaper been local deal from protest of Brandt's in E. meeting aixgton, res. jeing initin. Check tinuing is Organized for the law. The fact a Group, addressed of these, a other run- man, Corp., Inc., claiming for alleged breach of contract, and Merriam Rogers, who listed claims amounting to $430,941. The (Continued on page 5)

K. on Throwaways eniied by Rosenblatt

WASHINGTON, Aug. 22—Division administrator Sol A. Rosenblatt to- days denied claims of Harry Brandt, a competitor of the Globe Theatre, New York, and head of the I. T. O. A., that he had authorized the use of throwaway tickets banned by the Code. Replying to Brandt's defense

(Continued on page 5)

25% Off Code

New Orleans, Aug. 22—Approximately 25 per cent of the houses in this territory have failed to sign the code, according to the local code authority.

A “Working” Board

The new board of directors to be elected for reorganized Paramount Publix will be smaller in number than any board which has guided Para- mount in the past, according to those close to the com- pany's proceedings.

Although smaller, it will be a “working” board, it is said. Trimmed of honorary mem- bers, every director will hold his post on the new board solely for the work he can do for Paramount, the reorgan- izers say.

Labor Union Check Under Law Foreseen

Employees Reported in Such a Move

The United Press, in a copyrighted wire from Washington, says:

Organized employers are planning give at the next session of Congress place legal restrictions on the ac- tions of labor unions.

There is on the other hand agitation from the rank and file of labor direct action to bring a clearer cut inion of the collective bargaining vested by the National Industrial Recovery Act and for definite provisions by the Government to make this granty effective and binding.

The American Federation of Labor under fire from both directions. It being attacked by employers as too spring and criticizing by some of its (Continued on page 5)

A New York, Thursday, August 22, 1934

TEN CENTS
One Cent Up to 50c
Is New Orleans Tax

NEW ORLEANS, Aug. 22—The local amusement ordinance, as amended to provide theatres, legitimate and film, will pay a one-cent tax on admissions under 50c. Five per cent will be the levy on athletic contests, night clubs, cabarets, excursion steamers, carrousel rides, games of skill and chance and mechanical devices for which admission is charged. Restaurants offering floor shows or other entertainment are classed as night clubs.

The tax is expected to yield $50,000 a year. Harry S. McLeod of the Gulf States association told the city council that the act is 30 per cent under normal, while the NRA has raised operating costs between 20 and 30 per cent.

New Orleans Wants
A Strictly 10% Tax

BATON ROUGE, Aug. 22—The state legislature has passed a statewide tax on film shows of less than 10 per cent. New Orleans is demanding a straight 10 per cent on ticket prices to houses. At a special meeting of the commission council, Charles, Rosen, attorney, representing the United Theatres, said that the state is said that the film industry is willing to do its part, but it is anxious that a more even distribution of the tax be made. He urged that the percentage of the tax on the smaller admissions be made less than 10 per cent.

Air Favorites Are
Dance, Music, Songs

Dance bands and vocal and semi-classical renditions are the favorite forms of radio programs of the American public, Motion Picture Herald reported today. Its findings, based on a survey conducted by Ross Federal Service for Radio Art. From this, it is evident that the public still prefers the theatre and arena for its dramatic entertainment, it is pointed out.

The survey covered Boston, Chicago, Detroit, Kansas City, Milwaukee, New York and St. Louis and results showed that musical programs lead all others by more than 80 per cent.

Terry-Moser Expand

Renovations and redecorations have been completed in the new and larger quarters of Paul Terry and Frank Moser, producers of Terry-Toons, in New Rochelle. An increase of about 20 per cent has also been made in the number of artists and animators employed at the plant.

Warners to Hold Preview

WASHINGTON, Aug. 22—Warners will hold a preview of the first two films of their new loopies at the Mayflower Hotel here Tuesday. Following there will be a luncheon in honor of Harry M. Warner, E. M. E. Newman and John Kennedy.

Issues Up on Big Board

Columbia Pictures vte. 385 30 39 300
Consolidated Film Industries 14 14 14 100
Fox Film Corp. 111 111 111 2,300
Paramount Pictures 45 39 45 22,150
Pathe Exchange 11 11 11 3,200
Warner Bros. 45 45 45 5,900

Technicolor Up 7/8 on curb

Most Brands Show Gain

General Theatre Equipment 6s 40c 14 15
General Theatre Equipment 6s 40c, eff. 65 65 65 15
Loew’s 6s 40c, w/c deb rights 100 100 100 15
Paramount F. 1. 6s 47c 30 48 49
Paramount Public 3s 90 50 50 50
Warner Bros. 6s 39c, wd. 565 565 565 120

Purely Personal

EKVENDAL is scheduled to leave Saturday for New Orleans where he will attend a special meeting at the Academy of Motion Picture Arts and Sciences. Ekvendal addressed a special meeting of M. P. T. O. of Washington in the Capitol before coming here.

Charles B. Faivey, Ralph Pouch
die, Dick Rowland, Joe Brandt, Gene Lockwood, Jack Quigley, George Brown, A. F. Wax
day, Dick Brady and Bill Barrett
were luncheon diners at The Tavern.

Leonard M. Spiegelgass, Universal
story editor, has arrived at the War
nwick from the coast for a six-week stay. His sister and sister are with him. He is here for story conferences and to see the new plays.

P. F. McEvoy leaves the coast for
Springfield, Ill., to gather atmo
sphere for his adaptation of "The Goddess," which Paramount will pro
duce.

W. P. Lifescombe and R. J. Min
ney, authors of "Clive of India," who were to arrive here last week, are aboard the "Aquitania".

Merian and Mrs. Cooper arrived from England yesterday on the "Ornithos." He has been shooting location shots in the East End and has returned to London.

Nancy Carroll, who is vacation
ing here at present, has been signed by Columbia for the feminine lead in "The Coast of Snow."

Nat Levine's New York stay will be brief. Expect to show off for Hollywood again on Saturday.

Jerry Walis and Julius Epstein have sold their original "Living in Velvet" to Warners.

Shemp Howard and Daphne Pol
dorf have completed work on their second Vitaphone short.

Cliff Lewis is in town from Holly
wood.

RKO Makes Changes

Robert Ward, assistant manager of the Orpheum, Brooklyn, is now mana
ger there.

Warren Bartlett, manager of the Orpheum, has been transferred to Bos
ton as manager of the RKO Up
town.

Harry Lyons, manager of the Dyk
er, New York, is now manager of the RKO Strand, Rockville Center.

Harry Moore, manager of the Coli
seum, New York, takes over Lyons' theater at the Dyker. Em

Roach Leaves Hospital

HOLLYWOOD, Aug. 22—Hal Roach left the hospital yesterday, having recovered from a recent apendicitis operation.

The producer leaves on his post
poned New York business and plea
sure trip in two weeks.

"Island" Leads N. O.

NEW ORLEANS, Aug. 22—Leading box office film of the week is "Trea
sures Island" with "The Cat's Paw running second.
A single picture company has signed all of these famous stars to appear in new-season productions, in addition to their regular star list.

Can you name the company?

Irene Dunne
Rudy Vallee
Claudette Colbert
Franchot Tone

(Answer on the next page)
Para. May Be Reorganized By October 1

(Continued from page 1)

until a short time ago. Within recent weeks, however, progress has advanced to the point where only the designated representatives of the committee have found it necessary to confer. These representatives have been Johnston, Newton and, since the departure of Vanderbilt for Europe some weeks ago, Dr. Julius Klein, reorganization advisor for the bondholders' protective committee.

Other creditors' groups, particularly the general creditors' committee which includes Erpi, retain an important voice in reorganization proceedings buy any potential opposition to the plan nearing completion would be of much less significance, should it develop, than would opposition originating from any of the three creditor groups most intimately associated with the plan.

Without the consent of any one of the three groups, adoption of the plan would be next to impossible, it is said. Dissenting voices outside of the three principal committees would be heard only in court and there with doubtful effectiveness, it is viewed in some quarters.

Reorganization of a debtor corporation under the bankruptcy laws gives the most influential voice to those creditors whose claims are largest both in amount and in number. The three groups named meet this condition in Paramount.

Famous Canadian Seen After More

Welland, Ont., from the S. L. Lambert Estate, the price being $60,000.

Baltimore, Aug. 22.—The Gayety, only burlesque house in town and operated by Hon. Nichols who also operates the Embassy, a few blocks west on Baltimore St. from the former, the Dainty was remodeled from the old Realart.

Terre Haute, Ind., Aug. 22.—The opening of the Grand, which has been closed for several weeks while work was being done, is set for Aug. 26. Opening film will be "Handy Andy." The theatre is operated by the Fourth Avenue Amusement Co.

Buffalo, Aug. 22.—A. Charles Hayman will reopen the Great Lakes Aug. 31 with "One Night of Love." Believed at first to be out of the running because of lack of product, Hayman now is figured to be able to get enough "class," pictures out of the Columbia and Universal lineup to take care of the Great Lakes, with independent showing as second attractions on the Lafayette's double bills.

Wilmington, Aug. 22.—The Ardadia, a Stanley-Warner first run will reopen Sept. 1. The theatre is now being reconditioned and new equipment installed. Program will change twice weekly.

Columbus, O., Aug. 22.—The Lyceum, herefore a straight two-day burlesque house, has installed new sound equipment, and will play a combination policy of pictures and stage attractions on a grand basis, opening with "Cash."

Detroit, Aug. 22.—Openings this week and in the near future are: Forest Theatre, 500 seat main stem house opened by Jacob Schrader, who recently returned from Europe making the name showplace of Detroit.

George Trendle announces that the State will reopen its doors on Sept. 14 with a double feature second run policy while the Capitol, formerly the Paramount, will open Aug. 31 with first run picture and stage show policy.

Cohocton, O., Aug. 22.—The Sixth Street (Warner), dark for the past two months, has been reconditioned with full time policy by Harry Brodie as manager. The house has been completely remodeled under supervision of D. Leonard Halper, formerly of Chicago and now of Cleveland, who is in charge of all construction and maintenance of Warner theatres in Ohio.

Youngstown, O., Aug. 22.—The Park here (Fisher & Shea) reopens Aug. 26 with a first run dual film policy. Joseph Shagrin is manager. The house has been completely renovated and repainted. Admission will be 15 cents and 20 cents nightly with tax. Children's admission will be a dime at all times.

Shagrin said film programs will be interrupted occasionally this fall and winter to permit showing of road shows.

Seattle, Aug. 22.—The Colonial Tacoma, now dark, is being remodeled by Mike Barovic. It will be reopened on a second run policy in August under the name of the Beverly.

City Sets Income Levy

Mayor LaGuardia, in a radio address last night outlining his tax program to raise funds for emergency relief, said a tax of one-twentieth of one per cent would be levied on the gross earnings of business, industry and professions. It is understood incomes of $5,000 and more yearly would come under the tax.

Coast Spurgle on 'Dames'

Hollywood, Aug. 22.—Warners are going to town on the local campaign on "Dames," which opens here at both the Hollywood and Downtown, Aug. 30. The city is plastered with 125 twenty-four sheets and 75 one half sheets.

Sunday Move Delayed

Clarion, Pa., Aug. 22.—Action has been deferred on a local petition for Sunday shows. The petition, presented by Samuel Wilson, attorney for the local theatre owner, has been presented to council and church interests are expected to oppose the move.

Take Initial Step in Suit

15 Mos. Old

The first move toward the prosecution of the suit to set aside the $13,000,000 credit account between Film Productions Corp. and 12 creditor banks since the filing of the action, 15 months ago, was yesterday made by counsel for the Paramount trusteess in seeking an examination before Special Master John E. Joyce of officers of three of the defendant banks.

On the plea of the banks that the enforcement of the bankruptcy laws is an unnecessary proceeding, Joyce granted postponement until tomorrow without prejudice to a petition by the bank for a further postponement. Officers of a bank who have been subpoenaed for examination under Section 21-A of the bankruptcy laws are associated with the National City Bank, Bankers Trust Co. and the Chemical Bank & Trust Co. Other defendant banks in the suit are Bank of Commerce Co., Manufacturers Trust Co., Commercial National Bank & Trust Co., Continental Bank, Los Angeles, and the Women's National Bank & Trust Co. First National Bank of Chicago, Farmers Trust Co. and Bank of America National Trust & Savings Assn.

12 Banks in 1932 Transaction

All 12 banks were parties to a transaction in 1932 which made available to Paramount a $13,000,000 credit account to 21 creditors held by Film Productions Corp. a Paramount Publich subsidiary. Following the petition of bankruptcy, Charles D. Hilles, Eugene W. Leak and Charles E. Richardson, trustees of Paramount, opened negotiations with the banks to re-transfer title to the pledged negatives from Film Prod. Corp. to Paramount Publich. The trustees contended that the transaction, which made the banks creditors of Film Productions, gave the banks a preference over the Paramount bankruptcy. The trustees maintain that the banks properly were creditors of Paramount Publich and as such should have the same standing as other general creditors of the parent company.

The negotiation to re-transfer title to the negatives to Paramount Publich failed and, last June, Root, Clark Buckner & Ballantine, counsel for the Paramount trustees, filed suit in L. S. District Court here in an effort to have the transaction set aside. No move to prosecute the suit, however, was made up to yesterday.

Samuel S. Issacs, of counsel for the trustees, said yesterday that it is expected that the case will go to trial in October and that if it is not reached by the end of that month a motion would be made to obtain a preference for the case on the Federal court calendar.

Beckman, Bogue & Clark appeared as counsel for the defendant bank yesterday.

Ford on Robinson Film

Labor Union Check Under Law Foreseen

Rosenblatt May Name Plan To Handle Royalties Today

MOTION PICTURE DAILY

We feel that there is undoubtedly some influence being exerted by the employers to stir up trouble and dissension.

"Arthur E. Green, sponsoring the secessionist movement, has called a ramp convention for next month and not satisfied with the A. F. of L.,

"We have positive knowledge of several employers who have been signing intentions at attending the convention," Greer said.

Group was expected delegates representing locals with four or five states represented. Eventually we hope that our union will embrace all workers in the automobile industry.

"One significant thing about Greer's revolt is that he has been joined by a union of which Richard L. Byrd, labor representative on the Automobile Labor Board, formerly was secretary.

Byrd, former Olympic games man, has given way and turned to the federal government to help its cause in any disputes in the automobile industry."

I. T. O. Theatres Win Point in Picket War

Mass picketing of three member exhibitors of the I. T. O. A. by Local 306 men was checked yesterday when Justice Steurer, sitting in a special term of the Supreme Court, granted an injunction restraining 306 until argument of a motion in the case. Weismann, Quinn, Allan and Spett, attorneys for the Star, Art and Ritz, declared this means the picketing, reduced to not more than eight men in front of each of the houses, is temporarily checked.

Some independent exhibitors charge Mayor LaGuardia's order against mass picketing applies to Loew houses only. The complaint was lodged before the court by the League of Independent Theatres, organized by Edmund Mantell in the Bronx, on Tuesday evening when 306 men picketed the Loew and Loew's Loew, opposite Loew's Spooter, and continued the practice after Mantell had asked the police to disperse the group.

It is charged that the order applies only to Loew theatres.

Few New Assentors In "Kaycee" Area

KANSAS CITY, Aug. 22.—Extension of the code assent deadline to Aug. 15 was not greatly productive of new assentors in this territory. Grace Gunnon, board secretary, received 15 inquiries from exhibitors. While only a few of the so-called undecided assentors to the local office, it is believed others are forwarding theirs to Code Authority directly.

Mr. Gunnon reports almost all exhibitors in Kansas-Western Missouri have paid their assessments.

Quiet on Campground

DETOFT, Aug. 22.—It is a quiet week around the local Camp office.

Royalty grievance cases are scheduled to be heard, E. S. Kinsey, secretary, stated.

Deal in Frisco Gives FWC 1st Run Control

O. K. on Throwaways Denied by Rosenblatt

Reorganizing Is Asked for Fox Theatres

Bernstein Flies to Protest Zone Delay

Evidence Shy; No Case
Despite the strongest opposition

HELD OVER FOR
RADIO CITY

and

NOTHING SHORT OF
sensational AT:

FIFTH AVE., Seattle
NEW, Baltimore
PALACE, Cincinnati
APOLLO, Atlantic City
STRAND, Louisville
Broadway has seen in years...

2nd WEEK AT MUSIC HALL

HAROLD LLOYD'S "The Cat's Paw" joins Radio City Music Hall's immortals... Only seven other pictures have been held over in that theatre's history... and no other comedy! Meanwhile, word-of-mouth increases the mammoth crowds to all-day S. R. O. business. A record worthy of so great a picture... one that will bring you untold revenue!

HAROLD LLOYD

in

The Cat's Paw

From the Saturday Evening Post story
by CLARENCE BUDINGTON KELLAND

PRODUCED BY HAROLD LLOYD CORPORATION  A FOX RELEASE
Looking 'Em Over

“There’s Always Tomorrow”

(Continued from page 1)

There is a charm and a simplicity about this, Universal’s opening attraction for the season, that is apt to get under any audience skin if it doesn’t watch our own matter of fact, that probably will happen, audiences notwithstanding.

Nothing much happens in “There’s Always Tomorrow.” The story tells is one that can, in fact, does, happen in any American or in any other kind of city. But not so much what happens as how Director Ford and his cast make it happen, is the thing which plays touching havoc with the emotional range.

It’s all quite simple and minus any villainy. You get Frank Morgan, your average middle-class citizen, the father of five children, and a pleasant enough wife, Lois Wilson. The “old man” is accepted, stepped on, not maliciously but thoughtfully, until he finds himself virtually crowded out of his own home.

There appears on the scene Binnie Barnes. She once worked for him years ago, fell in love, never told him so, knew he had married but kept out of his way until the desire to see and talk with him once more was not to be denied. So she looks him up.

Where his family carelessly walked on and over, she gives him understanding. On lodge nights, he spends an innocent evening with her, backs in her soliloquizing her efforts in making him feel important for those few short hours.

The kids run into the situation and think the worst. Their car stalls in front of his house and she calls them in, reeling her introduction to them through the windows of Morgan’s home earlier. Cleverly, Miss Barnes, realizing the danger confronting Morgan, not herself, opens up to tell the children the story of her romance. In other words, she fashions the shoe and they recognize it fits them. She clears Morgan simply enough by explaining the truth for what it is.

The following Thursday, she determines to complete Morgan’s recognition by his own family by visiting his home. The oldest boy is about to take his father off. Leaning on the truth partially and on gallant lies partially, she announces she is stepping out of the frame of a picture which she knows holds no place for her. The children understand that he is a lady can’t. The family is reunited with more understanding assured on all hands and Miss Barnes drives off.

“There’s Always Tomorrow” is a swell job of treatment and acting. That’s why it emerges a well-done, heart-warming picture. It has much of the noble qualities of the sacrificial woman in “Back Street,” but totally minus any suggestion of irregular sex relations. Miss Barnes does the adding for more of her when her first American picture makes the rounds. Running time, 87 minutes.

KANN

“Hit-Deck,” tomorrow’s opener at the Capitol, was previewed by wire from Hollywood on July 31.

“Charlie Chan’s Courage,” opening at the Rarv tomorrow, was previewed from the coast by wire on July 3.

100% Jump in Tax Faces Mo. Exhibitors

JEFFERSON CITY, Mo., Aug. 22—Theatre grosses would be taxed one per cent under a recommendation Governor Park will make to the next legislature to double the present sales tax of one-half of one per cent. He will also recommend extension of the tax to all articles voted to hold effect until the end of next year.

Brown Is Due Today

Hollywood, Aug. 22—Clarence Brown, M-G-M director, left by plane for New York today. He has plans for a flying tour of key cities, contacting exhibitors. He also intends to tour Europe by plane to gather firsthand information on production and exhibition there.

The plane on which Brown is a passenger is due here this morning.

Walsh Is Executive Committeeman Now

Morgan Walsh, president of I. T. O. of Northern California, has been elected a member of the national executive committee of M. P. T. O. A., Ed Kuklynd, president of the national organization, said yesterday.

Walsh will attend his first session of the executive committee that body meets in Chicago within the next few weeks. A date for the meeting has not yet been set by Kuklynd. At the Chicago session the executive committee is scheduled to map new anti-double feature plans for future T. O. A. action, and will discuss the production cleanup, proposed music tax increases and act on the applications of several regional exhibition organizations for membership in M. P. T. O. A.

MPPDA Seal Accepted By Independents

(Continued from page 1)

code of fair competition for the industry, the M. P. F. D. A. and the Independent Producers’ Ass’n, agree to combine their strength to maintain and bring up to date moral standards in the production of films as a form of entertainment.

To become a part of this film and all the regulations promulgated by and within the industry to assure the attainment of that end.

The need of solidarity in this matter to assure to all organizations, public bodies and the public at large, that the industry will not be overburdened with the pressure of the people behind the regulations issued by the Production Code Administration in association with our duly authorized representative, Chadwick.”

Kent in Hollywood on Fox Studio Matters

(Continued from page 1)

units the value of sales and theatre contacts.

Commenting on his reported resignation from Fox and his taking over another unnamed organization, he stated.

“The entire fabrication is a series of vicious lies without the least foundation in fact. The public will pass down, with no personal interest in the matter, all the scatter-brained effusions being broadcast here by these agitators.”

“The statement that distributors distributing through Paramount or vice-versa has never been discussed in either the Paramount or Fox counsels. We are pleased with our distribution and I feel certain Paramount is with theirs.

“Fox today is distributing at a cost lower than at any time in its history. There are more accounts on our books today and more being added every week than at any time since Fox started in the business. Facts such as these give the lie to any intended distribution mergers.”

$42,642 6 Mos. Gain By Pathe Exchanges

Pathe Exchanges reports a net profit of $42,642 6 after taxes and charges for the six months ended June 30. This compares with a net loss of $54,274 for the similar period of 1933. Current liabilities this year were $180,799, as against $132,664 last year.

Flash Review

Case of the Howling Dog—jells as acceptable entertainment.

This film will be reviewed in full in a later issue of Motion Picture Daily.

Vote $5,000 Yearly As Samuelson Wage

Thursday, August 23, 1934

Thursday to rename him in what will be an uncontested election to the presidency and also to determine whether the salary begins to flow. For four years, Samuelson has been working on $1,000 a year, having his expenses only met.

It is learned the impending salary will be raised from profits of the organization’s program.

Abram F. Myers, Allied’s general counsel, is to present the program for speech Thursday afternoon, it will be preceded by elections in the morning.

A one hour session was held the afternoon before the introduction of the 100 exhibitors attending the Allied parleys. Included are Herman Blum, Mary Richter, John Sapirstein, Illinois; Fred Herrington, Western Pennsylvania; Walter Littlefield, Massachusetts; and Myers, California. The last two are members of the Alliance, Cincinnati, Columbus and Boston.

Tomorrow, in observance of any set program, members were seeking entertainment on their own.

Atlantic City, Aug. 22—The presence around the Allied convention of David Barrist and Ben Goldner of the National Exhibitors’ Ass’n is going to be reported that, by the time the Allied meeting terminates, this unit will have joined up. This would follow joining 10 other units in Cincinnati and Cleveland.

Merger Company Formed

ALBANY, Aug. 22—Tri-Consolidated Corp. of New York has been chartered with capital of $20,000 non-par value stock. Lawrence Bolognino, Max Richter, John W. Springer, and Ernest Maler, are directors and subscribers. Kelley & Connolly are attorneys.

The Tri-Consolidated Corp., is the corporate name to cover joint operations of the Consolidated circuit, operated by Lawrence Bolognino, and the Springer & Cocalis houses.

Ben Rosenberg Better

NEW ORLEANS, Aug. 22—Ben Rosenberg of National Screen has been discharged from the Doctor’s Hospital and has resumed his tour of key cities. He spent the last five weeks here suffering from an attack of sciatica.

Funeral for Haarmann

OMAHA, Aug. 22—Funeral services were held for Walter H. Haarmann, 73 years old, father of William Haarmann, booker at local Paramount exchange. He has been a resident of Omaha 63 years.

In K. C. on Policy

KANSAS CITY, Aug. 22—John Bahan of B. & K. and Nate Platt, division manager, were here in connection with a change in price policy at the local Public Newman.
Change in Policy to Sidestep Overbuying Charge Banned

Policy changes which increase a theatre's film requirements and are made after an overbuying complaint has been filed with a code board against the theatre are recognized as a subterfuge on the part of the accused house in a resolution adopted unanimously by Campi at its regular meeting yesterday.

The resolution states the practice may be sufficient grounds for Campi to find the theatre complained against guilty of violating the unfair trade practice provision of the code and may award to the complaining exhibitor the number of additional films represented by the change of policy.

The resolution follows:
Whereas, it has heretofore in complaints filed under Article V-E, Part 2 or Article VI, Part 2, Section 1, respondents in such cases have, after the filing of such complaint or the determination of the local Grievance Board, increased the number of motion pictures exhibited in the theatre, or theatres involved pending hearing or final determination by the Code Authority, and
Whereas, this practice has resulted in irrevocable damage to complaining exhibitors in such cases, now, therefore, be it
RESOLVED: That the Code Authority shall in its discretion, declare any increase in the number of feature motion pictures exhibited by any respondent in such case, after the filing of a complaint under Article V-E, Part 2 or Article VI, Part 2, Section 1 and pending final decision by it, a violation of Article VI, Part 2, Section 1 (b) of the Code of Fair Competition for the Motion Picture Industry, and the Code Authority may add the number of feature motion pictures representing such increase to the award made to the complainant.

Fight Weekly Payment Plan With Shorts

BY WILLIAM ORNSTEIN

ATLANTIC CITY, Aug. 23.—Fox, M-G-M and Paramount are reporting that they buy all shorts and pay for them on a weekly basis regardless of the number played, whereas heretofore it was playedates that meant payments.

The practice is spreading and is a violation of the Weekly Payment Plan. Approximately 40 exhibitor delegates at Allied's eastern convention (Continued on page 4)

Ostrer Due in Today To Decide G. B. Plan

Final decisions on pending deals in connection with Gaumont-British plans for a distribution setup in

ASK $721,204 for 14 Mos.

FEES IN PARAMOUNT CASE

Petitions for fees and special allowances aggregating $721,204 for services rendered during the 14 months of the Paramount Publics bankruptcy case have been filed with Special Master John E. Joyce yesterday by the Paramount trustees in bankruptcy, their counsel and special accountants and counsel employed by them.

The three trustees, Charles D. Hilles, Eugene W. Leake and Charles (Continued on page 6)
DON'T point guns and don't pull triggers because we touch again on what is one of the oldest of bromides in the picture business: That the public will open apparently hidden packetbooks to support the films it wants to see. This is a film town and it emphasized its unerring truth again the other night when the opening of "The Dragon Murder Case" gave the Rialto its "Dames" at the Paramount, "Dames" at the Strand, "Treasure Island" at the Capitol, "Budgell Drummond Strikes Back" at the Rivoli and "The Cat's Paw" at the Music Hall. ▼

De Mille—Cecil B.—dishing it out to the boys of the National Press Club in Washington yesterday. (1) If produced in good taste, any subject can be filmed. That one answers itself, of course. (2) The producer wants clean pictures without the formality of censorship. We remind of De Milne's dance in "The Sign of the Cross" and dance of love in "Cleopatra," the latter—meaning the dance—clipped to a flash as it is. (3) Producers looking in good taste would be automatically eliminated through the inherent decency of audiences. Several decades is a long time to wait. ▼

Paramount executives feel their very troublesome problem of what to do with the Paramount, Brooklyn, begins to solve itself via the pool with the Warner Strand in that town. Outside, but very close by, is the Fox, St. Fabian, who gets Paramount's end of the pool, runs all of the Fox. Some day that third theatre may go in, too. Those first estimates of the first week's gross at the New York Paramount were modest, believe it or not. Forecast for a $60,000 to $70,000 gross by Paramount men, the theatre figures at net $25,000. Wednesday was bigger than Monday or Tuesday. ▼

It was a wild day in some respects yesterday. Ben Bernstein hurrying east from the coast on the dual situation in Southern California, made the statement he would carry the issue to President Roosevelt if Campi didn't give relief in a hurry. The I.T.O.A. here in New York said it would demand that Governor Lehman pull out the troops unless Mayor La Guardia cut out alleged discriminations in favor of Loew's on the dance-picking question. Nice conservative folks in this business. ▼

Inside on those recent RKO deals, 11 houses are involved — how it is arranged is not a booking deal. Neither is a pooling deal, but purchase of an interest in an annexed theatres. Complications are lacking, but, if these are the facts in the case, the conclusion appears to be that RKO is shipping away from the pool idea in favor of buy-ins. There is sillouette, too, a story that the Radio string contemplate building new theatres on sites which have been killing around for some time among the companies. This last idea is itself the conclusion is conceded as a possibility "at some time or other, but not now." ▼

While charges are available, about one day, time or day, that one might want to listen about cut-throat, price-slashing tactics in the sale of newsreels.

Loew's Pfd. Up 2 on Big Board

<table>
<thead>
<tr>
<th>Low</th>
<th>High</th>
<th>Close</th>
<th>Change</th>
<th>Sales</th>
</tr>
</thead>
<tbody>
<tr>
<td>Columbia Pictures, etc.</td>
<td>30%</td>
<td>30.50</td>
<td>30.25</td>
<td>30.25</td>
</tr>
<tr>
<td>Consolidated Film Industries, plmd.</td>
<td>14%</td>
<td>14</td>
<td>14</td>
<td>14</td>
</tr>
<tr>
<td>Eastman Kodak</td>
<td>100%</td>
<td>98</td>
<td>98</td>
<td>98</td>
</tr>
<tr>
<td>Fox Film “A”</td>
<td>13%</td>
<td>13</td>
<td>12.75</td>
<td>12.75</td>
</tr>
<tr>
<td>Loew’s, Inc.</td>
<td>20%</td>
<td>20</td>
<td>19.75</td>
<td>19.75</td>
</tr>
<tr>
<td>Loew’s, Inc., pfd.</td>
<td>4%</td>
<td>4.37</td>
<td>4.37</td>
<td>4.37</td>
</tr>
<tr>
<td>Paramount Publics, etc.</td>
<td>6%</td>
<td>6</td>
<td>5.75</td>
<td>5.75</td>
</tr>
<tr>
<td>Pathé, Inc.</td>
<td>10%</td>
<td>10</td>
<td>9.50</td>
<td>9.50</td>
</tr>
<tr>
<td>Pathé Exchange “A”</td>
<td>16%</td>
<td>16</td>
<td>15.75</td>
<td>15.75</td>
</tr>
<tr>
<td>Warner Bros.</td>
<td>4%</td>
<td>4</td>
<td>3.75</td>
<td>3.75</td>
</tr>
<tr>
<td>Warner Bros., Inc.</td>
<td>4%</td>
<td>4</td>
<td>3.75</td>
<td>3.75</td>
</tr>
</tbody>
</table>

Technicolor Single Issue on Curb

<table>
<thead>
<tr>
<th>Low</th>
<th>High</th>
<th>Close</th>
<th>Change</th>
<th>Sales</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Theatre Equipment 6s 40.</td>
<td>39%</td>
<td>40</td>
<td>39.75</td>
<td>39.75</td>
</tr>
<tr>
<td>Loew’s 6s 41, wr deb rights</td>
<td>101%</td>
<td>101</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>Paramount Publix 5% 50.</td>
<td>48%</td>
<td>48</td>
<td>47.75</td>
<td>47.75</td>
</tr>
<tr>
<td>Parke’s 7% 37, ww.</td>
<td>96%</td>
<td>96</td>
<td>95</td>
<td>95</td>
</tr>
<tr>
<td>Warner Bros. 6s 59, wd.</td>
<td>56%</td>
<td>56</td>
<td>55</td>
<td>55</td>
</tr>
</tbody>
</table>

Skouras and Randorce May Stay On

(Continued from page 1)

the period specified in the contracts. The salaries of the five now aggregate $119,200 per year.

A please was questioned yesterday, denied that new negotiations or operating contracts were under way. Morton G. Bogue, of counsel for the bondholders' committee, admitted the negotiations were under way but not stated.

"We don't know yet what agreement can be reached." The conferences have been conducted by J. B. W. Hower, chairman of the Fox Met bondholders' committee, and William M. Greve and Alvin J. Schlosser, members of the committee.

Archibald Palmer, attorney for the independent Fox Met bondholders, said yesterday that he would demand that the negotiations be conducted publically. He charged that the purpose of the short-term operating contracts was to place in the control of a person who would use the sale of the theatre could be consummated in the open market after Fox Met had been reorganized and removed from court jurisdiction.

Warners Seen One Uj In St. Louis Fracal (Continued from page 1)

for the five houses the city controls. Even in the event the houses are thrown out of the town, the Metro must have enough pictures for th Fox, Ambassador, St. Louis, Grant Central and Missouri if they propose keeping the theater running.

The Orpheum reopened Sept. 1 under a new management, according to B. F. Moore, this house and the Shubert-Rialto, first run acquired by Mr. Moore from the Ling, will split the RKO product and other available. Even if Warners continue their present decision to handle matinees, it is argued that they have enough for their two houses.

Hamrick, Evergreen Acquire N. W. Spot

Portland, Aug. 23—John Hamrick takes over the old Pantages Sept 1, Evergreen States Cities, former FWC, takes over the Paramount in Portland and Seattle.

It is reported Ranchon and Maroney stage shows will be resumed in the two latter houses.
Janet Gaynor proves a genius at light comedy... Lew Ayres brings you a contagious, youthful vitality. Together they give the happiest performances of their lives... in this gay, exciting escapade of a millionairess... masquerading as a maid servant... who goes through hot and cold water for the man she loves.

Janet Gaynor
Lew Ayres

in

Servants' Entrance

NED SPARKS
LOUISE DRESSER
ASTRID ALWYN

WALTER CONNOLLY
G. P. HUNTLEY, JR.
SIEGFRIED RUMANN

Produced by Winfield Sheehan

Directed by Frank Lloyd
From the novel by Sigrid Boo
Adaptation: Samson Raphaelson

Fox

RE-UNITING THOSE "STATE FAIR" SWEETHEARTS
Fight Weekly Payment Plan With Shorts

(Continued from page 1)
registered this complaint today, insisting that some action be taken to prevent this slant on the weekly payment plan. He said that many small ballyhoo, anticipated, in behalf of the national organization was among other matters discussed, but whatever experiments were told of the necessity for a strong national association to work for their interest and in behalf of the music tax and an attack looking for the elimination, as well, of block booking were either.

According to Julian Littlefield of Boston tipped off to the group that another effort to root out this type of selling would be made when Congress convenes in the winter at which time, he said, a bill to that end will be introduced and passed.

Among those who spoke today were Aaron Saperstein, Illinois; Herman Blum, Pennsylvania; J. Walter Kridel, Ohio; Donald L. Leonia, Cincinnati, and Tom Goldberg, Baltimore.

Re-elects Samuelson

Today, as expected, Sidney Samuelson was re-elected president of ALB, for the fifth time, and, in addition, was named business manager, effective Sept. 1, at a salary of $5,000 a year. Jerome Krolf, Cincinnati, was named a fourth vice-president and Louis Levin, Newark, assistant treasurer.

W. C. Hunt, Wildwood, N.J., and K. C. Martin, Columbus, Ohio, were elected directors for a three-year period, while Frank P. Gravatt, Atlantic City, replaces M. Lewis on the directorate. Previously declaring he would not run again for the first vice-presidency, Julius Charnow, New York, was re-elected over the coal by Samuelson for not advising of his declaration before Morrison Picture News, but the papers have now admitted the story was correct, but, after a secret and hurried conference, the coal, he said, accepted his original position and kept his post. Other officers were returned to office.

One of the highlights of the day was a lengthy speech by Abraham F. Myers, detail of which appears elsewhere in this edition.

Ben Golden, head of the L. E. P. A. of Philadelphia, discussed the importance of legislative campaigns, urging the various units to offer a united front.

David Barrist was added to the resolution committee, other members of which are Louis Levin, Lee Newbury and Jack Unger, Barrist, Julius Charnow and Ben Berkwitz also discussed the code.

Wires were read from Jack and George Fishman, George Erdmann, Frank L. Warren and W. C. Hunt, about various matters.

Product and resolutions will highlight tomorrow's session.

At a banquet at the Ritz tonight Edward Golden, Monogram sales head, pleaded for the independents' existence and asked that Allied refuse to join the M. T. O. A. agitation against duals. Myers praised the organization for building leadership within the ranks. Samuelson was presented with a medallion by William Casey, Atlantic City commissioner, in behalf of the mayor.

**Touch on Singles**

Atlantic City, Aug. 23.—A return to singles in New Jersey, was expected here today to be adopted by the Allied convention here today. It was recognized, however, that signatures are necessary from L. E. P. A. Walter Reade and Springer and Cocalis before any plan can be adopted.

If this develops, the method is to make singles mandatory by the final signature is obtained.

Reade and Springer and Cocalis appear to some here as stumbling blocks.

**Lou Halper in Town**


**Lloyd Excites New Haven**

NEW HAVEN, Aug. 23.—Harold Lloyd made a visit here today to see Gene Rodney, manager of Poli's. Greeted at the train by hundreds, Lloyd was taken to the Hotel Taft and later was with Mayor John W. Murphy was present.

**Increase Capital Stock**

DOVER, Del., Aug. 23.—Technicolor, Inc., of New York, a Delaware corporation, increased its capital from $800,000 to $1,000,000 with the Secretary of State here yesterday.

**Six District Appeal Boards Is Saperstein Code Idea**

ATLANTIC CITY, Aug. 23.—Setting up of six district appeal boards to hear cases from exhibitors in territories covered by the special boards is advocated by Aaron Saperstein, head of the Allied Chicago. The idea has been advocated by the Saperstein group for months before a decision is rendered.

Saperstein's plan would provide for a west, north, south, east, middle west, represented by exhibitors and distributors from surrounding territories. Since he comes from Chicago, Saperstein suggests will take up of each of the following cities to make up the district board: Chicago, Iowa, executive, Minneapolis, St. Louis, and Indianapolis.

Districts should be set up in the west, north, south, east, middle west, and probably New England and each board should sit once a week, he suggests. Decisions should be final, but when there is a difference of opinion and the vote is divided, Campi should be the final judge, Saperstein maintains.

As instances pointing out alleged defects of the present plan, Saperstein mentioned the same in the case of New York and appealed in June, that it is now the end of August and no final decision has been made. He holds that by the end of the present cycle, the case the decision won't mean anything.

Reopening cases should be treated as emergency cases and should have preference over all others, he argues.

Another case where he says delay by Campi is said to be working to the disadvantage of exhibitors is the Chicago ruling that "Screeno" is a form of lotteries. The promoter was asked for an appeal some time ago and as yet nothing has been heard. With this in mind, the exhibitor is continuing to violate the code, according to Saperstein, and other exhibitors are afraid to adopt the same game for fear of being declared a violator. The case of this type also should be regarded as emergencies and disposed of in court, instead of being dragged on.

If district committees had these appeals, they would have been disposed of in one week, Saperstein claims, adding that the men sitting on the boards would know their territories and hand down prompt decisions according to individual situations.

**Urges 'Rise In Arms' to Meet Enemy**

ATLANTIC CITY, Aug. 23—Addressing the Allied States meeting here today, Abram F. Myers, general counsel of the organization, called upon the exhibitors to unite as a nation and show against their enemies. "Action must be taken if the independent exhibitors are to have a part in this business," he declared, adding they must "roar like lions."

"In the matter of the intolerable burden that has been heaped upon the independents," he went on, "as a result of the law for the last year because the most ensuring—"the exhibitors can and must strike lusty blows for their liberation and the preservation of their rights,"

Myers declared that many of the present problems of the industry were just beginning and called for the advice of the country's exhibitors.

Myers charged the producers with unfair and discriminatory preference and asked the independents, "Certainly it is," he said, "that the Roosevelt and Hoover administrations have vied among themselves for the advantage of the Allied States—"to see to Will Y. Hays and his associates.

The M. P. P. D. A. was referred to as "the great Hays juggernaut crushing the exhibitionists."

Assigning the code as the one that was passed by the independent exhibitors, Myers challenged the independents to "show themselves to be reviled in this fashion,"

He called upon exhibitors to change their terms of war to all groups fighting for the abolition of objectionable pictures.

**Assistants Name State**

Hollywood, Aug. 23.—The Academy assistant directors' nominating committee will meet this week in the coming Academy elections:


**Cooper Coast-Bound**

Hollywood, Aug. 23.—Mercian M. Cooper, accompanied by Mrs. Cooper, the former Dorothy Jordan, is enroute from New York, where he disembarked from the Roma after spending the months in Italy, on research for "The Last Days of Pompeii." Cooper will make two features per year and plans to use the new three-component Technicolor process.

**To Wed at Pickfair**

Hollywood, Aug. 23.—Joseph M. Scheck plans to leave here shortly for Portugal, to return with Merle Oberon, his fiancée. Their wedding is scheduled to take place at Pickfair, home of Douglas Fairbanks and Mary Pickford, in about seven weeks.
''★ ★ ★ ½ ★''
from Liberty Magazine

Meaning: **LIBERTY'S 8,775,012 READERS WILL DEMAND TO SEE IT ON YOUR SCREEN**

Again indicating its tremendous popular appeal...so convincingly demonstrated at Radio City Music Hall.

**THE WORLD MOVES ON**

THE LOVE STORY OF A CENTURY

with

**MADELEINE CARROLL**

**FRANCHOT TONE**

Produced by
Winfield Sheehan

Directed by John Ford

Story and screen play by Reginald Berkeley
Ask $721,204 for 14 Mos. Fees in Paramount Case

Unusual

Pathe News scored a scoop when it was singled out from among all newsreels by the Canadian Government to film the story of the Dionne quintuplets.

Picked with human interest is the intimate record the newsreel has made of the daily routine of the infants—a record that is a tribute to medical science. This clip probably will be of genuine interest, to women in particular.

The Dionne scenes run eight minutes, consuming all but two minutes of Pathe Newsreel No. 9.

U. A. Included in Cancellation: Campi

(Continued from page 1)

ruled unanimously H. K. Evans, operator of the Albion, was in the right. U. A. has maintained it would file a test case in the event Campi officially ruled it must abide by the clause.

Because of the length of its session which started in the morning and ran until after seven o'clock last night, Campi made public only a resolution on overruling.

Ostler Due in Today To Decide G. B. Plan

(Continued from page 1)

America and for exhibition outlets will be settled during the visit here of Mark Ostrer, G-B financial authority who arrives from London today on the Agitania.

Indications are that G-B will organize the national sales force here with physical distribution being handled by an American distributor. Also pending is a deal whereby the Roxy Theatres, Inc., would be used in establishing itself as a Broadway show-window for that product.

New Abe Lichtman Firm

Dover, Del., Aug. 23.—Lichtman Theatres, Inc., was chartered today to manage and operate theatres, listing capital stock of 100 shares, no par. The incorporators are: Lichtman, E. J., 67 E. 98th St.; W. E. Cumberland, of Washington, D. C.; and Capital Trust Co. of Delaware is the agent.

Abe Lichtman is the Washington, D. C. operator whose 10-house circuit is scattered throughout the city. All of the theatres cater to colored patronage except two.

Local Case Postponed

Complaint charging premature advertisement, filed by the Fox against the Paris Cour, has been reserved until the local clearance and court docket appear on Aug. 28. Complaint on throwaway tickets, filed by the Roxy against the Globe, will be disposed of at that time. The board is awaiting a letter from Division Administrator Sol A. Rosenblatt, who said in Washington on Wednesday he had never authorized Harry Brandt of the Globe to use them.

Brown Signs New Deal

Kansas City, Aug. 23.—Clarence Brown told Motion Picture Daily today he has just signed a new three-year contract with M-G-M. The producer-director, still in Europe,pickup stories and personalities.

Clarence Brown, aboard the same plane as Ben Bernstein, reached New York from Hollywood yesterday.

Otters Is Back

John E. Otters returned from Europe on the Washington and makes his first appearance in his office at Erpi this morning.
“GREAT PROPERTIES MAKE GREAT PICTURES”
The outstanding best-seller of recent years . . . a novel—powerful, human, deeply moving...striking the understanding heart of woman.

STARRING
ANN HARDING

WITH
BRIAN AHERNE
PAUL LUKAS
JEAN HERSHOLT

DIRECTED BY JOHN CROMWELL
A PANDRO S. BERMAN PRODUCTION

A GREAT PROPERTY THAT HAS BECOME A GREAT PICTURE.
WITH IT RKO-RADIO PROUDLY OPENS ITS NEW SEASON!
HOW THEY BROKE RECORDS IN BALTIMORE AND BOSTON WITH M-G-M'S "TREASURE ISLAND"

BALTIMORE
STREET FLOAT
Replica pirate ship on float in advance and during run. Pirate gave away pamphlet "Jackie Cooper's Adventures on Treasure Island."

TREASURE HUNT

SPECIAL SCREENING
Maryland Tercentenary Celebration permitted special screening for critics, celebrities, officials aboard yacht.

PIRATE SHIP
Converted old two masted schooner, with banner advertising picture. Took part in Maryland Regatta attended by 100,000 persons. Only commercial ship in pageant procession.

ARROWS
500 special arrows sniped on poles around town.

DRUG STORES
Reades Drug Store Chain used chests with coins, stills, reliefs, etc., for window displays. Contest to guess number of coins. Herald distributed by stores.

RADIO
"Treasure Island" record broadcast, also radio dramatization.

POSTERS
75 2-sheets; 100 4-sheets; 200 3-sheets; 200 window cards sniped everywhere. City literally plastered!

ORPHANS' PARTY
Tie-up with theatre and orphanage.

CATHOLIC REVIEW
Leading Catholic paper gave picture splendid send-off.

HAYS' OFFICE
Sent our letters to leading educators, clergy, etc.

JUNIOR BIRD MEN
Tie-up with Junior Birdmen column. Photos of Jackie, who is a member, with miniature planes, etc.

BALLOON BALLYHOO
Huge captive balloon over theatre, with a streamer banner.

STREET BANNER
Big flash from theatre across street.

MAY COMPANY BOOK TIE-UP
Department store display, stills, photosplay edition, etc.

CLASSIFIED ADS
Under title ADVENTURE contestants sent in their experiences as would-be users. Got 1000 lines and cost a few pesos.

BABY RUTH CANDY
Curtis Candy Co. of Chicago furnished windows with Baby Ruth Taco tie-up. Got prominent store windows.

MAGAZINE TIE-UPS
"Screen Romances" carried story of picture. Placed cards on news-stands, "Read the story, see the picture."

PRATT LIBRARY
First time ever permitted a tie-up. Placed large oil painting in window with copy.

COUNTRY PAPERS
Placed stories, art, etc., in 16 country papers.

FUR FASHION SHOW
To attract women, tie-up with Furrer's Association of Baltimore. $300,000 Fur Fashion Show on stage, modeled by society ladies. Promotional ads placed by furriers.

COOPERATIVE ADS
Direct store tie-ups in ads. Also in Station WFRF display ad announcing broadcasting of "Treasure Island."

LOBBY DISPLAY
Special inner lobby display 1 week in advance.

BOSTON
EDITORIALS
Four leading newspapers ran editorials favorable to picture. First time in Boston history, backed by united support of Boy Scouts, National Council of Teachers, etc.

CRIPPLED CHILDREN

WHITLING CONTEST
Boston Traveler sponsored a Whitting Contest. Special 2-Column photo of Jackie Cooper with Remington Arms Scout Knife, appeared daily. 10,000 booklets "How to Whittle" given away. Special prizes for best boats carved. Thousands of entries.

RACE-TRACK
Special "Treasure Island" Handicap run at Narragansett Park. Cup presented. Excellent publicity.

TREASURE HUNT
Boston American and Advertiser sponsored tremendous treasure hunt at Paragon Park.

ORPHANS' PERFORMANCE
12,000 orphans, guests of J. J. Fox, at special performance. Candy and pirate hats distributed.

WINDOW DISPLAYS

RADIO STUNTS
Thousands of boys tuned in Radio Pirate Club. Contest for best name for pirate in picture. Also tie-up with Skipper Jim hour representing 100 First National stores.

OTHER STUNTS
Jackie Cooper doubles contest. Birthday Club cards. Proctor & Gamble, White House tie-up on Jackie Cooper Treasure Island Gold and Silver Cake. Classified ad questionnaire.

SERIAL STORY
Run daily in Boston Globe.

TABLED STUNT
Daily Record published special front page layout for "Treasure Island."

LIBRARIES
15,000 book-marks distributed. Special displays, etc.

STREET FLOAT
Cut-out figures of group of principal players, life-size on island with palms and treasure chest. A marvelous crowd-stopper.

Extra! "Treasure Island" is a smash success from Coast to Coast! Congratulations to the showmen who are making exploitation history!
Current Zoning May Stay
To Avoid Sales Stalemate

By WILLIAM ORNSTEIN
ATLANTA, Aug. 24.—Claiming its three-day eastern convention
here, Allied States today passed a
resolution seeking a congressional in-
vestigation of the code.

The resolution demanded that Con-
grress look into “all phases of nego-
tiation, drafting and administration
of the code and that, in its enactment
of legislation extending the N.R.A., it
provide for negotiation of a new and
fair code for the film industry with
the aid and assistance of fair and un-
biased representatives of the govern-
ment.” The Allied units pledged them-
selves to “work unceasingly” to this end
and called upon “independent exhibitors everywhere” to join them in
the fight for a congressional investi-
gation.

Sidney Samuelson, Allied head,
(Continued on page 3)

Banks Score
Point; Stall
Examination

Examination of officers of Para-
mount creditor banks before trial of a
suit brought to set aside the $13,000,-
000 credit transaction of 1932 between
12 banks and Film Production Corp.,
was forestalled yesterday when the banks intervened with a U. S. District Court motion to test the legality of the subpoenas with which the officers were served and the validity of the examination itself.

The banks’ test motion will be heard
(Continued on page 4)

Independents
In Southeast
Lambaste Code

ATLANTA, Aug. 24.—A plea for
the existence of the small exhibitor
is made by the G. F. A. Independent The-
atres’ Association in a “Declaration of
Independents” in which the code is
denounced as favoring the large in-
terests.

Copies of the document have been
forwarded to President Roosevelt,
General Hugh S. Johnson, Division
Administrator Sol A. Rosenblatt, Will
H. Hays, John C. Flinn, heads of pro-
duction, and Oscar DeMille, nat-
ional head. (Continued on page 3)

K. of C. Bans Films;
Lifts Ban on Liquor

DETOIT, Aug. 24.—Every member
of the Knights of Columbus was urged
to enroll in the Legion of Decency in
a resolution passed by the organization,
which just terminated its convention.
The industry was rapped severely
and films that “portray low and lascivious conduct” panned heartily.

On the other hand, the K. of C.
lifted its ban on the use of liquor.
(Continued on page 4)

Rowland Brown Seen
In M-G-M’s U. K. Unit

LONDON, Aug. 24.—Rowland Brown
may be identified with M-G-M’s
British production unit. The director
flies to Carlsbad Saturday to see
Louis B. Mayer presumably in this
connection.

Brown, who came over to direct
“The Scarlet Pimpernel” for London
Films, has relinquished the assignment
(Continued on page 4)

Ohio Tax Setback;
Extra Session Off

COLUMBUS, O., Aug. 24—Despite
the recent report of other states in the
weekly reports of the legislature in
September would be the enactment of
a general sales tax, the session will
not be called. His action is predicated
on the assumption that politics in
the legislature would largely govern the action of several advocates of the measure who were
defeated in the recent primary.

The measure, which has been voted
(Continued on page 3)

K. C. Prices Up

Kansas City, Aug. 24—Bar-
gain prices came to an end
at local first runs today, when
the Midland and New-
mann hiked the tariff from
25 cents to 40 cents at
night. The Mainstreet
and Uptown inaugurate increases
in a week, while the Tower
plans a similar change around
Sept. 1.
Legal Hurdles Block Portland House Deal

PORTLAND, Aug. 24.—Legal technicalities are delaying John Hamrick's offer to take over the house of the Pantages, but the offer has been submitted to Federal court for approval.

It appears Alexander Pantages was foreclosed out of the property by the holders of a second mortgage and that, be-cause, therefore, there has nothing to say about its disposal. First mortgage bondholders aggregate $425,000 against the second mortgage placed on the property by the RKO Western Corp., bankrupt company which at one time operated the theatre.

Reid, Lee Appointed

Al Reid, formerly a district manager for RKO, has been appointed supervisor of the Fox, Brooklyn, and the Paramount, Brooklyn. Si Fabian operates the former on his own and holds Paramount Public's interest in the latter.

"Dr.", Joe Lee has been named managing director of the Paramount.

Ostler in on G-B Deals

Mark Ostler, one of Gaumont British's backer's, arrived yesterday on the Aquitania, which was on its way back from Paris. During his stay here, Ostler is expected to make the final decisions on G-B's plans for distribution and exhibition activities in this country.

Dinner for Brown

Chicago, Aug. 24.—George Brown, business agent of the local operators' union and president of the I.A.T.S.E., is on a two-day trip to Stevens in Chicago, Monday. The entire Windy City industry is cooperating in putting over the event.

110,333 at "Cleo" in Week

"Cleopatra," which went into a second week yesterday at the Paramount, played to an average of $28,000 in its first week at the house, it is reported by Paramount.

Guids in Joint Meeting

Hollywood, Aug. 24.—Points to be taken up by the five-five committees were discussed last night at a joint meeting of the actors' and writers' screen guilds.

Here's a Short

"What, No Men?" (Vitaphone) is a fast-moving, spectacular short subject that should grace audiences with its humor and entertainment value. It is done in the new three-component Technicolor process. Most of the scenes are shot outdoors. The camera of Ray Renahan catches the panners of nature in all their fullness and the color schemes of the costumes in all their brilliance. This two-reel short will take the away from any feature length film.

The locale of the story is the old west, with only women left in charge. Into this setting fall El Brendel and Phil Regan to meet Wini Shaw, cast as a hard-boiled character, Miss Shaw photographs strikingly and her vocal rendition of Sammy Fain and Irving Kahal's "It Was a Dark, Dark Night" is entertainment plus.

Ralph Staub's direction is flawless and Bobby Connolly's dance numbers are far above the average. Running time, 22 mins.

Approve Mascot Film

Hollywood, Aug. 24.—Mascot's "Young and Beautiful" has been approved by the Production Code Administration, receiving Seal No. 181.

The Mascot picture has its world premiere at the Steel Pier, Atlantic City, tomorrow. Al Shermian left for the shore yesterday to aid Eli Oro-witz in the exploitation.

RKO-Mayfair Deal Off

Negotiations with Walter Reade on a deal by which RKO was to resume operation of the Mayfair have definitely abandoned. The 7th house will continue under Reade's operation.

Screening "Limerlost"

Monogram will screen "A Girl of the Limerlost" at the Criterion Tuesday morning for metropolitan area exhibitors.

Eastman Up 3/4 on Big Board

Columbia Pictures, etc.,
Consolidated Film Industries,
Continental Films, Inc.,
Eastman Kodak,
Fox Film Corp.,
Loew's, Inc.,
Paramount Pictures, etc.,
Pathé Exchange, Inc.,
Pathé Exchange "A",
RKO,
Warner Bros.,


Technicolor Down 1/4 on Curb

Par. F. L. Bonds Gain 3/4

New Cal. ITO Slate As Revamping Starts

Los Angeles, Aug. 24.—The I T O has been reorganized by the election of a new slate of officers at a meeting to-day. H. St. Chotiner was named president; Walter Durrell, vice-president; Julius Wolf, secretary; Irving Callin, treasurer. The following were named to the directorate: Lou Bard, Jack Herman, Al Bowman, Rowland Lescro, Harry Popkin.
Motion Picture Daily

Saturday, August 25, 1934

J. A. to Sue; Acts Soon On Cancellations

(Continued from page 1)

... tended to be "remedial in nature," exhibitors with some leeway program arrangements to conform local audiences and conditions, "in which the language used in the code," Campi’s opinion states, "should therefore be construed in the light of industry conditions and in a manner which will accomplish the desired result."

The Campi finding holds that U. S. individual contracts are the same except for their designation of film title and the manner of playing. It is a clause contained in each U. S. case that the subject of the right to cancel all contracts in the event of a breach of any one as creating a situation in respect to which "does not differ from the usual practice in the industry of executing single contract for all pictures with varying rents and agreements for each individual picture."

"Surely," the opinion recites, "inspection wires to all exhibitors of the obligations of the exhibitor concerned, the difference is only form."

Campi’s decision affirms the finding of the Indianapolis grievance board in a case which was brought against J. A. by H. R. Evans of the Warner, Albion, Ind., and appealed to Campi.

Current Zoning May Stay at Aid Sales

(Continued from page 1)

... rulings of appeals on clearance and zoning rulings which have been certified to Code Authority by local boards have been called off, to the 3 hearings being far as far in advance Oct. 29, are affected by the order, Indianapolis and Dayton appeal has been scheduled for hearings here Tuesday; Cleveland on Wednesday and Detroit on Thursday. Findings in the New Haven, Hartford and Bridgeport appeals, already heard, will be held in abeyance pending the decision on future procedure.

Campi is officially reported to have reviewed the present clearance and zoning situation as impossible in many areas in view of the number of complaints against new schedules and the me and expense involved in hearing them. In the settled situation which could result, distributors would not be at liberty to sell pictures, and any exhibitors eventually would be forced to accept them.

Ed Kuykendall, president of the P.T.O.A. and a member of Campi, reached the Zackman organization yesterday, querying them on their willingness to abandon the filing of new schedules in favor of a colloquy of exhibitors against existing clearance. He points out that selling could proceed immediately in view of the ivy, local clearance and zoning boards empowered to make decisions and then contracts are signed. The decision would be subject to appeal to Campi.

With Allied at the Shore

Atlantic City, Aug. 24.—Sidney Samelson is all smiles and has great hopes that the 15th annual session of the New Jersey unit will be the best of all. His wife is busy working with S. I. and agrees on everything he says.

Aaron Saperstein has a pain in the back he’s been trying to work out of the past few days and couldn’t. He says he couldn’t sleep on the train on this account. His plans to drive his two sons east have been postponed until a later date.

Herman Blum, true Baltimorean, brought seven southern exhibitors with him for company. He says the South must stick together.

Dave Snaper, Jersey circuit owner, arrived late Wednesday in a light green sedan. His sidekick, Joe Loe of Fox, dropped in Thursday.

Jay Emanuel, who lives at the President during the summer, is only a short distance away from Allied convention headquarters, but sees and hears all about the session as he passes by the Ritz Carlton with his better half.


"Sonny" Winnick, Jersey "U" salesman, is on home grounds amongst friends. He advises the reason: Max Cohen is absent to be with his ill.

Reports here have it Herb Miller and Paul Greenhalgh of the Emanuel Publications are engaged and Miller will take the vow first. Neither is here.

E. O. Heyl, manager; Ed Anger, assistant manager; E. A. Timolny, sales manager; B. H. McCune, New Jersey representative of RCA Photophone, are here with an exhibit. In fact, the third floor is given over to numerous displays of other products.

Moe Rosenberg, operator of the West End, Newark; Franklyn, Nutley, and Broadway, Woodcliff, all in S. Jersey, is here for the first time as an independent exhibitor. He was identified with Warners at the home office for five years and three months and now decided to go in business for himself.

Herb Copeland, A. C. city manager for Warners, is playing host to all Allied conventioneers. Copeland used to manage the Winter Garden on Broadway.

Very few tuxedos made their appearance at the contract last. Grand almost all of the members preferring informal dress.

Abraham Myers and Sidney Samuelson must be holding secret confabs. Neither can be found around the lobby after regular sessions are over.

Haskell M. Block, son of Mark, operator of the Lyric and Station, Newark, is meeting a lot of Sigma Tau Phi fraternity members while attending the convention. Haskell is general manager of his father’s theaters and is having a swell time here. Mark continues to complain about his troubles, but they’re still making money.

Louis Gold of the Rivoli, Newark, strutted the boardwalk with his wife and two daughters last night. Julius Carnow took his wife for a ride in a perambulator, while some of the other exhibitors took to other diversions.

At least half of the Allied conventioneers attended the Greendale races last night. Seems the dogs hold a greater thrill than anything else for exhibitors.

Congressional Code Probe Asked at Allied Meeting

(Continued from page 1)

... stated that action by the association had been already started, particularly in New England, where, he said, all congressmen were lined up in support of Allied principles. Abram P. Myers, general counsel of Allied, will be the Washington contact, it is understood, while Allied members in possession of the congressional records are held to the national legislature reconvenes, and its resolution the meeting pledged itself "to seek revision of the copyright law which will neutralize the arbitrary and destructive power possessed and exercised by such combinations as the American Society of Composers, Authors and Publishers and the National Film Board without regard to the illegals and protection reasonably contemplated by constitutional grant."

A third resolution asked for the unified support of all independent units. Another urged that further erection of licensing of dog tracks be stopped, that no giveaways be distributed, that the racing season be limited to four weeks, that betting be restricted and racing be confined to afternoons.

Also presented was a resolution biting Philadelphia exchanges serving Jersey theatres with prints censored without board approval. This resolution demanded Northern New Jersey houses served from New York, and getting better censor-passed picture. Independents, regardless of their policy, were asked to lengthen their playing time and eliminate one change of program weekly. Better selection of product and no fear of a shortage in the future was also requested. If all this plan were adopted, it was said.

John Benas, buyer for the Leon Rosenblatt circuit, spent five hours on Saturday afternoon analyzing the new product of all companies.

Independents In Southeast Lambaste Code

(Continued from page 1)

... dueing Allied director, exchange managers, local code officials, trade press and all individuals of any prominence."

"Under the code," says the document, "independents have sacrificed all former methods of holding and increasing trade, such as two-for-ones, discount tickets, etc., and the chain theatres have made but few concessions in line, staging a fight instead against double-feature programs, in many instances a vital necessity for the independents."

It adds that the chains, "through their superior advantages in code procedure are stilling the independents with additional business outrages, which formerly they dared not attempt under the anti-trust laws." The charge is also made that "the chains are demanding and receiving unreasonable protection over the independents, until the latter are being forced to close because of (a) films so old their value is useless; (b) no film at all.

The declaration asserts that "an honest interpretation" of Campi "contains within itself sufficient relief to settle all difficulties which may arise between the exhibitor-distributor and the independent theatre operator; we feel justified in bitterly complaining about the recent new given impulse; we feel this charge to be grave but we also firmly believe it can be substantiated, and that until this situation is corrected, the Code Authority is impotent to render the relief the wise framers of it intended."

The code identifies its intention "to fight for its livelihood and to secure for ourselves and all other independent exhibitors all those rights and privileges heretofore ours under every law of rights and every law of justice."

The code also asserts that "unboly alliances between the producer and chain theatre owner" have thinned the ranks of the independents.

Ohio Tax Setback; Extra Session Off

(Continued from page 1)

... down five days. The frequency of the present legislators, will be given consideration Nov. 19, the time to which the General Assembly was prorogued. Enactment of the sales tax is expected to automatically spoil the 10 percent state admission tax, together with other impost coming within the category of the nuisance tax.

L. A. Sends Out Schedule

Los Angeles, Aug. 24.—More than 600 copies of the revised zoning schedule for this territory have been mailed to the various branches of the industry.

Edwards to Sheffield

Denver, Aug. 24.—A. G. Edwards is now manager of the Sheffield exchange, which distributes Monogram.
Reduce Para. Creditors to $50,600,000

Creditors’ claims against Paramount Publix have been scaled down to $50,600,000, thus realizing the most optimistic hopes of groups working on reorganization of the company. Claims in bankruptcy filed against Paramount Publix, $280,000,000. Early in reorganization proceedings, debenture holders offered the view that if the claims could be scaled down to $50,000,000, a reorganization plan could be achieved and that, if they were reduced to $50,000,000, an unquestionable satisfactory plan could be advanced. Thus the present status of claims against the company realizes the hope that is engrossed in those engaged in the rehabilitation.

The claims comprising the present balance are those of debenture holders (principal for $12,500,000) and of general creditors for $11,300,000.

Among the large claims eliminated through plans of settlement are those of Paramount Broadway bondholders for $178,500,000; of Allied Owners for $29,000,000; of bank creditors for $12,500,000. The balance includes the debenture holders’ and bank creditors’ claims and $280,000,000 for other claims. The latter amount has been reduced to $11,300,000 by the expunging of $14,400,000 after court procedures and a reduction of $3,300,000 after contesting the amounts in which claims were filed.

Banks Score Point; Stall Examination

(Continued from page 1)

Wednesday by Federal Judge Murray W. Hubert. In the event it is denied, examination of the officers will proceed five days after the entering of Judge Hubert’s order, Special Judge John E. Joyce, before whom the examinations were to have been begun yesterday, ruled.

Bank officers already subpoenaed for the examination include Thomas A. Reynolds, vice-president of the National City Bank; Max D. Howell, assistant vice-president of the Chemical Bank & Trust Co., and L. A. Keidel, vice-president of Bankers Trust. Nine other New York, Chicago and Philadelphia banks are named defendants in the Film Production suit, in which the Paramount trustees seek to have the defendants “generally” rather than preferred creditors of Paramount’s, as will be their status if the Film Production transaction is upheld by the court.

Seeks Appeal Versus Trusteehip Post

A motion for leave to appeal from the U. S. District Court order appointing Charles D. Hilke, Eugene S. Johnson, and Charles E. Richardson permanent trustees of Paramount Publix as a debtor corporation was filed with the U. S. Circuit Court of Appeals yesterday by S. B. O’Ryan, attorney for a small group of Paramount bondholders.

The motion is nonappealable at the fall term of the appeals court, which opens Oct. 1. It alleges various former bank and film associations of the trustees tend to disqualify them as trustees of Paramount. A similar action by Zirk following the appointment of the three as trustees in bankruptcy for Paramount more than a year ago and making allegations almost identical to those in the present action, was dismissed by the Federal Circuit court here and Zirk’s application for an appeal to the U. S. Supreme Court was denied in that instance.

Flash Previews

Death on the Diamond—Excitement and mystery key to this pulpit picture. It is a taut, tense story. and keep it moving at an interesting pitch throughout. While not entirely logical, it is completely entertaining with special attractiveness to ball fans and lovers of action melodrama.

Caravan—Despite its elaborate production, “Caravan” falls short of the big picture class. A slow-moving and often boring romantic drama, its premise is lost in the ponderous symphonic musical accompaniment. . . .

Cavalcade—That it is a different musical opera with the film’s chief showmanship quality.

These films will be previewed in full in a later issue of MOVIE PICTURE DAILY.

“Dames” Is the Topper

Waiters yesterday took exception to a MOTION PICTURE DAILY dispatch from New York announcing that “Treasure Island” was leading the field there in point of gross this week. The film collected $11,500,000 at the Orpheum. The house normally does about $6,500.

Rowland Brown Seen In M-G-M’s U. K. Unit

(Continued from page 1)

which is being taken over by Alexander Korda. The split came over a difference of opinion on how the production should be handled.

“I parted friends with Korda,” Brown told this correspondent. “Korda will, I believe, have no confidence in my method while I couldn’t agree with his.”

O’Ryan Cuts Pickets At Theatres to Two

Heeding the protests of local theatre owners, Police Commissioner O’Ryan yesterday modified the recent order extending leniency to mass picketing by union groups. The order limits the number of pickets to two at any one theatre. The police were told to make arrests where they met with resistance in enforcing the order.

Back in Show Column

COLUMBUS, O., Aug. 24.—The RKO Palace, switching from straight pictures and stage play today with “Rowley Music Hall Follies,” a B. & K. unit of Cockeyed Cavaliers” was on the screen.

Akon, O., Aug. 24.—Loew’s and the Palace, playing straight pictures for several months, are swinging into the stage show column. Loew’s will be on a weekly change basis, while the Palace will play intermittent entertainment, using only such units as appear suitable for the particular clientele of this house.

Eastman Profits Up 55%

Rochester, Aug. 24.—Eastman Kodak reports net earnings of $8,745,076 for the 24 weeks to June 16. This represents a gain of 55 per cent, over profits of $4,948,624 for the same period of last year. This profit is equivalent to $2,291 a share as compared with $1.84 last year.

Campi Rules ‘Bank Nights’ A Violation

All “Bank Night” and lottery forms were held to be violations of the reduced admission provisions of the code in a decision handed down by the C. A. Authority, Friday, and made public yesterday. At the same time, Campi decision holding United Artists subject to the cancellation provisions of the code was disclosed, verifying the campaign’s exclusive story yesterday of the Campi finding in this instance.

The “Bank Night” ruling, establishing a Campi precedent of a kind, was based on an appeal by the Englishwood, Chicago, from the local board’s finding. The complaint against the Englishwood was brought by B. & K.’s Cinecentum.

A new plan of allocating assessments for code administration costs against producers, distributors and exhibitors was ruled to be a representation to Campi at its special meeting next Thursday. Following B. & K.’s complaint of code costs involved in their presentation to Campi at its special meeting last week, the N. R. A. agreed to the withdrawal of the original assessment plan and the drafting of a new plan.

The complaint of the M. P. T. O. in Eastern Pennsylvania, Southern New Jersey and Delaware that some distributors’ sales pacts violate the state code contract requirement of the code has been referred by Campi to its local councils.

A plan for invoicing a royalty system for production talent is also expected to be submitted to Campi at a later date. Completion of the plan now awaiting final reports of investigating committees in Hollywood.

Better Films, Less Heat Aid Cincinnati

(Continued from page 1)

values, have been reflected in box-office takes here this week.

“Treasure Island” pulled a bit $15,000 at the RKO Albee, while “Dames” at Keith’s did an estimate of $12,000. These are excellent gross for this season of the year. Both pictures are playing extended runs, with the former moving to the RKO Lyric.

The RKO Palace, with “The Cat” playing up approximately $11,000. Other spots finished the week on the upper brackets.

Report Agfa Behind Adventure Picture

(Continued from page 1)

action features and serials under the banner of “Twilight Zone,” taking up programming on the International Studio here for the purpose. King Charley, local rep, represents the film, which has not been mentioned as production head. This morning he denied the report, admitted such a deal might be possible.

At the New York offices of the Agfa Ansco Co., no one yesterday had any knowledge of such a deal.

Motion Picture Daily

Hollywood, Aug. 24.—Another composite of all pictures reveals John Boles engaged to the sweet, young Julie Hayden, but he falls hard for the fascinating, about-to-be-divorced Irene Dunne. Family tradition forces Boles to marry his fiancée, but finding that they cannot bear the separation, he and Miss Dunne are about to get away from it all together when the discovery that Boles’ wife is about to have a baby seems to change their plans.

Despite the plot, told mostly by flashbacks, the picture has two saving graces—the understanding direction of Phillip Moeller and the outstanding performances of every member of the cast, including Miss Dunne, Boles, Miss Hayden, Laura Hope Crews, as the latter’s mother, Tom Terriss, as her father, and Helen Westley, as the grand old grandmother. Photography by James Van Trees is good on the long shots, but spotty in the close-ups. The picture may do well where Boles and Miss Dunne draw though mass appeal seems secondary to class values. Running time, 62 minutes. This was previewed minus a code seal.

Hollywood, Aug. 24.—Buck Jones has finished the first of the series of six features he is making for Universal release.
Film Finance Figuring in Pathe Plans

Put Reorganization Is To Come First

Pathe will be in the market for increased production financing on completion of its plan of financial reorganization, which is scheduled to be voted upon by stockholders Sept. 11, said Webb, Pathe president, said Saturday.

The reorganization plan, if approved, will authorize a new Pathe company to issue collateral secured up to $4,000,000 in amount to raise new working capital. The production financing will involve royalty contracts between producers and Pathe’s Bond Brook, N. J., laboratory. Such a deal was recently used with Chesterfield-Invincible.

Others will be negotiated on confirmation of the Pathe reorganization plan, although no new deals have been definitely advanced as yet, Webb added.

2 French Talkers For U. S. Market

Jean Coupan, director of publicity for the Federation Nationale du Cinema Francais, French trade organization rival of the Chambre Syndique, completed a deal Saturday (Continued on page 8)

Velez-Rowlund Case May Set Precedent

Los Angeles, Aug. 26.—The first stanza of a municipal court being tried to determine whether or not a (Continued on page 8)

Motive Not Clear

St. Louis, Aug. 26.—Eighty automobiles properly decorated and making all the noise the law allows paraded through the outer precincts of the St. Louis Annume Causer Co. and other smaller organizations, none of whom were informed the natives and any visitors in town that the 19 theatres in the St. Louis Amusement Co. were engaging in a Theatre Managers’ Appreciation Week.

Just what the managers were engaged in was not made clear but it was a good ball and the trip for the leaders.

Singles in Jersey Head For Fadeout

Do Not Expect Ban in Effect on Sept. 20

By WILLIAM ORNSTEIN

ATLANTIC CITY, Aug. 26.—Very little hope is seen by some Allied members for adoption of a single feature policy in New Jersey. The original starting date, Sept. 3, already has been set back to Sept. 20, and from all indications the ban will not go going then.

Skouras, which has signed the agreement to go single, has twin bookings already dated until Oct. 16.

Then again, some members figure, the circuits will benefit by the deal if (Continued on page 3)

Duals’ Rush Faces Milwaukee Theatres

MILWAUKEE, Aug. 26.—Warner’s Strand downtown is slated for re-opening Sept. 1 with twin features. Indications are that before the end of the year 75 per cent of the houses in the county will be playing dual bills, and at least one other downtown house will follow suit. Reports have it that Warners will get Paramount (Continued on page 3)

Promises Allied to Turn More Militant

ATLANTIC CITY, Aug. 26.—Offensive and defensive campaigns on behalf of the independent exhibitors were cited as the most vital issues on Allied States’ future slate, following the close of the organization’s eastern meeting here yesterday.

The most immediate and pressing problems are the code and the price (Continued on page 3)

No Dues, No Dope

Atlantic City, Aug. 26.—Sidney Samuelson, president of Allied of New Jersey, today told Motion Picture Daily he would not issue any more bulletins for his organization.

Samuelson claims non-paying members and outsiders are benefiting by his information, which rightly belongs only to paid-up members.

Fox Midwest To Label All Film Types

KANSAS CITY, Aug. 26.—An elaborate campaign calling attention to the fact that a greater number of 1934-35 releases than previously will be adaptations from books and a plan of earmarking all pictures as either “family” or “adult” are the salient features of Fox Midwest Theatres’ showmanship plans for the new season.

The campaign has a twofold purpose: To recapture the interest of the more discriminating and educated classes who have been alienated from the product (Continued on page 3)

Bellman to Open 2 More ‘Changes Soon

Jack Bellman, president of Hollywood Exchanges, Inc., plans two more exchanges in the East within the next few months. He now has four branches and has not yet decided where the additional offices will be located. Bellman states he is gradually strengthening his position in the East and is in no rush to expand. He has just signed for Liberty product in his four centers.

K.C. Price Hike Came After Suburbs Failed to Decide

KANSAS CITY, Aug. 26.—The circuits are treating local independents to the cold shoulder in price-raising moves. Complaints, charging that they are not being granted enough, have been lodged with the Better Business Bureau, which is looking into the situation. This is taken as an indication that the independents are not being granted any discounts upon which they are entitled, after several attempts turned a flop.

The present price hikes by first runs follow the outlawing of premiums in the Kansas City area, which was desired by the circuits as a condition to their bookings, in a situation that has developed. Restriction of duals, which was not entirely desired by the circuits, seems to have been decided upon by the Better Business Bureau’s recent decision regarding penalizing the circuits.

Once 1,800, Para. Circuit Totals 1,230

1,000 in U. S., 200 in Canada, 30 Abroad

Paramount theatre holdings have been reduced by approximately 600 houses throughout the world during the 18 months of the company’s receivership and bankruptcy proceedings, it is indicated in a report to the Federal District Court here submitted by the company’s trustees.

The report places present Paramount holdings at approximately 1,230 houses, of which slightly more than 1,000 are located in 30 American states, 200 in Canada and 30 in foreign countries. Earlier report to the district court placed holdings at approximately 1,800 houses at their 1932 peak.

Numerous leases were disavowed during the company’s bankruptcy, many were turned back to former owners and others were disposed of in other ways.

Fox and M-G-M Sell Mayfair; New Twist

Unable to get together with the RKO, Fox has closed with the Mayfair to play the distributor’s product which does not make the grade at the (Continued on page 3)

Sees No Answer for L. A. in Zone Talks

Reconvening of local clearance and zoning boards to hear complaints against existing schedules, in the event (Continued on page 3)

Now It’s 21

Hollywood, Aug. 26.—United Artists’ program, as it now stands, totals 21. Ten will come from 20th Century, three from Samuel Goldwyn, two from Reliance, three from London Films, two from B. & D. and one from Charlie Chaplin. Joseph M. Schenck supplied the breakdown.

He scouted reports that Mary Pickford, Douglas Fairbanks and Chaplin would not release through U. A., adding any pictures they do must go through the company according to their contracts.
MOTION PICTURE DAILY
Insiders’ Outlook
PARAMOUNT spent $250,000 in lauding the West picture. That brings its negative cost close to $900,000, which is what DeMille went for on “Cleopatra.” That’s a stiff price to pay for clean linen... Phineas J. Biron, which is the byline over a column in The Jewish Criterion, pens this:

“...That prominent attorney who claims that the movie cleaning campaign is merely a drive to cost out the studios has said that the picture industry is none other than Nathan Burkan, the brilliant theatrical lawyer.”

What Walter Reade didn’t talk about Saturday was a third deal, backing up the Fox and M-G-M arrangement, which gives the Mayfair Warner product the Strand won’t or can’t use. General knowledge that the Rialto and Fox were talking a buying pool, plus the additional and always vital fact that Fox had different ideas on terms, are influences which swung that picture away from the Rialto buying distributors, in effect: “We don’t like the buying combination idea. It will bear down on prices.” Say Mayer, whose first name is Arthur and his real name is Arthur, also in effect: “We have no such idea. We do think pictures bought jointly will allow routing them into the theatre where they best fit, but we expect to buy, not steal, them...”

The town is still chortling over the story of the comparative newcomer, lodged in high council, who met the man universally regarded as one of the keenest minds in the industry, “Mr. I haven’t been in the business as long as you have, but in six weeks I’ll know you better than you,” he said. “As a customer, I am now registering objections to inclusion in your newsreel of dancing on the Mall in Central Park,” wrote an important and second newcomer, identified with a New York first run. “As sales manager for that newsreel,” came the answer, “let me point out that if you don’t know that, despite anything we can do, people still stroll and ride horseback in the park and they’re swimming in great numbers down at Coney Island. That’s some more competition you forgot to mention...”

Over the Associated Press wires out of Berlin: “Willy Kraus, chief Nazi film censor, was censored himself, it was learned today, when a Nazi board of censorship rejected his scenario, “The Courage of St. Sebastian.”

“The scenario dealt with the career of a girl seeking a film career and a producer’s effort to seduce her. The Nazi scenario was about an improper subject.” Those queer Germans!...

Lloyd gave the Music Hall $83,000 in the first week of “The Cat’s Paw.” Sunday—a week ago, not yesterday—kept the picture from further soaring. Weather was not theatre weather and the take was only $10,000, which is plenty for some other theatres’ week; but there the M-G-M report is reported sour on the Detroit pool in which its running mate is the Fox...

Plenty of caricature saved by exhibitors, says Trendle, over the decision to throw zoning back to the field in the move to keep existing schedules as they are. Dated as far ahead as October 29 and covering many key cities, the men in the territories were preparing to swoop down en masse... Backslapping: Last fall, we dug up the story while in Detroit of the Trendle backing combine. Almost a year later, the combine is a fact. What is not clear is why Trendle wants it. KANN

Liberty Sells Group To Loew Chain Here

Bud Rogers, sales manager of Liberty Pictures, on Saturday said his line sales have been sold to Loew Chain for the metropolitan area. One picture was bought earlier and four a month ago. It is the intention of the circuit, according to David M. Loew, to give them immediate dates and play them off in the next six or seven weeks. Jack Bellman of the Hollywood Exchange closed for Liberty. He releases the series in this territory.

Travellers East
Hollywood, Aug. 26—“Jock” Walsh is leaving for New York after a four-day business trip to Philadelphia.

Maurice Chevalier leaves next week exclusively for New York, London and Paris. He returns late in September to resume his contract with M-G-M.

Columbia in India
Calcutta, Aug. 26—Columbia Pictures will distribute in India through its own offices in the future. Travels in the country were made in Bombay. N. C. L. Harris, new Columbia representative in India, will be in charge.

Virginia Passes West
Richmond, Aug. 26—“Belle of the Nineties” has been passed by the Virginia censor board.

Purely Personal
WILLIAM G. MANSELL, manager of Warner’s branch office in Philadelphia, is here confer with A. W. Smith, Jr., in charge of the company’s eastern and Canadian district.

WALT DISNEY is about to receive another award. This time it’s from Brazil, in form of a bronze plaque for his famous Mickey Mouse cartoon.

HARRY GIBBON has been engaged by Educational for a comedy to radio for the Eastern Service plant Astoria.

JOHNNY BUTLER, long with Paramount in Astoria, is production manager on “Gambling,” starring G. M. COHEN.

LEON JENNY will be guest star with the New York Players at Ivo Crowe’s Theatre this week. He has role in “Sheeren.”

MARK ORSTEER, JEFFERY BERN and ARTHUR LEE, G-B triumvirate spent the week-end in the country.

KEETI GALLIAN, Fox player, tried the Riviera last week after she completed “Marie Galante.”

TOM HOWARD has been re-signed Educational for a new group of two pictures."

PAULA GOULD has sold her 6th novel, “Love Is a Madness.”

House Can’t Absorb N. O. Ticket Import

NEW ORLEANS, Aug. 26—Theatre will not be permitted to absorb new local amusement tax. The exact amount to be collected, in all ticket exhibitors have learned.

The levy, which covers the entire New Orleans situation, will actually raise admissions for the theatre owner and allow him to show profit, some managers say. While the tax, for the first time, the actual amount is 50 cents, the actual tax is 50 cents of the admission, which will be a difference of several hundred thousand dollars. It is the collected from audiences and the amount which should be paid by the city under the two per cent law.

Suit Charges Plagiarism
Mark Linder, playwright, filed plagiarism suit in U. S. District Court here yesterday against Fox alleging that the picture, “Now I’ll Tell,” fringes on his play, “Room 34” which, Linder says, was produced in England here in 1929 with J. Norton.

The suit asks an injunction against Fox motion of profits on film and demands of $100,000. Line suit asks in the suit to elect settle for $500 for each performer of the picture in lieu of damages.

Miriam Hopkins East
Hollywood, Aug. 26—Miriam Hopkins left for New York today about another situation and to consider offers for a stage appearance.

In the meantime, the actress will turn her next October for a picture Radio.

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Maurice Kann
Managing Editor
James A. Cron Advertising Manager

Trading Fair on Big Board

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Singles in Jersey Head For Fadeout

Friend Vs. Enemy

Atlantic City, Aug. 26.—Herman's Restaurant on the boardwalk held a boogie session last night with a band card which stated "Welcome Motion Picture Theatre Owners of America." When Sidney Samuelson of Allied saw the sign he rushed into the eatery, notified the manager, made an inspection of the room, and heard the following conversation over the phone between the owner and sign painter.

"I told you to make me a motion picture sign and instead you gave me the sign of the enemy."

Sept. 15. It has been running second run double bills for over a year. Policy of twin-bills, second run, will show the Regent, heretofore a vaudeville-picture theatre.

PROMISES ALLIED TO TURN MORE MIGHTY

(Continued from page 1)

The next eastern convention of Allied units most likely will be held in Boston some time next month. Baltimore is considered as the favorite city for the next Allied meeting. A day and a night have been set aside at the Hotel Roosevelt for the convention which is expected to last about two days.

Pittsburgh Parley Oct. 2

PITTSBURGH, Aug. 26.—Annual convention of the M. P. T. O. of Western Pennsylvania, Allied affiliate, will be held at the Stanley Oct. 1-2.

Directors' meeting is expected to be re-elected in addition to three members of the board of directors whose term expires this year. The present set-up is:

Dr. C. E. Herman of Carnegie, Pa., president; William Lipsky, Bridgeport, vice-president; Joseph Gelman of Duquesne, Pa., treasurer; Fred Harrington, Pittsburgh, secretary.

Saperstein Returns

CHICAGO, Aug. 26.—Aaron Saperstein, head of Chicago's Allied unit, returned yesterday from Atlantic City, where he attended the Allied of New Jersey and eastern convention.

He left here with a cold, but the Atlantic City sun cured him, he says.

Local code boards were reversed by Campi in four out of 19 cases brought to it on appeal, it was disclosed by decisions handed down by its board, and made public Saturday.

Following are the findings of Campi in four cases appealed from local grievance boards:

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Fox Midwest To Label All Film Types

(Continued from page 1)

efforts to draft new schedules this season are abandoned by Campi will not solve the clearance and zoning problem in Los Angeles where no such schedules have existed since 1930, Ben Bernstein, president of Associated Exhibitors, Inc., said Saturday, the safe

See No Answer for L. A. in Zone Talks

(Continued from page 1)

"While films have earned much of the criticism now being leveled at them, the fault is not entirely with the films themselves. A large part of the difficulty lies in the fact that the people wrong the see the pictures." Fair or unfair, the responsibility of the exhibitor to the public lies not in the sale of individual, the manager, Jameson declared. The manager is now the first line of defense, not the last, but under the new plan the parents will be responsible for film selection, he said.

The "Selected Motion Pictures" booklet issued monthly by the M.P.P.A. of the nine best of the movies is not to be followed in determining the classifications.

In the event of doubt, managers are urged to consult either the film itself or the "adult" label. The opinion of the district managers may be sought in such instances.

Cleveland Case Up Soon

CLEVELAND, Aug. 26.—Hearing on the temporary restraining order issued the Family, restraining them from using two features after having agreed to an admission, will be held here the first week of September.

Paterson House to Duals

ATLANTIC CITY, N.J., Aug. 26.—The ten switches to first runs after
There's Always
U Opens Season With a Hit Bigger Than 'Only Yesterday'

... and ... introduces a new star—a sure-fire box-office personality—in a tenderly powerful story as wide in scope as the world of emotion it covers, and as deep in drama as the wonderfully human hearts it reveals! ... Gentlemen, Universal is proud to offer this one as its first release of the 1934-35 season! ... STEP OUT WITH UNIVERSAL!

with

FRANK MORGAN
★ Binnie Barnes

Lois Wilson, Elizabeth Young, Louise Latimer, Alan Hale. Produced by Carl Laemmle, Jr. Directed by Edward Sloman. Presented by CARL LAEMMLE.

URSULA PARROTT'S

Is Tomorrow
Hike on After K.C. Suburbs Failed to Decide

(Continued from page 1)

the practice in clearance, but some form of penalty, possibly a setback of 30 days, is expected to be included in the completed clearance schedule for Kansas City.

First run scales returned to normal Friday after 18 months of prewrit- ing, which was initiated by Loew's Midland in January, 1933. The old price of 25 cents, prevailing at all first runs day and night, will hold good only until six o'clock.

Anticipated smash hits have been dated by all theatres to inaugurate the price change. The Midland and Pub- licx Newman go to 40 cents top with "Treasure Island" and "She Loves Me Not," respectively. The RKO Main- street changes the coming Friday, at the same price. The big fall combination policy of stage shows and pictures. The Mainstreet's scale will be 25 cents to one, 35 cents to one and 50 cents nights, plus tax, for the entire house. When the Mainstreet shows films only the night prices will be 25 cents to one.

The Fox Uptown has been holding "Handy Andy" several weeks anticipat- ing the general price boost, and has quoted the picture from Tuesday, the first run this week. The 75 cents drop to 70 cents after Friday when it also increases to 40 cents. The Tower, independent first run, tests "repair of the Gab" for Aug. 31 when it plans to hike from 25 to 35 cents nights, con- tinuing the same stage and film shows, but may defer its price revision a week or two.

Denies Church Aims To 'Dominate' Films

Asserting that results to date "have been most gratifying," Thomas E. Molloy, Catholic bishop of Brooklyn, declares there is no plan afoot to "estab- lish a dominating control of the cinema, nor are the move- ments toward stage and film house ground and statement of policy outlined earlier by other prelates of this church."

The bishop makes his point in a letter to Father F. Scanlan, managing editor of The Brooklyn Tablet, dioc- ensian organ for Brooklyn, and by way of a reply to a report of Scanlan's inactivities of the Legion of Decency since the former left for Europe.

"We are not endeavoring to dictate just what picture programs should be presented," the bishop continued. "We do not wish to impair the vast mate- rial investment of the motion industry. We have no intention to interfere with the legitimate employment of any- body."

Elsewhere, the letter states: "In the other states we are not actuated by a narrow, petty, parti- san spirit. We do not wish to be regarded as cranks, reformers or kill- joys."

Aarons Ready to Stump

PHILADELPHIA, Aug. 26,—George P. Aarons, secretary of the M.T.P.O. of Eastern Pennsylvania, is advising members he is ready to talk before civic organizations on their behalf. It is part of the unit's service without cost.

"Lost Lady" (Warners)

HOLLYWOOD, Aug. 26.—This picture is of the drawing room type, graced with plenty of dignity and charm.

The story deals with Barbara Stanwyck, embittered by the murder of her sweetheart on the eve of their wedding. About to become a victim of melancholia, she is brought back to her old "love of living" by Frank Morgan, who offers her a marriage in name only. Comes a hand- some aviator in the person of Ricardo Cortez and Miss Stanwyck fails hard. As she is about to confess her love to Morgan he suffers a heart attack. In caring for him she learns to love the man who offers her everything for nothing.

Not an exciting plot, but the performances of Miss Stanwyck and Morgan invest this one with plenty of audience interest as do other players. Darla Hood, as Miss Morgan's new love; Phillip Reed, as the murdered sweetheart; Raciala Ottiano, as a maid, and Edward McWade.

The direction of Alfred E. Green is perfectly timed from a good screen play by Gene Markey and Kitty Scollay. The photography by Sid Hickox is good. Production Code Seal No. 147. Running time, 60 minutes.

"Caravan" (Fox)

HOLLYWOOD, Aug. 26.—Despite its elaborate production, "Caravan" falls short of the big picture class. A slow-moving and slow-motivating romantic drama, its premise is lost in the ponderous symbolic musical accompaniment. Erik Charell's direction, seeking to apply the technique successful in "Congress Dances," results in lengthy sequences wherein symbolic melodies exert a retarding effect on the players' efforts.

Charles Boyer in the lead, the yarn is a romantic triangle portrayed against the colorful atmosphere of an Hungarian gypsy grape harvest festival. His marriage contract with Loretta Young rouses the fury of his gypsy sweetheart (Jean Parker). The situation is complicated by the appearance of Phillips Holmes, chosen by Miss Young's uncle (C. Aubrey Smith) to marry her. As the gypsies make merry, the young builds into a conflict between Boyer to hold the bewitched girl and Holmes to win her. The result is as expected: Holmes wins and Miss Parker gets her dream-man back.

Miss Parker and Holmes are outstanding, although Boyer, Smith, Miss Young, Eugene Pallette and Louise Fazenda shine at times. The artistic photography of Ernest Palmer and Theodor Sparkuhl benefits the production greatly.

That it is a different musical operaetta is the film's chief showmanship quality.

Production Code Seal No. 115. Running time, 110 minutes.

"Death on the Diamond" (M-G-M)

HOLLYWOOD, Aug. 26.—Excitement and mystery keynote this baseball yarn and keep it moving at an interesting pitch throughout. While not entirely logical, it is completely entertaining with special attractiveness to ball fans and lovers of action melodrama, as Morgan's junior partner, Philip Reed, as the murdered sweetheart; Raciala Ottiano, as a maid, and Edward McWade.

The story revolves around the Cardinals, whose owner-manager, David Landau, is beset by all kinds of obstacles in the pennant race. They shoot down his heavy hitter, kill one of his batteries and go after his star pitcher, Robert Young. The cops step in and everyone is sus- pected. Audiences are led to believe that a gambling ring, headed by C. Henry Gordon, is behind the shenanigans, but Paul Kelly, a reporter, pegs the mystery for a scoop. Madge Evans, secretary of the club, and Young are the love interest. Real laughs are supplied by Nat Pendleton and Ted Healy. The climax, such as it is, has Young throw a ball off the field to clip the culprit on the head.

The production sustains speed and vitality by a cast who know their onions and Edward Sedgwick's direction balances showmanship qualities for good effect. The story is an original by Cortland Fitzsimmons, author of "70,000 Witnesses." The screen play is well-knit by Harvey Lembeck and T. W. Sherman, a former press agent. Ralph Spence wrote the added dialogue. Milton Krasner's photography is good.

Without big names the film is clear, program entertainment which may offer surprise grosses. Running time, 72 minutes. It was pre- viewed without a code seal.

(Additional previews on page 8)

MOTION PICTURE DAILY
Monday, August 27, 1934

Cavaliers, Stage Show, Detroit Top

DETROIT, Aug. 26.—"Cockeyed Ca- valiers," bolstered by a big stage show with Gertrude Niesen, Pat Rooney, pere et fils, and Eddie South regis- tered in Detroit last week, nabbing $18,200 as com- pared with the house average of $15,-

The Michigan was next best with $1,600 over par with "She Loves Me Not." "Treasure Island" is being held by the United Artists for a second stansa.

Weather was cool and the circus was spending its first week in town. Total first run receipts were $57,600. Total average, $35,000.

Preceded takings for week ending Aug. 23:

"FRIENDS OF MR. SWEENEY" (Warners)
Friday, July 23, 6-3, 7 days. Gross: $6,300. (Average, $1,000)

"COCKEYED CAVALIERS" (Radio) FOX
Friday, July 23, 6-3, 7 days. Gross: $20,000.

She Loves Me Not" (Para.)

"TREASURE ISLAND" (M-G-M)
UNIVERSAL—100-97, 6-26, 7 days. Gross: $11,500. (Average, $1,000)

Not After Mason on Duels, Says Golden

Denying that independent producers and distributors were seeking to re- duce their production commitments, Frank L. Newman, who heads the distribution wing of U.P.L., said not after Mason is going to fight their battle on duels.

He said Mason has never been approached and if he were he (Golden) would know about it.

New Portland Managerns


Former Houses to Harris

PITTSBURGH, Aug. 26.—Warners will turn back the South Hill Harris in Dormont, Pa., to the Harris in inter- ests on Sept. 1. The William Penn on the north side already has been turned over to Harris and the Family Theater in East Liberty is slated to be returned to the same parties shortly.

Para. Code Complaint

HOLLYWOOD, Aug. 26.—The Million Dollar, subsequent run house, is the subject of the pre- mature advertising provoking a code in a complaint filed with the local grievance board yesterday by the Paramount. A bearing on the complaint has been set for Aug. 31.
Any manufacturer who has won his way into the confidence of a great industry is under obligation to maintain the standards that have given his product preference. Eastman Super-Sensitive "Pan" is continually discharging such an obligation. On the lot... in the laboratory... on the screen... it is unfailingly delivering the same qualities that first made it a sensation in the motion-picture world. Eastman Kodak Co. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative
12 French Talkers For U.S. Market

(Continued from page 1)

whereby John S. Tapernoux will market a dozen French talkers with super- imposed titles here and returned to Paris aboard the Lafayette, J. P. Kyan, long in the Fox foreign department and at one time that company’s representative in Paris, joins Tapernoux. Concern’s organization was formed, he explained, out of opposition to the alleged rule of the Chambre by Pathé-Neurad.

“We embrace,” he said, “every branch of the French industry from studio workers to exhibitors and distributors, and the French theatres, banded together in their own organization and headed by Rene Lussiez, are affiliated.

“We are opposing the French quota believe American picture should have free play in France and, therefore, airs his lot with Ray Mandel, director of the Parisian representative of the Hays orga- nization, to that end. Henri Clerc, a film production chief who is in the Treasury Department, is president of the Federation, which seeks friendly relations with the American trade, a better cost system to serve the branches of the French industry and an increase in theatre attendance from the development of the population which now attends.”

Clerc, Lussiez and Paul Charles River, general secretary, were mentioned as the leading lights of the organization.

Tapernoux plans direct distribution for the 12 talkers he plans to market in this country.

Velez-Rowland Case May Set Precedent

(Continued from page 1)

case involving production talent shall be heard by it or referred to the M. P. P. as the schedule is scheduled for Thursday.

The case was brought against Row- land Prod. by Lupe Velez, who charges the company with non-pay- ment of a $5,000 check. Court jurisdic- tion was invoked through a techni- cality of Miss Velez’s contract, to the effect that the actress, although holding a contract, never worked in a picture for the company.

More Join Cooperative

Detroit, Aug. 26.—Tom Lancaster, operating the Grande in Delray and the Lancaster, River Rouge, has cast his lot with Ray Mandel and joined the Cooperative Theatres of Michigan, formerly Midstates Theatres.

The company is moving to larger quarters in the Fox Theatre Bldg., new accounts and other addi- tional business necessitating the move, according to Moon.

The eight Sam Brown Theatres are now being booked by the combine.

Meyer on Home Ground

Milwaukee, Aug. 26.—Fred S. Meyer, president of the M.P.T.O. of Wisconsin and Upper Michigan recently attending the convention of the M.P.T.O.A. in California last April, has returned with his wife and daughter, Delphine. Meyer is convalescing and has made no plans as yet for resuming his theatre work.

MOTION PICTURE DAILY

HOLLYWOOD PREVIEW

“Richest Girl in the World”

(Radio) By L. B. Wyiosk, Aug. 26.—Miriam Hopkins, one of the finer artists, and Joel McCrea, who gives romance a flair of nonchalance, appear in this entertainment that starts as drama, goes to farce and winds up romantic.

The front page idea of the richest girl in the world seeking an eligible husband who wants her for herself alone and not for her money is the kernel of this. The plot has spiral surprise twists of the secretary, Fay Wray, already the wife of Reginald Denny, impersonating the heiress, Miss Hopkins, and getting farrically involved with McCrea and of Miss Hopkins placing obstacle after obstacle in McCrea’s path to test his inclinations.

Bill Seiter directed with taste and discrimination from Norman Krasna’s screenplay. The production, starting slowly, picks up and delivers in the last two reels. Appointments are lavish and the photography in keeping with them. Besides the principals, the cast includes Henry Stephenson, Beryl Mercer and Burr McIntosh.

“Case of the Howling Dog”

(Warner) By L. B. Wyiosk, Aug. 26.—Typical of the murder mystery formula, but employing a central plot twist somewhat different and carrying comedy and dexterity, “Case of the Howling Dog” Jells as acceptable enter- tainment.

Lawyer Warren William, by a strange request of Russell Hicks, be- comes counsel to Mary Astor. Hick’s estranged wife whom William has never met, Miss Astor, having parted with her husband for Gordon Westcott, discovers the latter’s phalangerans. Westcott is killed. Hicks, having previously complained to William, becomes a suspect, as are others. William, by logical and illogical but entertaining developments that place him in conflict with Grant Mitchell, district attorney: Allen Jenkins, detective sergeant, and Dorothy Tree. Westcott’s housekeeper, works out the denouement in the court room by aid of his private detectives who secure the dramatic evidence. The denouement leaves the audience wondering who is the real murderer.

Alvah Bess, playing with his people interestingly sympathetic. William Rees’ photography is good. The cast carries forth the mystery plot in interesting vein with William the standout.

With crime yarns apparently still in demand, this should appeal to the appetites of program patrons. The picture bears Production Seal No. 137 and runs 78 minutes.

Short Subjects

“The Orphan’s Benefit”

(United Artists) A hilarious Mickey Mouse that should have any audience in stitches. Mickey holds a benefit for some or- phans, and the acts put on are some of the funniest things to ever come from Walt Disney’s pen. Donald Duck, who recites, and an adagio team composed of a cow, a mule and a dog steal the show. Running time, 9 mins.

“Hello Sailors”

(Paramount) By L. B. Wyiosk, Aug. 26.—Tom Patricola, Buster West and Marion Martin, this short should fill in well on any bill. Stock shots of the combined Atlantic and Pacific fleet’s visit to New York recently, furnish the backgrounds for most of the scenes. Patricola and West handle the comedy well and their- acting is above the average. Running time, 18 mins.

“They Came the Yawn”

(Educational) A hilarious burlesque of the old trailer system of advertising coming pictures. It should produce chuckles from any audience. Starting out as a typical announcement of a coming picture, it lapes into burlesque titles and scenes. Just long enough to hold one’s interest. Running time, 5 mins.

“The Coast of Catalonia”

(Paramount) By L. B. Wyiosk, Aug. 26.—The latest of the Magic Carpet deals with a little known region of Spain, the Catalonian region. Native costumes, architecture and dances are fea- tured. The reel winds up with typical shots of Barcelona, capital of Catalania, Many of the town’s churches and pub- lic buildings are well photographed. Offscreen dialogue accompanies. Running time, 14 mins.

MOTION PICTURE DAILY

HOLLYWOOD PREVIEW

Fox and M-G-M Sell Mayfair; New Twist

(Continued from page 1)

Music Hall, a subsidiary of M-G-M, Walter Reade, operator of the Mayfair, gets whatever M-G-M releases the Capital does not accept.

The unexpected switch in the Broadway first-run alignment, giving the Mayfair a break in two major programs, means further change- along the Main Stem. It precipitates fewer independent releases at the Mayfair, a greater dependence on the Roxy on Columbia and Universal, although 16 Gaumont British releases are possibilities there and some from Paramount.

Arthur Mayer, operator of the Klio, says the rearrangement will not affect him. The Paramount Theatre, under its new policy, is figuring on only 30 pictures a year. The company makes 60. Mayer thus will offer him more Paramounts that in the season now closed. If his buying arrangement with the Roxy give three a day, this deal with the occasional Paramounts will play the Seventh Avenue house.

This is committed to play Faye Fox. That company is selling 36 and “The Cat’s Paw” is a Columbia release. A few possibilities from that source 34 pictures from M-G-M he figures on about ten the first to be ‘Straight In the Way,’ which is about to open.

Making ‘Kentucky’ Shot

CINCINNATI, Aug. 26.—Sol Hal- pern, chief cameraman for Henry King, has arrived to visit C. P. Richelieu, Lexington and Louisville Ky., to shoot scenes on location for “Kentucky.” Pictures in the first two months of shooting are expected to arrive early next month. Pe ters is a possibility of Janet Gaynor coming for scenes. According to James Warren, local Fox manager.

Hollywood, Aug. 26.—Henry King will leave Hollywood Sept. 1 for three weeks in the South on atmosphere shots for his next Fox picture “Miss Spring.”

Merle Oberon Cast

Hollywood, Aug. 26.—Merl Oberon, whom Joseph S. Schenck will escort to the altar in about six months, will make her American debut in “Cardinal Richelieu” for 20th Cen- tury.

Neilan Beats Schedule

Hollywood, Aug. 26.—Marsha Neilan, directing his first talking picture, “The Lazy Drop Kid,” brought the opus under the wire four days ahead of schedule.

Teasdale-Menjou Nuptia

Hollywood, Aug. 26.—Verna Teasdale and Adolph Menjou were married here Saturday by Municipal Judge H. J. Powers.

Fabian-Stanley Deal Se

St. Fabian’s remaining interest in the Stanley, Jersey City, was sold to the Stanley Co., Warner subsidiary in a transaction closed on Saturday.

Trade Show for Young

Mascot will hold a trade show of “Young and Beautiful,” at 10:30 o’clock Wednesday at the Criterion.
Reorganized Paramount by October 1 Looms Stronger

Paramount Publix reorganization plans are expected to enter the final stages immediately after Labor Day, with continued excellent prospects of a reorganized company by Oct. 1, it was stated on good authority yesterday.

Adolph Zukor is expected back from Hollywood about Sept. 10 to sit on final reorganization discussions and will remain here until the task is completed.

The final bankruptcy report of Charles D. Hilles, Eugene W. Leake and Charles E. Richardson, Paramount trustees, given to the Federal court here late last week and showing creditors' claims against the company scaled down to $50,600,000 and cash on hand of $13,541,000 as of June 16, with continued profitable operations since, is viewed as giving the trustees needed to complete the company's plan within three weeks, as expected.

Fees Sought In Paramount Case Fought

Small creditors' groups in Paramount will oppose the petitions for fees and allowances aggregating $721,204 for services in connection with the 14 months of the company bankruptcy, it was learned yesterday.

Boardholders' groups represented by Victor House, Samuel Zorach and William E. Rogers indicated they would urge drastic reductions when the petitions are heard before Special Master Ira E. Joyce at a creditors' meeting at 10 a.m. today.

These groups opposed the petitions for $296,000 of allowances for services during the three and one month period.

Majors Are Cited in $425,000 Omaha Suit

OMAHA, Aug. 27.—A suit for $425,000 damages charging all major producers, the Omaha Film Board, the former Publix Iowa, Inc., and Publix Theatres Corp., with conspiring in restraint of trade to prevent him from securing films for his theatre has been filed in U. S. District Court here by Vern S. Brown, Missouri Valley (Ia.) exhibitor. The plaintiff claims the Publix corporations cut him out of product by opening a competing house.

No Price Hike in Cleveland on Way

Cleveland, Aug. 27.—No advance in admissions is seen in the immediate future by local exhibitors and circuit owners. The present 44 cent top is expected to remain except when a stage show augments the picture when the admissions go to 60 cents top, including the state 10 per cent tax.

RKO Palace has booked two successive stage shows, Ted Fio Rito and "Broadway." Loew's State will bring "Paradise." (Continued on page 9)

So! New Orleans, Aug. 27.—Clipped from a local ad of the Tudor:

"Last Day
"She Was a Lady"

Death Claims Mother Of Four Warner Bros.

Mrs. Benjamin Warner died in Los Angeles at 3 A. M. (Pacific Coast Time) yesterday morning a few hours before the arrival of two of her sons and other members of the family who chartered a special plane in New York.

Wanger Back with Para., Producer Now

A deal is practically, but not entirely, set for a return of Walter Wanger, a former production manager, to Paramount but this time as an independent producer.


Grosses Take Spurt; Wide Gains Made

Strong Pictures, Cool Weather Do It

Detailed box-office reports from key cities appear on pages 3 and 4 today.

Grosses are on the upsurge, telegraphed reports to Motion Picture Daily from key cities yesterday indicated. While the swing toward better business continues spotty and in ratio with the draw of particular attractions, strong pictures winding up the old and opening attractions launching the new are proving interesting enough to persuade the public to part with its quarters and half dollars. Cooler weather is proving an aid, too.

Typical of the scene in other parts was New York last week. It was a swell week here. "Cleopatra" did a fine $72,000 at the Paramount; "Dames" a real gross of $41,201 at the Loew's State.

Price, Dual Fight Brews in St. Louis

St. Louis, Aug. 27.—Thursday starts a price and dual feature tussle in this city with Warnacol and Marquis leaders in the move.

Beginning Aug. 30, admissions of 35 cents and 55 cents at the Missouri, Ambassador and Fox will be cut to 25 cents and 40 cents. All three houses will program two features of three each.

Faith Is Queried in Fox Theatres Case

An answering question of the good faith of the involuntary petition for reorganization of Fox Theatres was filed in U. S. District Court here yesterday by three creditors of Fox Theatres.

It follows the petition for reorganization alleging that debts of Fox Theatres aggregate $40,000,000 and that

Runs On and On

Cincinnati, Aug. 27.—Add marque signs:
"The Strand
"Where Sinners Meet."
THE code situation is complicated, unsatisfactory and getting to be very amusing to many. That is, to many when they really say what they are thinking. Many are fixed on Sal Rosenblatt. Many minds are speculating over what he proposes doing about it. Take the clearance and zoning situation. Does he take it seriously or just for a laugh? Why should you? Modesty is a virtue, but we haven’t any. And that permits us to remind you that it was Motion Picture Daily which tipped off first and many weeks ago that zoning was holding up sales, or vice versa, and that the situation appeared heading toward trouble, much of it.

Distributors’ answer to the plight of Allied members that are not being marketed on a weekly payment plan regardless of the number played, runs like this: “We do it, it is true, but it is all a matter of negotiation. We may sell two-weekers at $10. That’s $20. And 52 one-weekers at $5. That’s $260 or $780 for the bunch or $15 payable weekly. Flat and regardless of when the exhibitor does pay out. Plays do not expect exhibitors to wait. Some exhibitors have no time. Why as long as they do not give it to them? Why not if theatre managers sell the price? . . .

“Tablecloth Millionaires” — that gay coterie of magnates who, in the busy days of the industry’s infancy, ate each day at the Astor and kept two waiters busy changing the tablecloths as they scribbled millions, even billions, in pencil deals all over the linens, now have a charter of that organization in Hollywood. New York may want to know. Daily at lunch a group of foragers at Ray’s Delicatessen on La Brea near Wilshire. In a corner, over salami, herring, or cheese cake, the air fills with fancy figures and waitresses keep scouring for more napkins as the boys pencil them.

In the evening the scene changes, however. Being one of the better eating spots in Hollywood, dinner at night and after-view supper usually finds some of the town’s epur’s partaking of the dishes.

Favorite dishes of some of the film folks are:

MANNY COHEN . . . Knodel soup and gedempfte brust.
JOE SCHINCK . . . Borscht and blintzes.
ARCHIE MAYO . . . Kishke and gefilte fish.
JOE REILLY . . . Roast duck and potatoes.
L. B. MAYER . . . Kishke.
AL KAUFMAN . . . Gedempfte brust.
Eddie Cantor . . . Smoked whiting and blintzes, potato pancakes.
Eddie Small . . . Gefilte fish.
JEAN HARLOW . . . Chicken soup and strudel.
Nils Asther . . . Wiener and sauerkraut.
Irving Cummings . . . Calf’s liver and onions.
Mervyn LeRoy . . . Chicken and noodles.
Fanny Brice . . . Herring, blintzes, strudel.

First issue of “Dumb Bell Letters,” assembled by Julian Lowell who authored the amusing book of the same name, got a bellhop reaction from Motion Picture House last week. They rolicked and they rolled, so funny were the purported facsimiles of communications sent by the intelligent public to many of this industry. This little Hollywood would oft to study them for a slant on the populace it is trying to serve. Then watch the mentality of future product sin a strudel like a plumb line. . .

Now that Police Commissioner O’Ryan has had only one or two of their packets do their stuff before any given theatre, there will be no need for Governor Lehman to call out the troops. For that is O’Ryan’s trouble under all his blood pressure. At Liebman’s deal with B. & K. for 2 cent minimum admissions covers only three of U. A.’s 21. What are the three to be? Have you noticed the number of independent companies about a blossom on the coast? . . . Th perennial theme song. "I Love You," is in the air.

Coast Unit Formed; Agfa Denies Tieu

Hollywood, Aug. 27.—Advent Pictures is being organized here to produce 26 features and five serials, and is the creation of the William Paul and Bud Barsky, who has been appointed to the post by Arthur Weiss, recently resigned from the financial group, said to be aligned with Agfa, which was reported here last week would investing $2,000,000 in the venture.谈 company is taking over the International Studio in Hollywood.

Franklin’s Second Fixe

Following “Gambling” which had Old B. Franklin would make for his second will be “Three Sisters” based on a musical comedy; that King Charlie, Agfa agent of the coast, might know of arrangements made for finance.

Efrus in New Office

Sam Efrus has opened New Y office in the NYC Bldg, for distribution of a series of eight Peersles Fix of the first is “The House Danger.”

ITOA Directors to Meet

Directors of the I. T. O. A. met today to discuss the various problems parary to the general meeting tomorrow at the Astor.

Kornblum a Benedict

Herman Kornblum, partner with Louis Geller in the Park, Newark, was married yesterday to Lilian A., who was Miss America of Brooklyn.

“Widow” Set for Astor

“The Merry Widow” debuts at the Astor either Sept. 12 or Sept. 19.
Seattle Not Good; Lloyd Film Leader

Seattle, Aug. 27.—"The Cat's Paw" was only first run attraction to hit and better average last week. It did $3,200 in six days ($2,500, ahead of parity. Not much overage, but still the best performance in town, is an indication of the film’s popularity.

"Bulldog Drummond Strikes Back" came within $500 of normal business at the Music Hall, but, times being what they are, it was moved to the Music Box for a second week. Hot weather is what took its toll over the city.

Total first run business was $29,100. This compares with average first run total business of $31,000.

Estimated takings for the week ending Aug. 25:

**THEIR BIG MOMENT**

*Return of the Terror* (M-G-M)

Fox, 30c-40c, 7 days

Gross: $2,800.

**THE CAT’S PAW**

*Fox*.

Fifth Ave., 30c-40c, 7 days

Gross: $2,800.

**COUNTER OF MOVIED FACE**

*Col.*

Man from Utah (M-G-M)

Liberty, 30c-40c, 7 days

Gross: $1,700.

**ONE MORE RIVER**

*MGM*

40c-60c, 7 days

Gross: $1,000.

**STAMBOUL**

*Fox*

Paramount, 30c-40c, 7 days

Gross: $1,000.

Volunteer headed by television demonstration.

Gross: $1,200.

Crosby Outrages

Others in Omaha

OMAHA, Aug. 27.—The Orpheum cracked its fourth house record this summer with "She Loves Me Not" running $1,220 ahead of parity. "Embarrassing Moments" was its running mate in celluloid.

The Brandeis did standee trade with "The Man with Two Faces" ($4,000, in par) over and above.

Autumn coolness has pep up patrons who are not coming now for relief via refrigeration, but to see the shows.

Total first run grosses were $20,400. Average, in the aggregate, $1,500.

Estimated takings:

**Week Ending Aug. 22,**

**HUMAN BONDAGE**

*Orpheum*

Paris Interlude (M-G-M)

World, 30c-40c, 7 days

Gross: $4,000.

Average, ($4,000).

**Week Ending Aug. 23,**

**THE MAN WITH TWO FACES**

*(RKO)*

*Blind Date* (Col.)

RKO, 30c-40c, 7 days

Gross: $3,500.

**EMBARRASSING MOMENTS**

*Orpheum* (4,000), 30c-40c, 7 days

Gross: $3,500.

**Sheehan on "Follies"**

Hollywood, Aug. 27.—Joan Sheehan played the second version of the George White 'Scandals' at Fox with Willifield Sheehan as producer. What Robert Bloch had produced the last "Scandals."

With Trimmings

Kansas City, Aug. 27.—Barney Joffe, managing director of the Tower, made the town rose-conscious last week. Dubbing his stage show "The Garden Revue," Joffe had his chorus tossing red and white roses into the audience while the vendors spread a rose fragrance through the house.

Weather Aids

Los Angeles; "Island" Top

LOS ANGELES, Aug. 27.—The temperature in these parts dropped to nor-average last week and left a more encouraging mark on box-office receipts, although gains were fragmentary. "Treasure Island" leaped from the field with a new lead spot over $20,000 at Loew's State, as compared with a $14,000 normal. "The Scarlet Empress" at the Paramount took $7,800 when $12,000 was average. "The Lady Is Willing" at the RKO and The Man With Two Faces at Warner Hollywood dipped under par, but the third week of "Here Comes the Navy"—$10,000 at Warner's Downtown—was OK.

Total first run business ran to $68,000, with Grauman's Chinese and the Filmore dark.

Estimated takings for the week ending Aug. 22:

**TREASURE ISLAND**

*(M-G-M)*

LOEW'S (7,200), 30c-50c, 7 days

Short, $1,000. Short news, $1,900. Gross, $12,000.

**THE SCARLET EMPRESS**

*(Para.)*

PARAMOUNT (3,000), 30c-40c, 7 days

News, Short, News, $10,000.

**THE LADY IS WILLING**

*(Col.)*

SHORTS, 30c-50c, 7 days

Gross, $2,000.

**THE MAN WITH TWO FACES**

*(W.B.)*

WARNER BROS. (DOWNTOWN), 30c-50c, 7 days

News, News, News, $10,000.

**ROMANCE IN THE RAIN**

*(Univ.)*

PARAMOUNT, 30c-40c, 7 days

News, Short, Gross, $4,000.

**Boston Cheerier; "Dames" Is No. 1**

Boston, Aug. 27.—A good week for theatres here. Receipts continued to show a steady improvement with the first run total only $3,000 under their average of $9,600.

"Dames" at the Metropolitan gave that house its best week in many, many years, $10,000, which Joan Lowell in person helped boost the Boston to an average $16,000. "Treasure Island" went into a second week at Loew's State, giving the house $31,000 for the combined 14 days.

Estimated takings for the week ending Aug. 23:

**ADVENTURE GIRL** *(Radio)*

**TREASURE ISLAND** *(M-G-M)*

BOSTON (3,000), 25c-50c, 7 days

J. (Continued on page 4)

Philadelphia

Grooves Show Steady Gain

PHILADELPHIA, Aug. 27.—Slow, but steady, pickup of general business in the last two weeks has been an encouraging sign for a decent fall trade for local theatres. Strong offerings of the period, with "The Cat's Paw" continuing to do well, and the "Paros" program, have stimulated new interest.

Outstanding last week was "Cleopatra," nipping off $14,000 at the Lloyd to the return of theatres to "The World Moves On," playing its second week at the Fox also took in a $14,000 for "Island." "Love Is a Little Under par, but built steadily. M-G-M looks for good neighborhood response from this "all-family" picture.

Total receipts, $60,000. Average, $9,500.

Estimated grosses for the week ending Aug. 23:

**OLD-FASHIONED WAY** *(Para.)*

ARCADIA—(600), 25c-40c, 6 days

Gross: $2,300. (Average, $2,300).

**CLEOPATRA** *(Para.)*

ROY—(1,000), 25c-50c, 6 days

Gross: $14,000. (Average, $12,000).

**HOMESTYLE WIFE** *(P. N.)*

EARL—(1,200), 25c-50c, 6 days

Stage show with Ina Ray Hutton and Her Revue. Gross: $17,000. (Average, $14,000).

**THE WORLD MOVES ON** *(Fox)*

KARLTON—(2,200), 25c-50c, 6 days

Gross: $12,000. (Average, $2,200).

**LET'S TALK IT OVER** *(Para.)*

KARLTON—(1,000), 30c-50c, 6 days

Gross: $10,000.

**TREASURE ISLAND** *(M-G-M)*

STANLEY—(1,200), 40c-50c, 6 days

Gross: $14,000.

**DEFENSE RESTS** *(Columbia)*

SUSAN—(1,000), 30c-50c, 6 days

Gross: $5,000.

Denver Trade Soars;

Best in Long Time

DENVER, Aug. 27.—The best theatre week Denver has had in months closed on another high note at the Barnum and Bailey circus played to $0,000 admissions in four performances, but the weather cooled off sufficiently for the crowd.

The Aladdin did $5,500, or $3,000 over average with "The Last Gentleman" and so holds for a second week. "Ladies Should Listen" sagged at the Denham and was pulled after the sixth day on "Island" for $3,000.

"Dames" went $3,500 over average to $10,500 at the Denver and "Grand Canary," $2,000 above at $8,000 at the Paramount.

Total first run business was $29,000. Average, $20,500. Estimated takings for the week ending Thursday night:

**THE LAST GENTLEMAN** *(U. A.)*

ALADDIN—(1,000), 25c-50c, 7 days

Gross: $3,500. (Average, $500).

**LADIES SHOULD LISTEN** *(Para.)*

DENHAM—(1,000), 25c-50c, 7 days

Gross: $3,500. (Average, $500).

**GRAND CANARY** *(Fox)*

PARAMOUNT—(1,500), 30c-50c, 4 days

Gross: $5,000. (Average, $1,250).

**BING AND LET IT** *(RKO)*

PARAMOUNT—(1,200), 25c-50c, 4 days

Gross: $5,000. (Average, $1,250).
**Cleveland 40% to Good: “Island” Knockout There**

Cleveland, Aug. 27.—Cool weather, very little outside competition and popular screen fare boosted downtown grosses practically 40% over average. “Treasure Island” proved a knockout at Loew’s State grossing $20,000 as against $15,000. “The Man Who Was Two Faces” went to $8,000, or $3,000 above the regular intake at Warner’s Hippodrome. RKO Palace and Loew’s Stillman held to about average.

Total gross for week was $41,500. Average: $9,900.

**"Island" Wow in Pittsburgh Town**

Pittsburgh, Aug. 27.—“Treasure Island” was the big and practically only noise here last week. It did around $15,000 at the Penn, then here all summer, with the kids flocking in droves to celebrate the next to last week of “Fantasia.” Nothing else had a chance. At the Stanley, “Housewife” had trouble getting $6,000, which was considerably above average here while at the Warner, “The Personality Kid” and “Hat, Coat and Glove” did only around $4,800.

Total grosses for the first three run houses were $29,800. Average was $9,900. Estimated takings for the week ending Aug. 24:

- **TREASURE ISLAND** (M-G-M): Gross: $19,700. (Average, $9,850)
- **DAMES** (Warner): Gross: $5,200. (Average, $1,733)
- **RETURN OF THE TERROR** (Warner): Gross: $2,800. (Average, $700)

**Washington Shows Pickup; “Eyre” Hands Top a Record**

Washington, Aug. 27.—Grosses took a definite upturn last week when an estimated total of $69,000 was taken on a week of uniformly good shows.

Most spectacular take was that at the RKO-Keith’s where “Jane Eyre” took $8,400 to set an all-time record for an independent picture at that house. It was the first Monogram to be booked at the Keith.

Loew’s Fox resumed its top position in the Capital score with an above-average $21,400 for “Hildegate” and the second annual edition of the All-Washington Revue, “Going Native,” with Arthur Godfrey, CBS regular, was over $1,000. It was only tepidly received, but the stage show garnered encomiums of praise. Carefully selected from the city’s better amateur-professionals and trained by Gene Ford, Loew production man, the company of 45 was the ace at age.

“Treasure Island” took Loew’s Palace well over the average, to a gross of $17,200. It stays for a second week. The Metropolitan went above the average on a return engagement of “Here Comes the Navy” to a gross of $4,800.

Below average takes at the Earle and Columbia brought the total gross to only $69,800, only $1,400 under the average.

Estimated takings, exclusive of tax, for the week ending Aug. 23:

- **MAN WITH TWO FACES** (F.N.) EARLE—(2,250), 25c-50c, 7 days, Gross: $2,400. (Average, $343)
- **CHARLIE CHAN’S COURAGE** (Fox) LOEWS—(1,700), 25c-50c, 7 days, Gross: $1,500. (Average, $214)
- **HERE COMES THE NAVY** (Warner): STADIUM—(1,500), 25c-50c, 7 days, return engagement. Gross: $4,800. (Average, $686)
- **NIGHT WITCHES** (Warner) BROADWAY—(2,000), 25c-50c, 7 days, Gross: $2,000. (Average, $286)
- **BULLDOG DRUMMOND STRIKES BACK** (U.A.) LOEWS—(1,500), 25c-50c, 7 days, Gross: $1,500. (Average, $214)
- **THIS WOMAN ONCE** (M-G-M) EARLE—(2,250), 25c-50c, 7 days, Gross: $2,000. (Average, $286)

**Boston Cheer; “Dames” Is No. 1**

Lowell in person. Gross: $16,000. (Average, $1,100).

**She Was a Lady** (Fox)

**Crime Without Passion** (Para.)

**Romantic Rainbow** (Univ.)

**TREASURE ISLAND** (M-G-M)

**Loew’s State**—(1,700), 25c-50c, 7 days, Gross: $1,500. (Average, $214)

**DAMES** (Warner)

**Metropolitan**—(1,500), 25c-50c, 7 days, Gross: $1,500. (Average, $214)

**She Was a Lady** (Fox)

**Crime Without Passion** (Para.)

**Paramount**—(1,000), 25c-50c, 7 days, Gross: $800. (Average, $900)

**Peck** Smashes Record

Santa Anna, Cal., Aug. 27.—“Peck’s Bad Boy” broke all opening day’s records at the Broadway here.
"WHAT'S THE EXCUSE TONIGHT LEO D-A-R-L-I-N-G!"
“Honest, Mama, I just had to bust out... the box-office reports started coming through on ‘Treasure Island’ right on the high heels of that ‘Girl from Missouri’... what a grand and glorious feeling...! ...So the boys started knocking ’em over for dear old M-G-M...”

“...It’s the same old story Leo... go on, a-n-g-e-l! you fascinate me!”

“You see, Mama, the trouble was that we had so many things to celebrate... we couldn’t neglect the ‘Riptides’ and the ‘Dancing...”
For my national campaigns in 40 magazines, biggest in film history

For the preview on “Barretts of Wimpole Street”

For my billboard campaign (8000 stands) biggest in film history

For the preview of “Chained”

For “Hide-out” by the makers of “Thin Man”

This was for ‘David Copperfield’
My pride and joy!

And this to the showmen who march forward with me!

Ladys’ of the past months...and there was ‘Thin Man’, ‘Viva Villa’, ‘Men in White’ and all the others.”

“I can see that you didn’t skip anything, my sweet!”

“Positively not, Mama... and the boys got around to my big campaigns in national magazines and on the billboards...and we drank to the big, new-season hits just previewed on the coast...‘Barretts of Wimpole Street’, ‘The Merry Widow’, ‘Chained’...and many a toast to my exhibitor pals who will play them...so you see how it was...”

(Does Leo get socked by Mama? Next page tells all!)
"That's reason enough to celebrate, Leo, you old rascal...... Here's to M-G-M, the peppiest outfit in motion pictures.... and next time you celebrate, why not invite Mama!"
Sees General Price Boost On the Way

(Continued from page 1)

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Grosses Take Spurt; Wide Gains Made
(Continued from page 1)
the Strand; "The Cat’s Paw," a pleasant, if not sensational $83,000 at the Music Hall; "Bulldog Drummond Striketh Out," grossing $29,000 at the Rivoli and the Roxy a good $19,800 with the third week of "Handy Andy." That house expects to go as high as $28,000.

"Charlie Chan’s Courage." The Rialto ended at $12,000 with "The Defense Rests"; the Capitol, N.Y. The Shubert point with "Treasure Island"; the Mayfair, $6,600 with "She Was a Lady," and the Palace $10,500 with a follow on "One More River."

Receiver Named for Shubert, Cox in Cincy
CINCINNATI, Aug. 27—Judge Benon W. Hough of the U.S. District Court, Columbus, has appointed Ben L. Heidingsfeldt, Cincinnati attorney, receiver for the Shubert, Cox and Heidingsfeldt Co., upon the petition of the Trebush Realty Co., New York, filed in U. S. District Court here. Appoint- ment was made on the application of Haveth E. Mau and Abraham Lipp, local attorneys.

The petition set forth that, while the company’s assets exceed liabilities by nearly $800,000, it is not in a position to meet maturing obligations at present. Creditors will be enjoined from bringing suit to satisfy their claims in order to prevent dissipation of the assets. It was asserted in the petition that the company is indebted to the plaintiff in the sum of $13,953.

Assets are listed at $1,500,000, and current liabilities at $1,149,107.88. The asset consist mainly of improved real estate.

The defendant’s answer, filed simultaneously with the petition, admitted the debt and stipulated to the nullification of the appointment of a receiver.

The Shubert, legitimate, and the Cox, playing intermittent seasons of dramatic stock, also play pictures during the regular legitimate season. The Cox has played many roadshow pictures during the past few years.

The receiver will be given authority to continue operation of both theaters.

Faith Is Queried in Fox Theatres Case
(Continued from page 1)
current assets are virtually without value. The answer alleges that any reorganization is an impossibility.

The creditors filing the response to the involuntary petition are Newspaper Publishers, R. T. Patterson & Co., Colson & Co., and R. C. Cherry. Archibald Palmer is attorney for the creditors and also an applicant in opposition to the reorganization represented by A. C. Blumenthal, Merriam Rogers, the creditor designated by Palmer, listed a claim of $430,941.

Cleveland Up
Cleveland, Aug. 27.—Business at the local downtown first-run theaters for the week was way ahead of the same period in the past few years, according to Milt Harris of Loew’s. Four Loew houses here rocked up to pre-depression grosses. Saturday house also showed an increase. Cool weather, long evenings and no competitive theatrical enter tainment helped.

Retain Medalie to Wage ASCAP Fight
(Continued from page 1)
N. O. Lawyers Say Tax Is Not Legal
NEW ORLEANS, Aug. 27—Attor- neys have pointed out to the city ad minister the possibility of the local tax being a one cent charge on all admissions up to 50 cents, which would make the undiscounted tax $1.00. They have recommended that the city legislature give the option of the 50-cent tax to the citizens.

Ideal in Features; Signs With Hagen
(Continued from page 1)
impending plan is the "Wandering Jew," "Broken Melody" and "Hello, Donna."

The studio plans to add another feature in September and to double its output. Apart from its own product, Hagen is a quota producer for Universal, Radio, Associated Producers and Distributors, and holds a contract to make two for Gaumont British.

M. J. Kandel of Ideal is abroad at the Paris, due in New York tonight from Europe.

M-G-M Announces "Jew"
M-G-M yesterday announced it had acquired "The Wandering Jew" for release here and would open it at the Capitol, following "Chained."

This is the same picture which Ideal has acquired, according to the above cable from London.

Phil Meyer yesterday stated he had sold the film to M-G-M. Starring is Conrad Veidt. Maurice Elvey directed and Hugo Riesenfeld furnished the music.

This is the first English picture to be distributed by M-G-M since "The Outsider." M-G-M is selling it as "a successor to Ben Hur."

Hollie Stemberg is handling special publicity on the film at M-G-M.

Tender Brown Dinner
CHICAGO, Aug. 27—Division Ad
t, Sol A. Goldsmith, yesterday attended the banquet given in honor of George Brown, business manager of local operators’ union and president of the I.A.T.S.E. The affair was given by Brown’s friends in and out of the industry.

That was the occasion of a speech praising the work of Brown and left immediately after for his Washington office.

Feeds Sought in Paramount Case
(Continued from page 1)
half months of Paramount’s equity receivership. Those fees were eventu ally reduced to $105,000 by the Federal Court.

The bulk of the bankruptcy fees are for the services of the three Para mount trustees, Charles D. Hilles, a Chicago lawyer; J. C. Richardson, who asked $100,000 each and of Root, Clark, Buckner & Ball an, the court’s counsel, which asks $350,000. The balance of $67,000 is for special counsel and accountants services.

The Root, Clark, Buckner & Ball an petition states that the financial position of Paramount was improved $9,000,000 during the 14 months of the bankruptcy and that numerous other benefits to the estate were realized; the value of which will be demonstrated during future operations.

The petition states that six partners of the firm and a large staff of spe cial attorneys has worked on the case for 33,400 work hours on Paramount affairs during the 14 months of the bankruptcy.

Wanger Back With Para., Producer Now
(Continued from page 1)
pictures for the 1934-35 program, the brash President Vanishes with Erpi finances.

This means only a slight increase in the Paramount schedule, which will hover in the neighborhood of 62 for the new season.

Technicians Name Slate
HOLLYWOOD, Aug. 27—The following have been selected as candidates for the Technicians’ Branch nominating committee to represent the branch in the upcoming election:

For the Academy board of governors, of whom three are to be elected: John A. Bannister, Best, John Boyle, Harry Cohen, Harris Tenning, Charles D. Hall, Fredric Hurst, John Humphrey, Nathan Levinson, Wesley C. Miller, William B. Moll, Emil Oster, Van Nest Rea, Loren Ryder and S. J. Twining.

‘Change in Des Moines
DES MOINES, Aug. 27—Charles terfield, World Wide and ComiColor cartoons exhibitors in Central and Eastern Iowa will be served by a new branch here of the Capitol Pictures Corp, with headquarters in Omaha. Joe Kestrel, formerly with Tiffin, will manage the new office.

To Work at Pathe
HOLLYWOOD, Aug. 27—George Batcheller of Chesterfield and Maury Lowry, who was just signed to lease to make their individual nine picture program at the Pathe studio. They formerly leased space at United City.
“A Treasure Trove”

WALTER SPEARMAN
motion picture critic
CHARLOTTE NEWS
Charlotte, N. C.

“For digging out facts about the motion picture industry I’ve just discovered a treasure trove. It is the 1934-35 Motion Picture Almanac. There is enough material in it to last a daily columnist about 365 days.”

“A Compliment to the Industry”

WALTER D. HICKMAN
motion picture editor
INDIANAPOLIS TIMES

“The 1934-35 Motion Picture Almanac is the most complete authority on the movie industry I have ever seen. It is a compliment to the industry.”

MOTION PICTURE ALMANAC
1790 BROADWAY
NEW YORK
Death Claims Mother Of Four Warner Bros.

(Continued from page 1)

Sunday in a vain effort to reach her broken heart.

H. M. Warner, Albert and Mrs. Warner, Harry Charnas and Lou Halper flew west immediately upon arrival of word that Mrs. Warner was rapidly sinking. Halper, western theatre executive for Warners, was in New York on business.

Surviving Mrs. Warner are her husband, Benjamin Warner; four sons, Harry M., Albert W., Jack and Dave; and three daughters, Mrs. Harry Charnas of New York, Mrs. David Robbins of Youngstown, and Mrs. Lou Halper of Beverly Hills.

Cerebral Hemorrhage Cause

Hollywood, Aug. 27.—Immediate cause of the death of Mrs. Benjamin Warner, 92-year-old daughter of 

She had been confined to the Cedars of Lebanon Hospital and died three hours after the elapse of her 88th wedding anniversary. Mrs. Warner was born in Poland 77 years ago.

The Warner party, flying from New York, arrived at noon today.

Last Rites for Mrs. Feist

Funeral services were held yesterday for Mrs. Bertha E. Feist, wife of Felix P. Feist, general sales manager of M-G-M, who died early Saturday at the Cedars of Lebanon. Schenck, president of Loew's and M-G-M, headed a formidable array of company executives who attended the services.

Mrs. Feist was 48 and had been ill for some time. She was an author of "Grundy-Grunts Indoors," "Grundy-Grunts Outdoors," "Smily-Smilies Indoors" and "Smily-Smilies Outdoors," books for children which had a large circulation. She also was regarded as an authority on sports and was credited with authorship of several articles on golf. A woman of parts, Mrs. Feist was a painter and a poet as well. She was a member of the Mayor and the Metropolitan Country Club and is survived by her husband, a daughter, Mrs. Mrs. Feist; and a son, Felix, who is well known in production circles in Hollywood.

Jones Dead at 68

Rochester, N. Y., Aug. 27.—Funeral services are being arranged for Lewis B. Jones, 68, a vice-president of Eastman Kodak, a pioneer in that company's services and at the time of his death, in charge of sales and advertising. The end came suddenly and as a result of a heart attack at his country home and farm near this city.

Jones is survived by his daughter, Mrs. Horace S. Thomas; a son, Robert F. Jones and three grandchildren.

Color Plans Changed

Pioneer Pictures has decided to make Thackeray's "Becky Sharp," not "The Three Musketeers, which was first announced, as the initial feature to employ the new three-component Technicolor process. Radio will release.

Kemeth MacGowan will supervise; while Robert Edmond Jones will be in charge of the color direction.

Death Claims Mother Of Four Warner Bros.

MOTION PICTURE DAILY

HOLLYWOOD PREVIEW

"Peck's Bad Boy"

Hollywood, Aug. 27.—Santa Anna packed its Broadway theatre all Sunday to honor the world premiere of this production and judging from the reception of the paying patrons and press, Mr. Lesser has a real hit here.

With the personalities of Jackie Cooper, Thomas Meighan, Jackie Searl, Ona Haggerty and Dorothy Peterson, an authentic canvas of America is unfolded in "Peck's Bad Boy," revealing the drama of a typical boy in a typical home in a typical town.

Known as one of the literary classics of the Mark Twain era, it emerges on the screen rich and wholesome, full of vitality, glowing with incidents that tickle the ribs and wet the eye.

Sol Lesser, theatre operator and producer, who rose from a San Francisco tent show to a west coast theatre producer forming film smashers on his way, has the right to expand on the first under his new auspices.

Milton. Cline's directorial transfer proves the heart of the boy with sympathy, understanding and humor. Hugo Riesensfeld's music enhances the audience response. Bernie Schubert and Marguerite Roberts wrote the screen play. Frank Good's photography is good.

Shrewdly woven into the film is a father-son celebration for good eating. With this, the title, marquee names and heart appeal should account for ticket window satisfaction and family enjoyment. It was previewed without a code seal. Running time, 70 minutes.

"Straight Is the Way," last night's opener at the Majestic, was created from a script by verse from Hollywood July 21.

Mexican Union Bans "Mussolini Speaks"

BY JAMES LOCKHART

MEXICO CITY, Aug. 27.—Theatre unions here have boycotted "Mussolini Speaks," the charge it disseminates Fascist propaganda which the union thinks unsuitable for Mexican workers.

The Peasants' federation has backed the boycott, leading to the expectation the ban will expand throughout the country.

Allen Reopens Aug. 30

CLEVELAND, Aug. 27.—The Allen, operated by a Warner-RKO pool under Nat Holt, opens Aug. 30 with a loaf of bread for breakfast. Percy Higley, former assistant manager at Keith's Palace, has been named house manager. Admission prices are set at 20 and 30 cents for matinees and 40 cents for evenings. A straight picture policy is planned.

Para. Assigns Baer

Max Baer, recently signed to make one each for Columbia, M-G-M and Paramount, has received his para- Mount assignment. He will appear in a Damon Runyon original, "Kids on the Cuff." The yarn has no connection with the ring.

Signs June Clayworth

HOLLYWOOD, Aug. 27.—Universal has signed June Clayworth to a long-term contract. The actress will be scored in the Broadway production, "Are You Decent." The deal begins Sept. 17.

Compton China Bound

HOLLYWOOD, Aug. 27.—Betty Compson has sailed for China, where she has a contract with a new-formed company to direct pictures with native Chinese casts.

Warnings to Book 2 More Jersey Spots

Warners have entered into an arrangement with Raph & Rudin whereby the major circuit will do the bookings buying for the Belasco in the United Montclair, and Broadmoor, Bloomfield, N. J.

Some time ago Warners had a deal on to take over the houses, but negotiations were dropped in favor of the buying-bookkeeping setup.

Drew Here from London

Thomas P. Drew, recently appointed sales manager of General Regis- ter, arrived from London on the Le- rivian, yesterday and immediately took up his new duties. Tonight, Percy Phillipson, head of the company, will be host at a Waldorf dinner in Drew's honor.

CarrPreparing Three

HOLLYWOOD, Aug. 27.—Trem Carr has postponed all production at Mono- gram until after Labor Day, having been three weeks in St. Ives. September. The pictures are "The Healer," "Flirting with Danger" and "Girl of My Dreams," a college yarn.

Laughton Causes Delay

HOLLYWOOD, Aug. 27.—Illness of Charles Laughton, who underwent a major operation yesterday at the Cedars of Lebanon Hospital, will lay start of "Ruggles of Red Gap" at Paramount to Sept. 10.

Toepkites Signs Santell

LONDON, Aug. 27.—Toepkites Prod. has signed Al Santell to direct "The Dictator" on which shooting will get going Sept. 17. The Associated Talking Picture studio at Ealing will be used.


British producers are determined to "crash" the American market this season. Bertram & Mayer's of Films & Mayer's, counsel for independent producers here and in London, said yesterday.

They have been consulted recently from Lon- don where he aided in the organization of the British unit of an Anglo-American distributing company to be known as Atlantic Film Corp. Organization work for the American unit will be begun early. The company will produce both here and abroad and the product of both units will be a complete interchange of product talent between the company's two major activities, according to present plans.

Harry Clifton, head of the British Clifton-Hurst Prod., will be chosen as the London company's C. H. D. Nickle, international broker will be financial head of the American side.

Mayers said that British producers were convinced by the reception here of "Henry VIII" that proper production and release of a British film in this market was important.

Now they are all determined to make pictures for America," he said.

Weltgot Launching New Trailers Soon

Weltgot Trailer Service will inaugurate a new policy starting Sept., whereby exhibitors will be able to trailer and feature any films at a cost below the usual and will be able to make the trailers at a lower cost than heretofore, according to the company. To trailer the features will be in sound, with but little talking or actual scenes of the pictures advertised. They will vary in length from 20 to 30 feet. Company officers in Chicago and on the coast are also planning.

Complication Seen On Ohio Clearance

CLEVELAND, Aug. 27.—Postponement of the Cleveland-Toledo-Ulrichsville clearance appeal cases, scheduled originally for Aug. 29, until some time after the regular Camp meeting of August 30th, is thought to be complicated by the delay in hearing the clearance hearing in these areas until very late in the season.

Three More in L. A.

Los Angeles, Aug. 27.—Three additional complaints of the Los Angeles grievance board list the Grand Against the Rialto, Bakersfield, on an admission complaint; and Pacific National Theatres, Inc., in similar complaint against the Seville in Los Angeles.

For clearing of certain records, in the code in regard to a contract with the Rialto, which was annexed to the complaint which reads: "Any feature run- ning first run in Alhambra to be taken from the Grand to be canceled."

Chadwick East Again

I. E. Chadwick is due from the coast Thursday for a special meeting of the Los Angeles clear- ance and zoning schedule.
J.D. Williams
Passes at 57;
Was Pioneer

Sudden End Removes Colorful Executive

Death yesterday came to J. D. ("Jaydee") Williams, at one time one of the biggest factors in the industry and the organizer of the original First National organization in 1916. The end took place at 9 A.M. at the New York Emergency Hospital from a complication of ailments following a nervous breakdown. He was taken ill about 10 days ago on the way to his office from his summer home at Schooley's Mountain, N. J. His condition rapidly grew worse from (Continued on page 4)

W. B. End More Units
To Simplify Taxes

ALBANY, Aug. 28.—Certificates terminating the corporate existence of First National Prod. Corp., First National Pictures Dist. Corp. and Vita-phone Dist. Corp. were filed here today in the office of the Secretary of State by Warner Bros. Pictures, Inc.

Elimination of these wholly-owned Warner subsidiaries will have no bearing on operation of the company in production and distribution and was determined upon as part of the current policy of consolidating or writing off such corporations to simplify and make more economical the company's tax structure.

First step took place last week when (Continued on page 8)

Doubt Goldman and
Boyd Will Hook Up

Philadelphia, Aug. 28.—Little hope is seen in the reported getting together of William Goldman and Al Boyd in the operation of the Locust, now controlled by Boyd. Goldman and Boyd are said to have different ideas on operation which would make any contemplated joint operating deal impossible.

J. D. Williams
K. C. Crusade
By Big Daily
Held Unfair

Journal-Post Scores Act—Causes Stir

KANSAS CITY, Aug. 28.—A front page crusade by the Kansas City Journal-Post against an allegedly indecent act at the Tower, downtown first run, accompanied by notices served on local theatres that it will be the paper's policy in the future to accord similar treatment to film or stage shows that "breach the bounds of public decency," has engendered a storm of denunciation by theatre managers. As a result of the paper's protest and at the request of Police Chief (Continued on page 5)

Revamped Saenger
Co. Step Nearer

NEW ORLEANS, Aug. 28.—Reorganization of Saenger Theatres and Saenger Realty Corp. by Sept. 15 was made possible by the approval today of certificates of deposit for bondholders of the company by Federal Judge Borah in U. S. District Court here.

Court approval of the deposit certi- (Continued on page 5)

Cooperative Buying
Aired Before ITOA

Cooperative purchasing to cover all member theatres of the L. T. O. A. was discussed at a regular meeting of the organization yesterday.

Labor problems and the union situation in New York were also aired. (Continued on page 4)

James Dixon Williams
By RED KANN

THE curtain fell on "Jaydee" Williams yesterday and terminated a chapter of individual achievement which, in his heyday, was a record second to none.

Williams had a glamour of big business about him. He was a showman incarnate. He knew how to get what he was after for his pride and joy, the original First National organization, and demonstrated the efficacy of his operating method by starting from scratch and concluding only when that company had well nigh annexed the industry's (Continued on page 4)

An Even 100

Hollywood, Aug. 28.—Membership cards taken out by Victor Fleming and Louis King in the Directors' Branch of the Academy send the total in that division to exactly 100.

Royalties,
NRA Matter,
Campi Says

Division Administrator Sol A. Rosenblatt's plan for adopting a royalty system for producers, stars, director and writers on the coast is an NRA matter and is no way is Campi concerned with the matter, it was stated at Code Authority yesterday.

This is construed as some as indicating the industry will not voluntarily act on any plan to adopt a royalty system.

Rosenblatt has committees working on the plan in Hollywood and reports will come directly to him, it was said. Campi is not interested in the plan since it is not regarded as a code matter, but may accept suggestions from Rosenblatt on his ideas for establishing a royalty basis for creative artists.

Fox Theatres Favors
Met. Reorganization

Alleging that its ownership of all of the capital stock of Fox Metropolitan Playhouses constitutes a valuable claim against that corporation, Fox Theatres yesterday filed an answer to the involuntary petition for reorganization brought against it last month.

"Untold Confusion"

Seen Over Zoning

KANSAS CITY, Aug. 28.—Continuance of the old clearance and zoning schedule for 1934-35 in the absence of a new one would cause untold confusion in Kansas City because the existing plan, as originally adopted, has been disregarded by the zoning policy in the last year to an extent as to make it virtually non-existent.

That is the opinion of exhibitors who are closely observing Campi's tussle with the national situation and the eventuality that attempts to draft new schedules will be abandoned. Appeals on Kansas City's new schedule, as well as from St. Joseph, Mo. (Continued on page 8)

103 Pictures
Code-Stamped
In the East

Only 11 Features, But
Shorts Total 92

Production Code Administration in the east, functioning under Vincent G. Hart, assistant to Joseph I. Breen, has approved 103 pictures since the reinforced machinery began function on July 15. This is the total to the close of code business Monday evening.

Since little feature production is centered on the east coast, code-stamped to date at this end are only 11 features, many of them foreign. One of them, "Convention Girl," is a First Division release. That company is not a member of the Hays organization.

This effort, combined with Breen's activities on the coast, makes a total of 84 features, 172 shorts and six (Continued on page 4)

Preliminary Plan
On Assessments Set

Preliminary plans for drafting a new assessment schedule for producers and distributors were discussed yesterday by Campi's finance committee.

A report is expected to be handed in tomorrow when Code Authority meets but no action is anticipated because of the involved details in completing a new schedule.

Division Administrator Sol A. Rosenblatt must apply a multiplier which also must be endorsed by all companies affected before Campi will put it into effect.
Looking 'Em Over

"The Count of Monte Cristo"
(Reliance-U.A.)

This is an engrossing historical romance set against a background of political intrigue. Napoleon vert, Robert Donat turns in an impressive performance for his American film debut.

Team "Donat portrays the innocently imprisoned political prisoner separated from his fiancée, Miss Landi, on their engagement eve, who, after years in prison, eventually escapes and returns to bring his persecutors to justice. He accomplishes this through the influence of a prison-mate, played by O. P. Heggie, who brings him escape from the prison and, also, directs him to the wealth which makes it possible for Donat to become the powerful Count of Monte Cristo and thus bring his enemies to justice. Thereafter, he and Miss Landi are reunited.

The latter half of the picture, from the time of Donat's escape from prison, is fast-moving, captures and holds the attention. The first half is somewhat confusing in its interjection of background happenings, such as the escape of Napoleon from Elba, which have little or no bearing on the main story.

The cast is uniformly good, as are the spectacular sets, the direction of Rowland V. Lee, and camera work of Peverell Marley. Edward Small produced. Running time, 115 minutes.

"A Girl of the Limberlost"
(Monogram)

Set in rustic surroundings and with principal roles enacted by a capital cast including Frank Morgan, Louise Dresser, Marian Marsh, H. B. Walthal, Edward Nugent, Helen Jerome Eddy, Betty Blythe and Tommy Bupp, Monogram has knitted an entertaining and picturesquely pattern in "A Girl of the Limberlost." Christy Cabanne directed with an adept hand and Ira Morgan photographed with a skillful eye. As a whole, it stands up as entertainment. George Straton Porter followers will want to see.

The story pivots about Miss Marsh and the ill treatment by her mother, Miss Dresser, who hates the child because she was unable to save her husband from drowning in a quagmire while in the mother's stage. Miss Marshall overcomes the obstacles laid in her path through the graciousness of Miss Eddy and Morgan.

One day Miss Dresser learns of another woman, Barbara Bedford, who had been in love with her husband, Robert Ellis, and had given birth to an illegitimate son. This changes Miss Dresser's attitude toward Miss Marsh. Miss Marsh, however, later leaves her with Nugent while the latter had been vacationing in the town, but the romance ends with the arrival of Gigi Parrish, Nugent's sweetheart. The engagement is broken off because of Parrish's jealousy, leaving Miss Marsh and Nugent to continue their romantic ventures in the peace and quiet of their surroundings.

Running time, 80 minutes.

(Additional review on page 8)

"U" Advances 1 1/2% on Big Board

Trans Lux Up Eighth on Curb

RKO Bonds Soar 4 Points

Circuit After the Casino

With radio broadcasting definitely out, one of the major circuits is dictating for the Casino with plans for a picture and vaudeville policy.
YOU CAN KICK ME

for having failed to predict that “Thin Man” was going to be one of the year’s biggest hits—

BUT YOU’LL KISS ME

for tipping you off about another “Thin Man”—Yes sir, it’s

ROBT. MONTGOMERY—MAUREEN O’SULLIVAN

in

HIDE-OUT

We told you that this delightful entertainment by the writers and director of “Thin Man” was going to be a surprise sensation! Look what’s happening!

WASHINGTON, D. C. Doubles normal biz!
NEW YORK. Beats “Thin Man”!
KANSAS CITY. Biggest in months!
BALTIMORE. Beats “Tugboat Annie”!
BOSTON. Tops recent hits!
CANTON. Excellent!
COLUMBUS. Beats “Men in White!” Imagine!

ATLANTA. Way ahead of “Thin Man”!
MEMPHIS. Doing swell here!
INDIANAPOLIS. Also tops “Men in White” here!
EVANSVILLE. Excellent!
LOUISVILLE. Beats “Thin Man” by miles!
ST. LOUIS. Exceptional!
WILMINGTON. Tops “Thin Man” and recent hits!

Get going!
J.D. Williams
Passes at 57; Was Pioneer
(Continued from page 1)

WILLIAMS organized First National first as an exhibitor company seeking to protect its theatres by contracting for its own pictures. The parade of personalities which he brought together under his banner has never been surpassed under any other.

It was his idea that pictures should be produced individually by individuals starting directors. The idea worked. It worked so well and it gave Zukor so much worry that the Paramount president finally eliminated the thunder from First National's hoofs and the fire from its nostrils by buying out the franchise-holders who made it up.

Even today, that original plan is looked upon by many in the industry as the outstanding production development in the entire hectic career of motion pictures.

WILLIAMS, down on his luck in recent years and trying hard to stage a come-back, to the last stuck to his theory of the individual picture built into the special attraction and exploited in that wise. Whether or not it would have worked in these latter days of top heavy producer-owned circuits is another story minus an answer because it ventures into the regions of the untried. But it may have been "sweeter" that he remained by his guns, never wavered in his convictions. For that, any man deserves a bow.

He was a colorful figure, aggressive and scrappy, a power in his day, a factor that moulded changes, a force that quickened competition and, indeed, helped to fashion trends. At 57, a life once far busier than it has been of late, is cut off, thus blocking the way to further rehabilitation and prestige.

It is regrettable.

Dinner to T. P. Drew Launches Post Here

Thomas P. Drew, recently appointed vice-president and general manager of General Register Corp., was guest of honor at a Waldorf dinner last night on the eve of launching his new duties in New York. He arrived from London on Monday.

Percy Philipson, president of the company, was the host. The following were present:

- Mrs. Philipson, C. Foster, vice-president and general manager; Mrs. E. S. Lamm, New York representative, and Mrs. D. H. Finke, Chicago representative, and Mrs. Finke; C. Roth, director of department stores; Mrs. Hall, Philadelphia manager; O. H. Becker, Boston manager, and Mrs. Ho- daker, treasurer; W. M. Gonzales, head auditor; Mrs. Mann; S. W. Gindler, auditor; and Mrs. Gore; A. Siegel, Chicago salesman, and Mrs. Siegel, William Massie, the company's shipping agent, and Mrs. Massie; C. Gingle, American representative of Bar- clay's Bank, and Mrs. Engler; E. A. Powers, advertising manager, and Red Kenn.
K.C. Crusade by Big Daily Held Unfair

(Continued from page 1) Robert J. Coffey, S. Bernard Joffre, The Downbeat, managing editor, wished a small girl from the act billed as the Six O’Conners, a family troupe. Subsequently, two detectives assigned to the case took the little girl in to their headquarters and the little girl sat through the show and pronounced it “fit for anybody.”

Joffre told Morning Daily the only reason for the attack was that he is not advertising in the Journal-Post, using the Star exclusively. Other run managers are highly resentful of the attack and one said he considered it a veiled threat against theatrical entertainment in the Journal-Post.

Joffre said the paper’s treatment of theatre is a “very bad thing” and that a copy had been warmly received at the Irish Village at the World’s Fair and since all acts shown at the Tower are considered legitimate because the theatre caters to family patronage. He pointed out he is cooperating with the police in the case.

Runs Review Day Ahead

The paper’s editors planned the usual review of the Tower show, written for the Sunday theatre section, on the morning of the opening for the benefit of the Tower’s patrons, instead. In it, Lowell Lawrence, critic, took offense at the part in the O’Connor family act of “a baby girl, called Baby O’Connor, who by appearance is not more than four or five years old.”

The article was headed: "Child is Taught Smutty Jokes Instead of Sunday School Songs."

The review was a two-column editorial in black face titled “Work for the Poor: Crime, corruption and immorality generally are denounced on the front pages of newspapers. Then why not take the time to understand the editorial asked. It stated that publication of the review on page one marked the inception of a news policy for the Journal-Post and that henceforward "a fine review in the Journal-Post will serve as a danger signal whenever a theatre catered to family patronage, resorts to filth, smut or anything else that is an affront to public decency."

The section also appeared for clean shows in Kansas City rests with the first run managers since “they determine the character of the theatrical entertainment offered the entire city, including that at suburban or subsequent-run theatres,” because the subsequent “must content the remotest of things with pictures that have already appeared downtown.”

Calls for “Cleanup”

The editorial called on the authorities to “clean up” the current show at the Tower, and declared that “if the indecencies are repeated, all those involved from S. Bernard Joffre, the Downbeat editor, to the star, should go into court.”

After this blast appeared, the chief of police telephoned the floor manager and claimed the little girl from the act. According to the Journal-Post’s story on Sunday, one of the detectives present expressed to a child of tender age, while the morning show was in progress, that the girl was going to be killed later in the day. The “martyr” of the attack said he was not a member of the Tower management.

Saturday’s attack was followed by a Sunday lead story under a banner of a child who had been taken off stage and was being taken to the hospital. "Two Children Taken Off Stage at Tower." Only the youngest was taken off, however.

40,000 More Legion Pledges Reported In

KANSAS CITY, Aug. 28.—A total of 40,000 signed pledges in the Legion Decency drive has been turned in to Bishop Francis Johannes of Kansas City. The Catholic newspaper, the Catholic Herald, published a list of three Catholic dioceses in Kansas and Missouri, last week published a list of films issued by the Legion’s offices in those dioceses that lists 15 pictures as condemned and 12 recent releases as not condemned. The newspaper is undecided whether it will publish such lists in the future, inasmuch as none is issued or approved by the bishops in this area.

The political scene in Kansas City is richly supported with legislation of condemned pictures.

Blue Ribbon Formed; Plans “Clean” Films

HOLLYWOOD, Aug. 28.—First of the new companies to tie in with the drive toward clean and wholesome pictures is Blue Ribbon Pictures which has leased space at General Service Studio and plans to make four to six features in the next six months.

"Old Lady 31," once made by M-G-M will be the opener while either Frank Craven or James Cagney will direct. No release is set.

Bruce Merman will be in charge of production, J. B. and Mrs. Merman and sister of Marion Eccles who last week was appointed governor of the Federal Reserve Bank, New York, Monday.

Washington, D. C., attorney, is president.

Take Full Page Ad To Classify Films

CHICAGO, Aug. 28.—A classified list of films now being shown in the city are presented in the Chicago Sunday Tribune in the form of a page of copy paid for by the Legion Decency. The paper of the Legion Decency for the benefit of "all who desire wholesome entertainment."

The films are grouped into three classes, the first of which are in the first class are described as "approved"; those in B as "not approved for children," but neither a "J" as "not approved for adults," and those in C as "not approved." The listing takes up a full page, and the bottom of the page is signed: "We aim to build—not destroy."

Eagles Decline to Act on Film Drive

CINCINNATI, Aug. 28.—The Grand Aerie of the Fraternal Order of Eagles, in opposition to the Decency movement, has defeated a resolution asking participation of the order in the Legion of Decency movement.

A peace move between the units recently fell through because the I.E. P. A. had never disapproved the Eagles could be listed as independent, despite the fact that major circuits have only one vote in M.P.T.O. affairs.

FWC Boosts Scales In L. A. This Week

LOS ANGELES, Aug. 28.—Fox West Coast will boost admissions this week by about 10 and 15 cents. The circuit raised its Long Beach prices last week.

Warner Rites Tomorrow

LOS ANGELES, Aug. 28.—The funeral of Mrs. Benjamin Warner, a prominent resident who died here yesterday, first set for tomorrow, has been postponed to Thursday. The Warner studio will not close on a 1 P. M. rally on the day of the funeral.

Deny Plan to Buy Plant

HOLLYWOOD, Aug. 28.—Mervin Cooper and other Radio studio executives denied a report today that Jack Warner will buy a plant and take control of his company's plant.

Revamped Saenger Co. Step Nearer

(Continued from page 1) the Saenger reorganization plan rediscovers the circuit's holdings to 45 houses from the former 160 holdings in eight states which it controlled or was affiliated with at the time of the announcement, 18-15-10-15. V. V. Richards is continued in charge of the circuit with a 30 cent stock interest in the reorganized company, of which he will be president and general manager.

Under the plan, Paramount Publicity receives all of the stock of the new company but agrees to sell Richards the Class A stock for $25,000, retaining a 25 cent interest in the circuit.

Saenger also receives all of the stock of Publicx-Saenger Theatres, Inc., a company which operates 25 cent theatre, representing a 25 cent interest in that company held by Saenger; all of the preferred stock and 25 per cent from First National of Central Florida Theatres and half of the capital stock of Jefferson Amusement Co. of Texas.

Paramount holds a claim of $546,454 against Saenger and the latter a claim of $159,397 against Saenger. Paramount has also financed the acquisition of outside claims against Saenger which it proposes to sell. It is also considering a 25 cent warranty under the plan, and agrees to advance costs of the reorganization, pay other commitments of Saenger's and advance working funds to the new company if needed.

To Film ' Beggar's Opera' 

HOLLYWOOD, Aug. 28.—"The Beggar’s Opera," the famous John Gay piece, in 1728, will be filmed by Warners.

"U” Borrows Miss Fart

HOLLYWOOD, Aug. 28.—Patricia Field, who was borrowed from First National for the feminine lead in Universal’s “Tailspin Tommy."
...MORE THAN A CROWD RADIO CITY

- Second week way above first-week average business in the world’s largest city.

- Tremendous hold-over weeks, too, in medium-size cities...the STRAND, LOUISVILLE, the NEW, BALTIMORE...Playing an extended first-run at the STRAND, ATLANTIC CITY...AND ALREADY DATED IN for a third week at ATLANTIC CITY'S CAPITOL!

- Off to a sensational start at the WARFIELD, SAN FRANCISCO...the PARAMOUNT, ATLANTA...the APOLLO, INDIANAPOLIS...the POLI, NEW HAVEN.

- IN EVERY LOCALITY...with every type of audience..."The Cat's Paw" is proving Harold Lloyd's mightiest hit.
QUARTER OF A MILLION PEOPLE*
MUSIC HALL IN TWO WEEKS!

*According to authorized estimate

HAROLD LLOYD

in

The Cat's Paw

From the Saturday Evening Post story
by CLARENCE BUDINGTON KELLAND

PRODUCED BY THE
HAROLD LLOYD CORPORATION

A FOX release
Looking 'Em Over

"Girl in Danger"
(Columbia)

The acting of Ralph Bellamy and Shirley Grey makes this a fairly entertaining picture that should do well in small towns and neighborhoods, and it may turn out to be a critical success because of its sensitive theme. Ross Lederman directed capably and injected all the entertainment value that a weak story had to offer. Benjamin Kline's photography is good.

Miss Grey, a society girl bored with the forced gaiety and uselessness of her set, becomes involved with a crook in order to find adventure and new thrills. She aids him in stealing a valuable jewel and hides it when the police get too close to their trail. Her accomplice is murdered by a rival gang before she can return the jewel to him and she herself is kidnapped by the murderers.

Bellamy, inspector of police assigned to the case, meets her in the meantime and discovers the stone hidden in her apartment while searching for possible clues left by her abductors. After a chase through city streets in madly careening autos, Miss Grey is rescued, and the crooks apprehended. The fade-out shows Miss Grey, in the presence of Bellamy, vouging to stick to the straight and narrow in the future and it is left to the audience to guess whether or not love blossoms between the two. Running time, 62 minutes.

"The Fountain," tomorrow's opener at the Music Hall, was reviewed by wire from Hollywood on Aug. 10.

"We're Rich Again," tomorrow's opener at the Roxy, was reviewed from the coast by wire on June 13.

"Chained," Friday's opener at the Capitol, was reviewed from the coast by wire on Aug. 14.

"Crime Without Passion," which opens at the Rialto Friday night, was reviewed on Aug. 18.

Maintains Campi Should Prosecute

Declaring Code Authority should prosecute all violations brought to its attention by exhibitors, Howard S. Cullman stated yesterday that he will not defend complaints filed by city Roxy against the Mayfair and Globe for distribution of cut rate tickets.

Cullman holds that as an exchange he has no authority to violate the code it is the duty of local boards to stop the violations. He adds that violations are confusing to the public because the complainant discovers them.

The Mayfair is understood to have stopped distribution of service passes with bookings of M-G-M and Fox product.

Both complaints are slated for rehearing tomorrow before the local grievance board.

W. B. End More Units To Simplify Taxes

Various Stanley companies were called into the Stanley office in Chicago and several coast properties, held in the names of individual corporate entities, were consolidated with others.

W. B. End More Units To Simplify Taxes

MOTION PICTURE DAILY

C. A. Meeting
Today on New C. & Z Plans

Campi's clearance and zoning committee meets this afternoon to discuss ways and means of solving the problems of clearance and zoning in all territories. The move is an effort to get sales going in territories where clearance and zoning are being held up by appeals on schedules.

Exhibitors in many zones are understood demanding that new schedules be scrapped and that clearance and zoning problems be tackled by local boards. Campi, however, feels that local boards are not fully acquainted with all provisions of the code to qualify, pointing to the Milwaukee instance where a great deal of change would have resulted if the code did not mention duals in any sense and Campi ruled out all reference to it in the Los Angeles schedule, another target for independent producers and the exhibitors. The exhibitors contain a dual penalty provision, was slated to come up this week for protest, but the hearing has been postponed and the T.O. may decide tomorrow what new line of action should be taken on clearance.

May Call on Bernstein

Ben Bernstein, said to be a partner of Warners in the W. C. & L. E. and Associated Exhibitors and the T.O. of Southern California, is in town today in the event he is called upon to discuss the code plan. The T.O. is understood to have reached a decision to their representative, but he knows nothing of the matter and neither does Campi. Bernstein says he cannot be reached yesterday to represent them before he left the coast and is not particularly concerned whether or not his unit wants to do the same. Bernstein refused to divulge the purpose of his visit, but he is understood here to defend the double bill penalty clause. He leaves for the coast either tomorrow or Friday.

Meanwhile, I. E. Chadwick, spokesmen for the Independent Exhibitors, has canceled his plans to come east tomorrow. That's because a protest hearing on the Los Angeles schedule was set for tomorrow.

Just what line of action Campi will pursue in trying to expedite clearance cases could not be learned yesterday, but a plan will be agreed upon to-morrow. In the event the L. A. schedule is dated for hearing, Chadwick will finally defend unaffiliated producers.

Mason May Be Retained

There is talk of Lowell Mason being retained by independent producers on duals, but as yet no assignment is in sight. He may be called upon later, it is admitted, to defend independent producers against exhibitors and distributors on other code matters.

Campi is receiving telegrams from many exhibitors recommending methods of immediate disposition of clearance problems. I. Chotiner, coast exhibitor, is one of them. The suggestion will be submitted to Code Authority tomorrow.

Aaron Saperstein, Chicago Allied head, last week told Morni Picture DAILY that the quickest way to dispose of all code complaints is to set aside a week or two in which all complaints will be heard, and dispose of all cases before them. Campi, according to the plan, would only act on vital issues.

"Untold Confusion" Seen Over Zoning

Wichita, Kan., are pending with Code Authority.

Possible absence of a new plan also makes the independents apprehensive that the circuits will thus be in a position to make unfair demands for subsequent exchanges. Reports that protection deals with distributors are already under way are denied by the exchanges.

Exhibitors point out the existing schedule has been ignored and individual clearance and zoning board as a result of the spread of duals at first runs and subsequent, by price reductions. The exchange will go into effect to prevent showings out of spot. Fox Midwest at a recent grievance board hearing maintained no zoning existed, but was overruled by the board.

Exchange managers say they are not worried because they will not start selling to subsequent markets for about two weeks or more, and believe that the trial will be over by that time. They anticipate the situation will be clarified. One branch manager believed his company would a rider to contracts declaring the stated clearances subject to any action of the local clearance and zoning board, and in the absence of any decision then the old zoning would hold.

Carbs Giving of Passes

Milwaukee, Aug. 28.—The local grievance board has issued a cease and desist order against the Ace, operated by Albert Nichols, charged with giving free five-cent service charge and admitting children for five cents and less. The propriety of giving passes for a five-cent service charge and admitting children for five cents and less. The propriety of giving passes for a five-cent service charge and admitting children for five cents and less. The propriety of giving passes for a five-cent service charge and admitting children for five cents and less. The propriety of giving passes for a five-cent service charge and admitting children for five cents and less. The propriety of giving passes for a five-cent service charge and admitting children for five cents and less.

Shorts in Own Plant

Hollywood, Aug. 28.—Columbia has moved its shorts department to the Caliber in Studios across the street from the former quarters in a new expansion move.

Warning by Pa. MPTO on High Rentals

PHILADELPHIA, Aug. 28.—A warning has been broadcast to exhibitors by the M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware to guard against high-percentage rentals.

"Don't sign 40 or 50 per cent contracts with anybody," says a letter sent out by the group over the signature of director, executive secretary and counsel. "If you do, you are only cutting your own throat. The New York offices of the other companies soon to be combined and the battle for higher film rentals becomes more intense."

Exhibitors who have already signed a contract calling for high percentages is advised to keep your ear to the ground and watch the other policies and reduce these prices to other exhibitors, it is then your right to go into that exchange and demand reasonable rentals.

Explaining that "definite information" has been received by the organization that "certain distributors ask 40 and 50 per cent for pictures," the letter continues:

"Some of these pictures have no star value, others as good as we know all that exhibitors cannot make money playing that kind of percent-

Rosenblatt Praises I. A. for Cooperation

CHICAGO, Aug. 28.—The I. A. T. S. E. has been the easiest to work with, and from it he has been accorded more cooperation than from any other international, declared Division Administrator Sol A. Rosenblatt at the dinner to George Brown, Aug. 28.

He stated the N.R.A. is not only for a "New Deal," but for a square deal, for labor as well.

The function at the Stevens was attended by 3,000, including the mayor, William Green, president of the A. F. of L., city officials and ranking members of the municipal judiciary. Brown, new I. A. president, was presented with a small gold gavel and a diamond-studded organization emblem.

Back in Washington

WASHINGTON, Aug. 28.—Division Administrator Sol A. Rosenblatt returned today from Chicago where he attended a banquet in honor of George Brown, I. A. T. S. E. president.

George Brown, president of the L. A. T. S. E., and Louis Krause, executive assistant, arrived from Chicago today.
Alabama

Albany, Aug. 28.—The following committee was set up by the local Variety Club:


Legal—C. Green, chairman; H. Frieder, S. Aaronowitz, W. M. Bennett.


Cincinnati

CINCINNATI, Aug. 28.—The local Variety Club’s summer fete was held at the Lochmoor Country Club and the Grosse Pointe Yacht Club.

The gala affair started with a golf tournament. Those who did not care to chase the little white ball, contented themselves with a round of horseshoe pitching, baseball and various other games. Delicious buffet luncheon was served in the clubhouse of the Yacht Club at noon along with free beer. The afternoon was spent in more golf, baseball and tennis. A beauty contest was a feature of the day. Leading dignitaries of civic life attended and judged the event. Dinner was served on the terrace of the Grosse Pointe Yacht Club with music on the terrace. William Goldberg and his Della Robbins orchestra.

Dancing held the attention of the guests in early evening with Del. Darling and his orchestra furnishing the music. A floor show with talent furnished by local theatres, night clubs and broadcasting stations would up the affair with every one singing praises for the committee in charge for such a delightful day of fun and games.

Over 100 prizes were awarded to winners of various events and door prizes. The whole fun will be turned over to the fund for needy in the industry.

Over 800 Variety members, families, guests and their friends were in attendance.

Leader in Greece

WASHINGTON, Aug. 28.—Eleven American producers supplied $3.2 per the 240 films released in Greece from October, 1933 to May, 1934, according to a report to the Department of Commerce from Commercial Attaché K. L. Rainey in Athens.

Adding a few miscellaneous films, American participation in the Greek trade approached 57 per cent of the total. Many of the American films shown were dubbed French versions.

Fulton Gets Fourth Spot

KANSAS CITY, Aug. 28.—W. D. Fulton has added a fourth house, the Tivoli, to his string of neighborhood theatres in Kansas City, making it the largest chain of neighborhood houses in the city. Fulton has leased the Tivoli for five years with an option for five more from Stanley H. Schwartz, the former operator. Schwartz, an attorney, plans to return to the legal field.

One In, One Out

ALBANY, Aug. 28.—Gustave Haensch, Inc., New York City, has been chartered at Albany with capital of 100 shares par value stock to exhibit. Martha Porner, Max H. Galant and Leonard D. Pickler are directors and subscribers. William Jaffe is attorney.

A certificate has been filed with the New York State Department of Corporations, Cook Theatrical Enterprises, Inc., New York City. Papers were filed by Julius Kender, attorney.

asks Winchester Permit

WINCHESTER, Mass., Aug. 26.—Albert J. Locatelli, who operates theatres in several of Boston’s suburbs, has applied for a state permit to operate a theatre here. He has requested a referendum again on the question of building a theatre here. The town has refused to sanction one on several previous occasions. It is probable the question will be put on the town ballot sometime next spring, after the annual election in March.

variety Club Chatter

indianapolis

Indianapolis, Aug. 28.—The local Tent held a "Stingaree" party in the clubrooms in the Claypool and more than a hundred socialites and guests were there at one time or another during the night. Musical entertainment was provided by Walt Lally, pianist, and his orchestra.

Barker William Steiger has taken a fortnight out to look over the Island of Bermuda.

Detriot

DETROIT, Aug. 28.—The Motor City’s Film Row was practically deserted Saturday as Variety Club’s midsummer frolic was held at the Lochmoor Country Club and the Grosse Pointe Yacht Club.

The gala affair started with a golf tournament. Those who did not care to chase the little white ball, contented themselves with a round of horseshoe pitching, baseball and various other games. Delicious buffet luncheon was served in the clubhouse of the Yacht Club at noon along with free beer. The afternoon was spent in more golf, baseball and tennis. A beauty contest was a feature of the day. Leading dignitaries of civic life attended and judged the event. Dinner was served on the terrace of the Grosse Pointe Yacht Club with music on the terrace. William Goldberg and his Della Robbins orchestra.

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Two-way Headquarters

COLUMBUS, Aug. 28.—In order to facilitate personal contact with exhibitors, the Triumph Motion Picture Girls and John H. Harris, Leo Altmaier, Andy Sheridian, Edgar Schweinsburg, pulling them in plenty fast, Frescott led with the greatest number and Perkins with the largest one. Johnny Harris got the only weakfish, but finished last in the number of fish. The party brought in over 100. But Harris sneaked out at 6 A.M. with the life-guards, rowed out two and a half miles and came back in with fish. But as A.M. After the fishing was over he jumped in the big pond from the dock, "Hey, Hey!" called the guard, "plenty of sharks here."

"That's no concern of mine," replied Harris, "I'm in the film business, Andy Sheridan wanted to bet on a dog on the nose. Got his ticket and

the dog came in second. Was he surprised when he was told he went to the wrong window and had a ticket for the wrong show. The same fellow had a stranger call his attention to the fact that he had five in a row in the Bingo game and had lost for several minutes. What luck! Barker Mike Gallagher proved the old adage "honest pays."

Driving through a suburban town, he, in error, passed by the police station. On the way back he stopped at the police station and reported it. He was told to go some place, and returned the next day's mail brought a summons.

George Tyson, formerly assistant chief Barker of St. Louis, now transplanted from his original turf—Pittsburgh —did a fine job in St. Louis. He has appointed Barker Bill Zellog as house manager of the New Alvin Theatre which is under his direction.

Bill Rodgers, George Dembow, Jack Flynn, Sig Wittman, all visitors recently.

RKO Hollywood recently. He had announced Ann Harding, Katharine Hepburn, Joel McCrea and others. No stars were not expected to be there.

Protest Dubbed Imports

BOMBAY, Aug. 28.—A deputation of the Motion Picture Society of India waited on Sir Frank Noyce, member of the governmr general’s Executive Council, here recently and protested against the proposed import of films "dubbed" in native vernaculars.

The deputation also protested the increased import of film on projectors imported from England and the increase of duty on non-English projectors from 10 per cent to 20 per cent.

Beacon Starts Series

HOLLYWOOD, Aug. 28.—Beacon Prod. is beginning production on a series of six westerns starring "Big Boy" Williams with "Thunder Over Texas."

The cast includes Marian Shilling, Victor Potot, Philo McCullough, Ben Corbet, Claude Patten, Bob McKenzie and Baby Westcott. Edgar Ullmer is directing.

asked Wincheser Permit

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Ritchey to Export

HOLLYWOOD, Aug. 28.—Jed Buell and Bob Klein have signed with Ritchey Export Company to handle the foreign release of the three features they will produce at Sennett.
The one story chose from thousands to open a year of finer screen entertainment! Charles Morgan's notable novel of three lives caught in a whirlpool of passion... a glorious woman and two men who love her!

A HUMAN DRAMA THAT LEAPS FROM THE DEEPEST WELLSPRINGS OF YEARNING HEARTS.

ANN HARDING
with
BRIAN AHERNE
PAUL LUKAS
JEAN HERSHOLT

CHARLES MORGAN'S GREAT NOVEL BROUGHT TO THE SCREEN AT THE HEIGHT OF ITS WORLD ACCLAIM!

DIRECTED BY JOHN CROMWELL
A PANDRO S. BERMAN PRODUCTION
Twenty minutes of enchantment! The Little Feature in radiant Color that is the year's big screen sensation! Romance, melody, drama, dance and ravishing beauty!

La Cucaracha

Produced in the Perfected NEW TECHNICOLOR

Scenes created in color by
ROBERT EDMOND JONES
World's Foremost Designer of Stage Settings
with STEFFI DUNA
DON ALVARADO • PAUL PORCASI
EDUARDO DURAND and His Orchestra

"YOU WILL PLAY IT AGAIN AND AGAIN"

Produced by Kenneth McGowan
Directed by Lloyd Corrigan

A PIONEER PICTURES PRODUCTION
RKO-RADIO PICTURE
No Complaints in Houston in Face of Heat

HOUSTON, Aug. 28.—In the face of the hottest summer on record and parts of the city one of the worst droughts in history, Houston theatres have emerged from the bugout without a scratch and with something of a record on the right side of the ledger. The hot weather slump just didn’t arrive.

Instead, a gross record for the year was chalked up at one house this month and another has a record of losses on but three pictures since Jan. 1. Attendance has held up above average for the hot weather at all theatres, even in the face of growing popularity of night club spots and national attractions at some of them such as Ben Bernie and Guy Lombardo and the like.

Exhibitors agree that this has been the best show summer since 1929. Stage shows at the Metropolitan and dropped for the summer, but a 25 minute orchestra program in two sections, featuring semi-classic and popular numbers, split by a newscast and cartoon, was substituted.

The Girl from Missouri" broke the year’s previous all-time box office record at Loew’s Astor for the first week and was held over a second to chalk up average business. "Handy Andy" and W. C. Fields were chief popularities.

With an average week for summer at Loew’s running around $6,000, "The Girl from Missouri" in the first week drew an estimate of $10,000.

New Warner Series Makes Capital Bow

WASHINGTON, Aug. 28.—The first four subjects in Vitaphone’s "See America First" series of 13 one-reelers to date made their bow today at the Mayflower in the presence of government officials, Warner management and press representatives. The quartette—"Pilgrim Days," "The Boston Tea Party," "Hail Columbia" and "Dixie Land"—were viewed by a gathering of nearly 100.

The screening was preceded by a reception given for E. M. Newman, under whose direction the films are being made; John B. Kennedy, who is the narrator; Sam Sax, in charge of the Vitaphone studio, and Norman Moray, Warners’ shorts sales manager. Albert Hoxon was present as the personal representative of Harry M. Warner, the death of whose mother preceded his arrival.

A. Julian Byrkwski, Warners’ Washington representative, handled the affair.

Told to End Free Shows

KANSAS CITY, Aug. 28.—The local grievance board has ordered Ed Kelso to stop giving free films at the Free View Theatre, City, Ill., on complaint of R. O. Robinson, exhibitor of the same city. Another complaint involving free show has been dismissed. The defendant was Robert King of the Interstate Film Exchange here. King testified he did not furnish film for gratis performances at a local park.

What N. 1. Critics Think

Consensus of New York critical newspaper opinion on pictures current along Broadway:

"Dragon Murder Case" (First National)

American—An amusing, if routine, mystery player, by cast of skilled trouping players, of which Philip Vance and his creator, S. S. Van Dine, have done pretty fair fun.*

Dailv Mirror—The case itself is slightly less amusing and less convincing than the preceding issues of the Philo Vance series, but the presence of Harry Holcomb as a highly amusing, and even at times, amusingly entertaining character is worth the price of admission. It is also one of the best of the Vance tales, for it hasn’t for absorbing a story, but as interesting a group of characters as some of the other stories. The dialogue is little strained, and I could say that any one would take seriously the talk about drag-ons.

Evenmg Journal—a nicely done routine little melodrama which offers less suspense and ingenuity than the previous Van Dines. The cast is satisfactory and very interesting.

Herold Tribune—*one of S. S. Van Dine’s recent crime stories, the only one here today, to send me to the theatre.

Post—Though the mystery is far-fetched and the cast of characters is not up to the level of the minds and the clues to the crime. The Dailv-Tele-Gram—*seems Warren William giving a quite effortless performance as a private eye, but the murderess. If I wish I could say one tenth as much for the picture or its rather weak story, but I could say anything at all for all the film, I can only say against.

* "She Was a Lady" (Fox)

American—A week, rambling little picture. It could have been made more successful, and even the presence of Miss Twelve trees in its starring role cannot elevate the performance of Miss Malone.

Daily Mirror—*typical melodrama which is entertaining at 60 per cent as which was assembled to play it.

Dailv News—The set-up is by no means unique in cinematic manufacture, but the manner in which "She Was a Lady" is handled may result satisfactorily for fans of Miss Malone, Misses Helen Twelve trees, Messrs. Ralph Morgan and Monroe Owsley, all well known to the fighting public.

Evening Journal—Miss Twelve trees is delightful and suffers and excels as the deli- cacy with which the audience have been accustomed. Miss Malone—*though this unfortunate little item tells the lugubrious story of the world’s failure to appreciate Miss Helen Twelve trees.

Post—Thanks largely to the sincere performance of Helen Twelve trees. "She Was a Lady" takes on the texture of a mildly arresting drama of social conflict, which is being transformed as it is pointless. "She Was a Lady" is its name, and its author is E. Phillips Oppen- haber. Whatever the original novel may have been, this screen version is a delightful, entertaining story. It is a thrill story.

Times—Although the early parts of the plot appear to be the thriller type, the three episodes are emphatically incredible. The picture is not in any true thriller class, but please at the Mayfair this week, while earn- ing, is entertaining, and so "She Was a Lady" must be registered among the disappointments.

Houdai (M-G-M)

American—Frazzled with the faint per- formance of love images, this amusing little comedy, has been brought deftly to the screen.

Dailv Mirror—*fairly pleasant little fun, the leading role of Miss Montgomery gives one of the "true" performances which invariably delight the reviewer.

Dailv News—Metro has washed the face of this gangster film so thoroughly that it shines with goodness and light and has an appeal to any self-respecting woman of the respectables. "She Was a Lady" has handled the materials of a crime story better. Miss Van Dyke’s performance of Miss Montgomery’s characterISP makes it into an effective plot, but not a very emotional subject.

Evening Journal—*sentimental little talk about a woman’s role in the home, a daughter. And it’s pleasant entertainment, thanks to an excellent cast headed by Robert Montgomery. The story is presented with fine grace and at a dignified pace, and the ending is most suitable, providing much interest and a happy satisfaction to the audience. The script is the result of a uniform thought and labor and is a masterful job of work. The story is worth the price of admission.

Post—Though the story is told earnestly and acted persuasively by Robert Montgomery, it nevertheless leaves you con- vinced that a crime wave could be halted if we learned back to the days when every man was a lawyer and every woman an investigator.

**The Inquisition of the League for De- mocracy is used as a background for a picture that changes colors but has no content. It is a picture that is not worth seeing and will remain as one of the bitter memories of the motion picture industry.**

**Van Dyke**—*again displays his keen sense of humor and his shadow-story telling ability. It is a tonic story, a good one, and a new and different picture for the screen.

World-Tele-Gram—**generally entertaining little screen item.

Production Level Even: 36 in Wrlr

HOLLYWOOD, Aug. 28.—Producti- on last week remained on a fairly ex- act level with the average during the four week period. A total of 36 fea- tures was shoting, 19 in preparation and slated for the stages within weeks and 17 in de- final shearing. Short subject produc- tion dropped off slightly with sev- eral shooting, three preparing and 10 in editing.

Paramount leads with seven be- fore the cameras, two preparing and editing; Fox has five, four and ts a hvers t wo and eight; M-G-M three, three and eleven; Unive- three, zero and three; Columbia the one and two; Radio four, zero, two; Roach one, one and zero; Rlco one, zero and one. The in- dependent group chalks up four, six in.

The shorts checkup reports U versal, Roach, Columbia and Ra- with one shooting. M-G-M, Columbia and Roach each have change- ing room. For the independent group three shooting, three in preparation and six editing.

Holds Music, Dance Add Inter‘l Appeal

World circulation of pictures is in- creased from approximately 50 to approximately 90 per cent, due to the insertion of music and accompa- nying dance routines, according to H. Gould, dance director for Radio.

Half of Radio’s product for no week will include music in some to other films, he said. Other producers, Gould continued.

Gould, in town on a vacation for the studio, plans to remain here an additional period to scout the mos- of his time in search of new material.

Stetle Races Big Draw

SEATTLE, Aug. 28.—More than 50,000 has been wagered here during the past six weeks at Longacres horse track, it has been announced. Baudence at sessions during the week averages from 5,000 to 7,500 per- and Saturday and Sunday attendance records 3,500 to it. The race collection is 40 cent per. Five per cent of the total wagered in the pari-mut- system goes to the State old age pion fund. Track operators per. Per cents of hundreds of fisc publity are donated by the pue- s of the city to the racing plan.

Toko Strike Peters Or

Tokio, Aug. 30.—A strike of th- employees in protest against se- pictures failed here yesterday with rowdies of 70 houses who closed for a short period.

Goes to “High Fidelity”

Thirty-one RKO houses in 15 pr- cities will be equipped immedi- ately with Photophone “High Fidelity” apparatus, according to E. O. Heyl.
$33,000,000 U. S. Funds To Brush Up Theatres

Chicagos Bullish; $500,000 Already to Remodel Houses

PHILADELPHIA, Aug. 29.—Distributors are gradually eliminating duals from the local territory and, according to current figures, only about 5 smaller neighborhood houses are twin billing.

Exchanges are inserting clauses in sales contracts prohibiting another feature to accompany the one brought from an individual branch. If exhibitors refuse to sign the clause, it is understood product is refused him.

Although it is not expected that all houses will abandon doubles, the general impression is that eventually most of those now on two-feature policies will drop one.

Exhibition to Benefit Under New National Housing Act

The Federal Government is making plans to extend a possible $33,000,000 in credits to theatres for repairs under the National Housing Act, Motion Picture Herald will say today.

Definite knowledge that the theatre field was included under the terms of the act was obtained this week following an inquiry to the Federal Housing Administration in Washington. The query was prompted by the fact "it was felt in exhibition quarters that the Housing Act was only intended by the Administration to improve residences."

In announcing that theatre owners were eligible for credit under the act, the government made it clear, according to the publication, that the loans shall be applicable to repairs and improvements which shall become a permanent part of the property, and shall not be expended for movable theatre equipment.

Exhibitors are warned that "the funds cannot be used to pay off back

Theatre Building Is Begun in the South

Theatre building is taking a sudden spurt in the South with at least six planned in the immediate future. The new structures are being built in small towns and mostly by independents.

First of the group to be constructed will be an 800-seat house in Lumber- ton, N. C.

TOIOA Terms Rental Hike Demand Unfair

Contending that exhibitors in the local territory have not increased admissions during the past year, members of the I.T.O.A. yesterday charged local exchanges as being unfair in their demands for increased rentals and percentages.

The meeting was held at the Astor.

The new season's product was discussed for generally three hours and every company's releases analyzed. No resolutions were passed.

Because Harry Brandt, president, had to leave during the meeting, no union matters were touched upon.

Stage Shows Return In Pittsburgh Soon

PITTSBURGH, Aug. 29.—With the consolidation of all union deals, Pittsburgh's two de luxe houses, the Penn and Stanley, will swing into heated stage show competition the week of Aug. 27 when the Stanley plays Dick Powell in person and the Penn has Ted Lewis and his band. It will mark

First Midwest Deal Would Give Control to Fox

KANSAS CITY, Aug. 29.—For First Midwest is negotiating for the Electric in Kansas City, Kan., formerly operated by Paramount. If the deal goes through it will give Fox complete control of the first run situation in that city.

Ed Grobel, one of the owners, told

Midwest Deal Would Give Control to Fox

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(Continued on page 7)

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

New York, Thursday, August 30, 1934

Ten Cents

8,000 Houses In a Fund to Fight ASCAP

Penny a Seat, Basis—All Circuits In

Representatives of approximately 8,000 theatres yesterday pledged a penny a seat contribution to the "war chest" being raised by the national exhibitors' emergency committee to prosecute a court battle against the American Society of Composers, Authors & Publishers as part of the campaign of opposition to the increased music tax schedules which the society proposes to place in effect Oct. 1.

It is estimated that the penny-a-seat contribution will produce between $30,000 and $40,000 from affiliated circuits alone. These include

(Continued on page 6)

Philadelphia Duals Target Of Exchange

PHILADELPHIA, Aug. 29.—Distributors are gradually eliminating duals from the local territory and, according to current figures, only about 5 smaller neighborhood houses are twin billing.

Exchanges are inserting clauses in sales contracts prohibiting another feature to accompany the one brought from an individual branch. If exhibitors refuse to sign the clause, it is understood product is refused him.

Although it is not expected that all houses will abandon doubles, the general impression is that eventually most of those now on two-feature policies will drop one.

(Continued on page 4)

May Allow Exhibitors at Large to Determine Zoning

Following a review of recommendations by 75 exhibitors and organizations and circuits yesterday, Campi's clearance and zoning committee today will suggest to code authority that exhibitors in each territory decide whether or not they want clearance drafts as drawn by local code boards, it is understood.

Provided a majority of exhibitors in a given territory wants the schedules as already drawn, it can have them, it was the reported attitude of

(Continued on page 4)
U. A. Men Traveling In Near, Far Climes

United Artists executives are keeping the Pullman and steamship lines busy with their movements.

Arthur W. Kelly, in charge of foreign activities, is now in Singapore and is not expected back for several months.

Arthur Guild is in South America.

Paul Burger left yesterday for a series of western exchanges with Kansas City his first stop.

Joseph Moskowski, slated to leave for the coast yesterday, again postponed his trip and plans to leave today or tomorrow.


Chevalier to Zanuck

Hollywood, Aug. 29.—Darryl F. Zanuck has borrowed Maurice Chevalier from M-G-M to star in 20th Century's "The Red Cat."

Vitaphone Shorts Set

Eighteen shorts, nine two-reelers and nine one-reelers, have been credited for early release at the Brooklyn Vitaphone studio, according to Sam Sax.

Will Meet at Club

The L. G. A., which meets weekly during the season, meets adjacent to the M. P. Club. The A.M.P.A.S. results at the club about mid-September.

M-G-M paid $100,000 for "The Wandering Jew" and had to buy up all state right intermediaries' interests in the picture before announcement was made. It is figured that Philip Meyer for the New York theatre would net about $20,000 on the deal. The Roxy and Criterion turned Meyer down by booking one, but now is set for the Capitol, to follow "Chained." It goes in there either Sept. 7 or 14 and will play during the Jewish holidays.

Becledoned and bemuddled by the Fox situation, the hearing, now scheduled for Sept. 12, is becoming more and more interesting. Still another group of minority bondholders may have something to say. It is reported to be interests which originally sold theatres which went to make up Fox Met. but who now are interested, naturally, in efforts to recoup their investments or in a throwback to last year's losses.

What's this? Fox product in the metropolitan area may go to RKO after all.

There'd be an upset for you.
YOU, too, can make a hit with 'DAMES' the world's great showmen are showing you how!

See the big campaign book for 118 other seat-selling sensations.

BIGGEST SHOW BUY OF THE SEASON!

6 Life-size Full Color Standees for $15.00! (and worth 4 times the price)

62 inches high . . . Dye-cut from heavy compo-board . . . photographically reproduced in 9 brilliant colors . . . Weather-proofed . . . Easeled . . . All ready to stop the show in your lobby! Order a set from your Vitagraph exchange now.

IT'S JUST Warnerful THE WAY THOSE WARNER BOYS BACK UP THEIR SHOWS WITH BIG TIME IDEAS!

Here's Dave Weshner's lobby in the Warner Bros. Theatre, Milwaukee, 24 hours before a mob of 7000 crashed in for the "Dames" opening.
May Allow Exhibitors at Large To Determine Zoning

(Continued from page 1)

the committee yesterday. If schedules do not meet with the favor of the majority, code boards will hear individual protests and a new draft will be made.

With the plan to throw back to the field looks to be expected to recommend reopening the dead line of July 1 so that every exhibitor with an objection will be heard.

Clauses pertaining to duals in schedules will be ordered out, since Campi has been busy in this kindness. 

Henceforth, code boards have been hearing protests against existing clearances and zoning schedules. When the July 1 deadline was reached all protests filed before that date were heard and new schedules drawn. The proposed plan of the committee will give exhibitors a chance to attack new clearances until a majority is reached. This is fair protection for the new season.

Some Favor 1934-35 Schedules

According to letters and telegrams received by Camp, a number of exhibitors have been working up the past few days along the lines of the 1934-35 schedules. In this event, Campi may accept them for the winter.

The Roxy’s complaint against the Globe on the same issue has been held up by the next step. The Division Administrator S. L. Rosenblatt on allegations made by Harry Brandt

The Roxy’s complaint against the Globe on the same issue has been held up by the next step. The Division Administrator S. L. Rosenblatt on allegations made by Harry Brandt.

On the calendar today for the New York board are three premature advertising complaints filed by Loew’s against the Param-Court and Palace in Brooklyn and the Pastime on 2nd Ave.

Zone Delay Stymies Cincinnati 'Changes

CINCINNATI, Aug. 29.—Delay in adjustment of the clearance and zoning territories in the Cincinnati, Dayton and Dayton territories, which now are up to appeal to Campi, has distributors stymied here. Exhibitors generally have postponed buying new season product until the schedule has been definitely determined.

Jewish Women Join Cleanup Movement

KANSAS CITY, Aug. 29.—The National Council of Jewish Women has 40 members to the selectmen, who will advise the council, on its behalf, in its proceedings, believing that a settlement of the issues, satisfactory to both parties, could be without court procedure.

No estimate of how long reorganization might be delayed as a result of yesterday’s developments could be obtained, although those close to the proceedings suggested that N. I. would be the earliest possible in view of the present situation.

Arthur James Nominal

WESTPORT, Conn., Aug. 29.—Arthur James has been nominated for the selectman on the Democratic ticket, to compete with the recommendation of the town committee. Milton D. Harrington, a Republican, was also nominated for James’ running mate for second selectman.

Overbuying Sustains

NEW ORLEANS, Aug. 29.—Acrena and Nebron have been buying up a large quantity of picture, because values have already been developed for product of this type, the division’s managers are informed. “But for many pictures this season, sales must be handled and must be done largely through the medium of publicity.

Furthermore, the campaign must must must must must must be mounted. That can be done through the new sources for plot material. Only through this type of campaign will you be able to reach thousands of people who have drifted away from the theaters. Always remember in your community to use your contacts.

Read to Eliminate

Walter Reade yesterday asked Campi he would abide by a recent order of the New York grievance board. Campi is understood to have been told that the local community will be part of the managers’ duties, including contacting, organizing, assisting in organizing Better Films Councils.

Both the group system and “It’s a Book” system are to be conducted by the ad man under the direction of a committee of the board. This ad man will be the one to key the local community to the managers’ duties, including contacting, organizing, attending Better Films Councils.

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“Socko!

at CHICAGO THEATRE, Chicago,

-says VARIETY

Top money of the loop goes to ‘One More River’ at the Chicago, where the women and the matrons are finding ace heart fodder. Class picture with femme appeal is adding up to socko money at $44,000.

Picture is the main attraction beyond question, getting excellent reviews and fine word-of-mouth on femme and class draw. Headed for lusty $44,000, by far the biggest money in the loop.

A UNIVERSAL PICTURE

DIANA WYNNYARD in
ONE MORE RIVER
Chicago Bullish: $500,000 Already to Remodel Houses

(Continued from page 1)

Despite the chronic cry of tough times and the present business, there is a great rash of remodeling, and leases are scarcer than the proverbial neat's teeth.

A striking evidence of this is the major motion picture Coast, which, at the end of July, went to the Capitol at Kedzie and Lawrence and emerged as the biggest billing baron and again converting the building into a picture house. Popular and associates are putting $25,000 into converting the house—once a "dud." And wisecracks around town view it as a smart move.

Locally theatres are at a premium. There is one dark spot in the Loop, the Majestic, which Jones, Linick & Co. just turned back to the owners because they claimed the house was improperly built for films. A number of rows are just so much wood, and the theatre owners, as a view of the screen is concerned.

Big Plans for McVickers

The McVickers is also dark, it is true, but it is a foregone conclusion that this house will revert back to J. L. & S. before long and, under their management, will become a potent factor in the Loop situation. The house has been an "in and outer" for some time. It is controlled almost entirely by Public. In the last move of more than a year ago Publicix rather than surrender it, asked B. & K. to make the house. In the meantime, McVickers has met with indifferent success since. When closing became judicious, it was prepared for a re-opening with the Mae West opus, but between the Legion of Decency campaign and the censors, nothing in the way of "great" has appeared sufficiently strong to justify turning on the lights.

Jones, Linick & Schaeter have just acquired an interest in the Monroe and Clark from Lubliner & Trinz, which adds these Loop spots to their Foods, State-Lake, Rialto and the La Salle, which will open in October.

Outside the Loop, exhibitors are busy as the property owner and, if the owner is backing his judgment with plenty of dollars in rebuilding and new equipment. Here is what they are spending money on:

Gollos Bros., who also operate the Ray, are investing $50,000 into a completely remodeling job of the Midwest or its branches, business and leases are scarcer than the proverbial neat's teeth.

The Capitol conversion job mentioned earlier is setting Robert Templar and associates back $25,000 for that house.

In converting the LaSalle, former 10 cent grind house into dignifiedtemptorium, they are putting severe effort into making the house lean $30,000. The rejuvenating job is being pushed to have the house ready Oct. 1.

Grocery men, who operates the unusual Cinema, among others, has decided that his Austin needs refurbishing to the tune of $8,000.

Aaron Superstein, local Allied presi dent, has made arrangements which will see the long-suffering piling the face interior of his Lexington.

Dave Dubin, well known here and in the East as an exchange man, enters the fray, and is pushing the Daz Square, giving it the new name of Kio which, with other plans, will cost him Publixix, for alterations and improvements.

Essaness Also to Remodel

Schoenstein Bros., are ready to do big things to the Shakespeare, but the future of the old play is, at the moment, undetermined. Similarly, Essaness has plans for several of their houses, but are unprepared to say how far they are going to shell out.

The aggressive and progressive circuit headed by Harry Balaban has emphasized the importance of the importance of the remodeling of the Windsor, just off the Gold Coast, at a cost of $35,000.

Lesser remodeling and installation of new equipment is proceeding or scheduled without much fan fare. The number of exhibitors who are important to register in the daily chatter of film salesmen and are thinking ahead to the minds of local exchange managers.

Several reasons are advanced for the peculiarly aggressive disposition that these houses are in.

Some say exhibitors are being blinded by a "break" created by the new model, or that they are viewing the neighborhood expansion and entrenchment as a result of a releasing program and an admission price scale that is giving outlying theatres an "edge."

8,000 Houses In a Fund to Fight ASCAP

Loews, Warners, Paramount, RK and Shoreys. The Shoreys contribute to ASCAP its subsidiaries and affiliates, while the Paramount commitment includes it in its theatre operating partnerships.

In addition, I. T. O. A., M. P. G. Allied States and T. O. C. pledged support, as well as local exhibitor organizations or large circuits such as the Shea, Cordford, Butterfield and Wilmer & cent groups.

In all, it is believed that a fund of $60,000 may be raised on the court fight against ASCAP.

The pledges were delivered at luncheon meeting at the Hotel Roos yesterday, and the meeting was addressed by a number of former chairman of the national exhibitors' emergency committee, and chairman of the legal committee.

George Z. Medalie, former U. S. Attorney has here, presented a legal bureau to push an anti-trust suit against ASCAP.

Phillips of the Paramount legal department, chairman of the executive com mittee of the New York Film Board of Trade, are cooperating by supplying Medalie with music tax duties and trade information.

Vincent and Milton C. Weis-Weisman counsel for the L.T.O.A., were named as custodians of the fund.

plan may include any national bar state bank, trust company, savings bank, or industrial bank, building or loan association, of banks, approved by the Federal Housing Administ ration; or to a contractor or building supply dealer. Approval of the pledged is required on note is "a good credit record in the neighborhood of sliding for the important projects of grea financial benefit to the industry that would follow in the wake of the continued extension of credit to the owners through increased equity and sale or better box-office traffic caused by the "psychological effects of the rejuvenated theatres on the minds of the theatre-goers."

The publication lists the following as the improvements permitted by the Housing Act in the list of exhibitions:

Building, remodeling, redecorating, paint, lighting, carpeting, sheet metal, equipment, inside and outside decoration, stage, rai linings, electrical work, window, building, improvement, heating, ventilating, equipment, piping, screens, sheet metal, roofing, foundations, cabinets, ceiling, trim, walls, cabinets and permanent cabinets.

Buy M-G-M, Warner

Father & Shea, operating about 8,000 houses in the east and midwest, has signed for all of M-G-M and Warners product.
Theatre Building Is Begun in the South

(Continued from page 1)

operating as Carleton Amusement Co. Ltd., has started building a first-class theatre in the West End. It will be ready the end of November.

Los Angeles, Aug. 29.—Following a long shutdown, the United Artists is slated for reopening Sept. 1. The house will probably open its doors with the first popular run of "House of Rothschild."

Baltimore, Aug. 29.—Herman Blum is rapidly getting his first run playhouse catering to the intellectuals, ready for reopening on Sept. 6. Herman G. Weinberg and his brother Max will be general manager and assistant respectively. During the summer the house has been renovated and a refrigerating system installed.

Hon Nickel, proprietor of the Gayety, only burlesque theatre here, has recently returned from London. The Maryland, "legit" house, will reopen Sept. 3 with a company presented by Laurence Rivers, Inc., offering "The Great Florodora," prior to a New York opening.

The Waverly, neighborhood house in the Duquesne hills, has been extensively renovated and remodeled.

Louisville, Aug. 29.—Blake Amusement Co., who has completed the Savoy, has dredged the Luray Lane. Storer Hadden will be manager under its new film policy. A new sound equipment will be in place in time to open Sept. 15.

Lexington, Ky., Aug. 29.—The Royal and Elite here, formerly owned by Mr. Grace Scott, have been sold to George L. March of Vermilion, South Pittsburgh, Pa., and Henry Dorsay of Wheeling, W. Va. The new owners have both theatres at Wheeling, W. Va. and one at Haviland, Ky.

New Orleans, Aug. 29.—The Federal Court has authorized E. V. Richards, permanent trustee of the Stanhope Theatre, Inc., to reorganize the operating system of the Saenger theatre in Hattiesburg, Miss., and pay the necessary funds.

Wheeling, W. Va., Aug. 29.—George Otto, veteran Wheeling theatre executive who last season managed the Pitt, Pittsburgh, will remain in Wheeling as manager of his own house, the Virginia, which is undergoing extensive improvements preparatory to reopening next month.

Jack Jones, operator of the Cambria circuit around Scranton and Wilkes-Barre, Pa., will replace Otto as manager of the Pittsburgh house.

Cincinnati, Aug. 29.—The Orpheum, 2,100-seat suburban leased by RKO three years ago but recently turned back to the owner of the property, has been leased as a RKO Paramount house. The fifth floor of the building will be devoted to a swanky night club, while the Sky, with 1,000 seats, will be used for foreign films, according to tentative plans.

Rittman, O., Aug. 29.—Rittman is sporting a new theatre, an up-to-date edition evolved from the old Pacific. David Schuman, Cleveland manager of the theatre, says the house has been completely redecorated and seating increased to 75 additional seats. Capacity is now 400.

Ambridge, Pa., Aug. 29.— Warners are re-opening the Prince for their re-opening, also the Camperdown in East Liberty. Other houses in this zone, dark all summer, will resume after Labor Day.

Clayburg, Pa., Aug. 29.—Dave Bloom, who operates the Rex, Portage, has taken over the Diehl house and will reopen it soon.

Curwensville, Pa., Aug. 29.—The Strand, recently badly damaged by fire is being remodelled and rebuilt by H. J. Thompson and will open as the Rex around Oct. 1.

Franklin, Pa., Aug. 29.—Hola Theatre Co., T. L. Haughton and P. H. Hadden, are readying the Park shortly with straight films.

Marysville, O., Aug. 29.—The Russell, which operated on part-time all summer, has returned to winter schedule with four changes weekly.

Freehold, N. J., Aug. 29.—Walter Reade is overhauling the Strand at a cost of $40,000, the job calling for replacement throughout and installation of American Seating chairs. Clifford W. Stiles, Inc., has been given the general contract.

Paterson, N. J., Aug. 29.—On Sept. 14, Warners will place the Garden on a first run basis again. The house has been booking second runs.

Ashtabula, O., Aug. 29.—Jack Steinberg, owner of the Dome, at Youngstown, O. has taken over the Haror here. He will reopen at once with a straight film policy.

Adams Brothers reopen the Paramount in Newark, today. The "Cleopatra" and vaudeville. The same operators tomorrow shift the U. S. Paterson, to a full week policy.

Fier Starts; Levine Back

Hollywood, Aug. 29.—Jack Fier, assistant to Nat Levine, has left for New York where he will spend three months visiting exchange centers. Levine returned yesterday.

Glueckman Gets Shorts

Herman Glueckman, president of Majestic, has closed for a series of Master Art shorts for his local exchange.

Midwest Deal Would Give Control to Fox

(Continued from page 1)

MOTION PICTURE Daily the papers may be subjected to various leasing proposals are under consideration, subject to approval by Fox, according to an official.

Fox Midwest now has the Granada in Kansas City, Kan., the city's other first run. The Electric is one of the largest houses in this area and seats 1,500.

Paramount vacated the Electric shortly after reopening last year, turning back three other houses to Grubel Bros., the owners, at the same time. Two of these, the Grand and the Electric, Springfield, Mo., were subsequently taken over by Fox.

Grubel Bros. have a claim pending against Paramount for $600,000 rent past due. Their claim for approximately $3,000,000 representing future rents for the balance of the lease was disallowed.

Stage Shows Return In Pittsburgh Soon

(Continued from page 1)

Powell's first stage "Firebird" appearance in Pittsburgh since he left the Stanley, where he had been master of ceremonies for several months in 1932, to engagements in New Haven. Powell will have "Firebird" at the Palace, as presented by H. J. Stander, as he has been getting more exact details of the arrangements with the various unions call for a minimum of weeks since neither the Penn nor the Stanley expect to play stage shows regularly. Firebird will be running in the houses intermittently. With Lewis, the Penn will have "Houdine" and "Firebird" on the screen. His personal appearance begins the day after his latest picture, "Dames," closes there.

Loew Plans Houses In Calcutta, Bombay

(Continued from page 1)

last, 1,500. Plans for the Calcutta house are now being completed and call for 1,200 seats. No definitive plans have been completed on the Bombay venture.

Moscow is chiefly responsible for completion of the London Empire and Metro in Johannesburg, South Africa. He states conditions in these countries are fair.

Offers A. F. of L. Backing

Aid of the A. F. of L. was extended yesterday by Matthew Woll, its vice-president, to operators, stagehands, musicians and electrical workers in their local fight against company unions here. He asked that the union not endorse any but those houses employing A. F. of L. members.

Forbes-Angel Nuptials

Hollywood, Aug. 29.—Alfred Forbes and Heather Angel left here this morning for Yuma, where they said they would be married and return here immediately.

Mrs. Johnson Recovering

Mrs. Martin Johnson, big game hunter, was recovering yesterday at Roosevelt Hospital from an operation for an abdominal disorder performed the day before.

Reinhardt West to Prepare Spectacle

Max Reinhardt, noted European stage producer, left for the coast last night and returns to New York in two months to stage "Road of the Promised," a musical spectacle by Franz Lehar, Austrian novelist and dramatist.

Meyer W. Weigal, producer of "Romance of a People," also will produce a musical spectacle which will be staged outdoors. Kurt Weill wrote the music.

In regard to his departure, Reinhardt's secretary denied the producer had been signed by a picture company. It was stated, however, negotiations for a film contract may be consummated on the coast.

Kandel-Twickenham Deal Runs 5 Years

Deal for American distribution of Twickenham Pictures in this country covers a five year period, according to M. J. Kandel of Ideal who returned from London late Tuesday where the contract was signed with Julius Hagen.

Olympic Pictures, Inc., affiliated with Ideal, will handle the 16 productions. Ideal will handle the films for which they meet with national distributors or with state righters.

"The Dancing Jew" has been sold already to M-G-M. Next two are "Bella Doma," starring Conrad Veidt, and "Broken Melody," featuring Merle Oberon. Release on these is not set.

St. Louis Tax Impound

St. Louis, Aug. 29.—The Recipro-Partisan Tax Impound Committee of the board of aldermen has asked City Counselor Charles Hay to draw up bills providing for either a city sales tax or a special tax on the gross income of individuals and corporations. Such a measure would fully meet the necessity of raising $4,500,000 to provide for deficit in the bond issue sinking fund.

New Orleans, Aug. 29.—The fight on the city amusement tax levying a charge definitely sent up to 50 cents by the Board of Aldermen, has been lost by the Blue Room. Although the tax under state law is collectible Sept. 7 for use of the NRA, Mayor T. Semmes Walmsley insists it must be paid to his own welfare organization on Sept. 7. Theories have indicated they will ignore Walmsley's collectors, claiming illegality.

Brunswick Signs Singer

Hollywood, Aug. 29.—Russ Colum- bo has been signed by Brunswick to make a minimum of 12 records a year, his first recordings to be three songs from the very successful film, "Wake Up and Dream." Columbia's weekly N.B.C. broadcast has been switched from Sunday to Friday.

Karl Krug III

Pittsburgh, Aug. 29.—Karl Krug, critic and theatrical columnist on the Sun-Telegraph, is ill in a local hospital where he is being treated for eye trouble. Krug joined the Sun-Telegraph three months ago after a year in New York with United Artists.
Hope for Singles
In St. Louis Out

St. Louis, Aug. 29.—Local showmen have revealed that elimi-
inating doubles next season. Fred Wehrenberg, president of the M. P. T. O., Eastern Missouri and Missouri State, said single bills, admits
it seems impossible to get all
interests to agree.

While talking with the Shubert-Rialto and the Orpheum as their first run outlets have refused to come into line. With the possible exception of Paramount and RKO product available,
they are in a position to continue the double feature arrangement indefinitely. Fanchon & Marco with the Ambassador, Fox, Grand Central, Missouri and St. Louis were willing to try only one picture.

Nelson Cunliff, speaking for the St. Louis Amusement Co., had tenta-
ively agreed to the elimination of double bills but set Aug. 20 as the
deadline by which all others were to have their John Hancocks on the dotted line. Warners, not having agreed by that time and another week
having passed without results, Cunliff took the position that he would support the double feature arrangement for the 1934-35 product.

Warner brothers are in a position to force Exhibitors Guild and Old
stage shows at both the Amsbadmer and Fox. Other exhibitors are hoping that the first-run scrap will not lead to any clash in
prices. There have been some veiled threats along that line. Such a move, according to Cunliff, would result in a resort to 10-cent admissions for adults and five cents for children.

Clayworth Contract
Makes 43rd at “U”

Hollywood, Aug. 29.—The signing of June Clayworth, a young actress, brings Universal’s contract list to 43.

Musical transcriptions based on scenes from “Wake Up and Dream,” and “Gift of Gab,” will be broadcast over the Columbia network for a 15
minute period in connection with local program of the picture.

Universal has negotiated with M-G-M for the loan of Herbert Mar
ton to appear opposite Margaret Sul
lavan in “The Good Fairy.”

Contracts, Assignments

Hollywood, Aug. 29.—Paramount has signed William Hurbut to do the screen version of the Broadway hit, “I Am Mrs. Ames.” The picture will have Gary Cooper and Carole Lombard in top roles. The same film is currently with studio ticketed Lawrence Eyre to do the script for “All the King’s Horses.”

Robert Pirosh, writer, has been granted a leave of absence at M-GM. Pirosh is now working on the script for “The Winning Ticket.” After he returns, Warner’s highest hopes, gets her first oppor-
tunity in the romantic lead of “Hab
bitt.” This is the studio’s first move toward using her in a starring
rank. Nan Grey, recently brought here from New York, has also been handed one of the top spots.

Henry Wilcoxon has been lined up for a featured role in “Andrew’s Har
vest” at Paramount. The actor is now

A Question of Bangs

Chicago, Aug. 29.—Difficulties of the job of toastmaster being rather generally recognized, it remained for Robert Szwitzer, clerk of Cook County, to distinguish himself at the testimonial dinner to Judge E. B. Beck.

After many introductions marked by the taking of bows, Szwitzer introduced Tom Maloy, head of the local operators’ union. Maloy made his speech with a bang which shocked even the large Stevens. He sat down. It was all over in grand fashion until the toastmaster felt impelled to add another remark eulogizing Maloy.

He said: “And only that, but everything Maloy undertakes goes over with a bang.”

There was silence throughout the room, then snickers grew into guffaws as the significance of the double meaning registered.

The toastmaster desperately tried to pull himself out of a puzzling reaction.

The crowd was working up to a point of roars at what it interpreted as a facetious analogy Toastmaster Szwitzer recov
ered and stormed:

“When I say bang I don’t mean the kind of bang you people are in mind.”

Maloy laughed heartily with the audience.

Portland Smiling; “Island” Is Top

Portland, Aug. 29.—In spite of full bookings in all theaters, first
runs elsewhere have been broken by their year’s book-office records. However, here the run of

“Treasure Island” at United Artists
had a first week of $7,500, or $25
over normal. Held for second.

“Duel in the Sun” at Cheerful Bas
at the Broadway hung up the fill
holdover week of the year there.

“Andy’s Annapolis” at RKO’s
“Listen” broke out of lines at the Par
mount with a take of $7,500 or $25
over usual. Held for second.

Total first run business was $28,310
Average is $22,000.

Estimated takings for the week end
Aug. 29:

“BULLDOG DRUMMOND STRIKES BACK” (U.A.)
BROADWAY: Gross, $4,050-4,050, 7 days.
Average, $500.

HARMICK’S MUSIC BOX—(2,000), 2
2nd week. (Paramount, Review, Gro
Columbus: Gross, $5,000. (Average,
$1,600.)

“STEIN-GAR’S”
HARMICK’S ORIENTAL—(6,000), 2
2nd week. (Paramount, Review, Gro
St. Louis: Gross, $1,600. (Average,
$800.)

PANTAGES—(7,000), 1st week. (Turpin
Gardner, Review, Gro
Cincinnati: Gross, $1,600. (Average,
$200.)

“HANDY ANDY” (Fox)
“LADIES SHOULD LISTEN” (Par
noma, Review, Gro
Chicago: Gross, $5,000. (Average,
$1,600.)

“TREASURE ISLAND” (M-G-M)
UNITED ARTISTS—(10,000), 2nd week.
Gross, $7,500. (Average, $1,500.)

American Intern’l,
New Coast Produce

Hollywood, Aug. 29.—The for
brading and Studiom, famous
nee-Art, is about to open a company, known as American Intern
ional Prod, starts work shortly. R
Of the president, Oliver Dray
vice-president in charge of prod
and Willard Ditmars, producer

The company plans a series of fe
ures, a series of musicals and a the
of westerns. The first to reach a
an to Samuel Goldwyn’s “Paradise”,
which Drake wrote and which he
direct. The second, a musical, will
“Roustabout” by Rupert Hugh

Small Signs to Make
Four More for U.

Hollywood, Aug. 29.—Edw Small of Reliance has signed with United Artists for four more pictures in addition to the three already prod

“F celebrated”, “Enchantment” and “Merry-Go-Round” and “The Tow of Monte Cristo.”

To File New Complain

Los Angeles, Aug. 29.—Super Court here to file a new complai
within 15 days in his suit for an atro

S. E. The court held he failed to mention the cause of action or sho
that he was a member in good sta
It was also asserted the that
that funds that had been expended con
the by-laws could not be d
from the way the facts set
in the complaint. Strass
failed to show the right to
spect the books prior to the suit ha
been denied him.
U. S. Starts Anti-Trust Action Against ASCAP

Distributors Threaten to Quit Mexico

By JAMES LOCKHART

MEXICO CITY, Aug. 30.—Nine American and European distributors doing business here today advised the Government that they will be compelled to withdraw from the market if films are not excluded from a 10 per cent tax on rentals.

These companies, distributors, acting through the National M. P. Distributors Ass'n, of which they are members, are now awaiting the government's decision on its plea. They have assumed the stand that the new

(Continued on page 6)

Theatre No Church, Asserts Kuykendall

NEW ORLEANS, Aug. 30.—"It is not the function of theatres to moralize or to become churches, but to entertain with pictures and stories suitable for adult minds as well as children," Ed Kuykendall, M.P.T.O.A. head, declared today at a meeting of Gulf States Theatre Owners Ass'n.

"Not that we intend to fight the churches," he added. "On the contrary, we are cooperating with the better films groups and heartily endorse the movement to clean up unnecessary vulgarity and obscenity."

Kuykendall asserted that "we started the movement ourselves before

(Continued on page 4)

Clean Film Moves Spread in England

LONDON, Aug. 30.—Indications are that the move for clean pictures is spreading from America to England is seen in the circulation of a petition under the auspices of the Westminister Catholic Federation. Over 150,000 signatures have been obtained to date and all the signers have promised to boycott theatres showing objectionable films.

In order that supporters of the movement may know which films are objectionable, the federation will issue a pamphlet every week listing those approved.

(Continued on page 6)

Other Music Groups Also Named; See Effect on Score Charge

A Federal anti-trust action was filed here yesterday against the American Society of Composers, Authors and Publishers, the Music Publishers Protective Ass'n, the Music Dealers' Service, Inc., and more than 100 other organizations affiliated with the three and engaged in the collection of royalties for the public performance of copyrighted music.

The action, started in U. S. District court by Andrew W. Bennett, special assistant U. S. Attorney General, apparently covers every aim of the national exhibitors' emergency committee's legal program. In addition, has ramifications which may vitally affect music costs of film production and the score charge itself.

The government's action against the music societies allegedly the existence of monopolies and violations of the Sherman anti-trust law. It asks re-

(Continued on page 6)

St. Louis Price War Off Till Sept. 7

ST. LOUIS, Aug. 30.—Although F. & M. was scheduled to cut prices and institute duals today, the plan has been delayed until Sept. 7. Admissions at the Ambassador, Missouri and Fox will be reduced from 35 cents to 25 cents for matinees and from 55 cents to 40 cents for evenings.

(Continued on page 6)

Paralysis Scares

Seattle, Aug. 30.—Houses here and in Spokane may be forced to close in the near future because of the epidemics of infantile paralysis in the northwest.

Idaho houses that had been shut down are now opened with the abatement of the malady.

(Continued on page 6)
**Insiders' Outlook**

**R EORGANIZATION activities for Fox Metropolitan Playhouses are divided between two camps of the movement with what appears to be a different objective. On the one side is the bondholders' committee of Ernest W. Niver is chairman and William M. Greve is moving factor. On the other is Fox Theatres Corp., one-time parent company of Fox Met, after seeking a reorganization under Section 77-B. William E. Atkinson and Milton C. Weisnam are receivers for the latter, and as such have title to all of the capital stock of Fox Met.**

The Fox Met bondholders' committee has a plan for the circuit, which at this time at least. As patterned in many respects after the plan formulated by the committee while Fox Met was in receivership. The former plan, however, provided for a foreclosure sale which is avoided in the reorganization proceedings.

Not yet settled, however, but authoritatively understood to be an important objective of the committee's plan is a provision which would permit the committee to realize on its Fox Met investment at any auspicious time when plan has been in effect one year.

The difficulty of incorporating such a provision in the reorganization plan appears to center about the 1985 operating contracts with Fox Met held by Skoras and Randorfe. A reorganization of the circuit under 77-B will return Fox Met to its original solvent status prior to its receivership and the Skoras and Randorfe operating companies will be the new company, according to expert legal opinion.

In opposition to the bondholders' objective—the right to a sale of the circuit after one year is the natural unwillingness of the two operators to invalidate their 18-year contracts by consenting to the inclusion of such a provision in a reorganization plan, regardless of what compensating concession is made in their favor. In addition, there is the reasonable attitude of several bondholders existing within Fox Met which holds that such a provision might tend to dull the enthusiasm of the operators, with a consequent jeopardy to the theatre properties resulting.

On the side of the Fox Theatre receivers—Atkinson and Weisnam—are being made to reopen the $4,536,742 claim of Fox Theatres against Fox Met, subsequently settled for $3,500,000, with the declared intention of reabsorbing Fox Met into Fox Theatres. In this connection a court order has been obtained by Fox Theatres from Federal Judge Martin Manton, appointing David Burton, accountant, to investigate the facts surrounding the settlement of the Fox Theatres' claim.

Just how far this objective can be pursued is a matter of conjecture. Some Fox Met creditors—notably those associated with the bondholders' committee—are unimpressed. Others contend that the move has its possibilities under the current plan. It is safe to go so far as to name Harry Brandt as the ultimate operator of Fox Met, this on the theory that Weisnam's recommendation will be followed. When Fox Met again came under Fox Theatres' control, would be sufficient in such a contingency. Weisman it will be recalled, is attorney for T.O.A., of which Brandt is the organizer and president.

**Purely Personal**

**R UDOLPH SANDERS temporarily succeeds Louis Blumenthe as chairman of the I.T.O.A. board directors. SANDERS at one time was president of the Brooklyn Theatres Owners Association.**

**KAY FRANCIS has been granted an extension of her vacation and will report to Hollywood before the middle of this month.**

**Most Blumenstock, back from Philadelphia, says business is picking up.**

**Tom Gerety will spend the Labor Day week-end playing golf.**

**At Fredlander will take to the road again any day now.**

**Nick Foran is on his way east for a short visit.**

**Powell Set on 15**

**Hollywood, Aug. 30.—**Willi 1 has just signed three new contract calling for 15 pictures to be made here next two years. First of the new deals is with M-G-M on a straight two-year contract; the second with Radio for two pictures, and the third with Paramount for one picture.

**J. R. McDonough Here**

**J. R. McDonough, Radio executive who has been spending most of his time recently on the coast, arrived in New York from Hollywood by plane late yesterday and described his visit as the usual routine. In about three weeks he will return west and take his family with him.**

**Germany Bars “Cheer”**

**Berlin, Aug. 30.—**The government censor today banned Fox’s “Stand Up and Cheer!” because it showed the “typical American movie standpoint of artificially pumped-up optimism,” and “did not deal seriously with today’s problems.”

**T. & D. Trio in Town**

**Robert McNeill, Michael Nally and Gene Emmick of the T. & D. circuit of California, are in town on product deals.**

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**Paras, After Shaw & Lee**

**Hollywood, Aug. 30.—**Shaw and Lee are negotiating with Paramount for the completion of roles in “You Belong to Me” and “Mrs. Wigg’s of the Cabbage Patch.”

**“Peck” Goes to Fox**

**Hollywood, Aug. 30.—**Soli Lesser has placed “Peck’s Bad Boy” with Fox. It is believed making a one-af of George O’Brian westerns for this distribution.

**Roach East Monday**

**Hollywood, Aug. 30.—**Hal Roach plans to east in his own plane Monday to confer with M-G-M officials on distribution.

**Moscow Here on Details**

**Sam Moscow, Atlanta district manager for Columbia, is in town conferring with Ruth Factor and Abe Montana on the Griffith circuit deal.**
When these Lovers Quarrel...
they awaken the romance in every heart!

Audiences will chortle merrily when this masquerading millionairess wrestles with pots and pans... They'll sigh contentedly when she nestles in the arms of her inventive chauffeur sweetheart. And applaud delightedly at the reunion of these two... together for the first time since "State Fair."

Janet GAYNOR
Lew AYRES
in
Servants' Entrance

with
NED SPARKS
WALTER CONNOLLY
LOUISE DRESSER
G. P. HUNTLEY, JR.
ASTRID ALLWYN
SIEGFRIED RUMANN

Produced by Winfield Sheehan
Directed by Frank Lloyd
From the novel by Sigrid Boo
Adaptation: Samson Raphaelson

THERE'S NOTHING WORTH LIVING FOR

— MAYBE IT'S NOT SO BAD

IT'S A GREAT WORLD AFTER ALL!
**U.S. Starts Anti-Trust Action Against ASCAP**

**Dillingers Barred**

Cincinnati, Aug. 30.—Despite recent announcements that members of the Dillinger family would appear at the Taft Sept. 1-3, no such exhibition will be permitted, according to William H. Masolle, chairman of the house committee of the Cincinnati Masonic Temple Co., which owns and operates the theatre.

**Curb Danz Display On John Dillinger**

Seattle, Aug. 30.—The newly-appointed Board of Theatre Censors made its first move here when Joe Kuykendall ordered Danz to remove from his lobby display a wax image of Dillinger and a bullet-riddled red, white, and yellow flag. 

**Frisco Board Makes Changes in Schedule**

San Francisco, Aug. 30.—The clearance board today announced a new zoning decision. The original 60-day clearance has been retained for first runs charging 50 cents or more. A new 49-day clearance for 40-centers affects four first runs. San Francisco has been given all first runs in northern California.

**Court Reverses Decision**

Wilmington, Del., Aug. 30.—An opinion by the majority of the plaintiffs, who were handed down by Judge John P. Nields in U. S. District Court here today, is the suit in equity of American Tri-Ergon Corp., New York City, vs. Tri-Ergon Holding A. G. of Switzerland and Josef Engl, Joseph Mascolle and Hans Vogt of Berlin against General Talking Pictures Corp., DeForest Phonofilms, Inc., and Lee DeForest. The invention at issue relates to a "glow lamp" for photographic recording of sound. Priority had been originally awarded to DeForest. Nields reversed priority to the petitioners. The judge will issue a decree directing that letters be issued to American Tri-Ergon.

**Amkin to Entertain**

Amkin will hold a reception in its offices at six o'clock tonight for the Soviet and Turkish officials and, at the same time, a six-reeler called "Soviet Greets New Turkey." 

**Trio Gets Manhattan**

Trio-Consolidated has taken over the Manhattan, 19th St. and Manhattan Ave., effective tomorrow. The deal was closed between the circuit and the landlord.

**Code Approval to 16 More Features**

(Continued from page 1)

Liberty and Mascot emerged with one feature each bearing the code seal. M-G-M and Radio each had three shorts approved. Columbia and Educational registered one each. Universal had approval okay placed on two serials.

The parallels follows:

**Columbia** (Shorts)

"In the Art Court" (Features)

"Fugitive Road" and "One in a Million."

**Liberty** (Features)

"Two Heads on a Pillow."

**Mascot** (Features)

"Young and Beautiful."

**M-G-M** (Features)

"Chained," "Help Me, Diamond!" and "Have A Heart."

*Scene 25* (Features)

"Govy Movies" No. 8, "Hollywood in Top Time" and "Ragtime."

**Paramount** (Features)

"Pursuit of Happiness."

**RKO** (Shorts)

"This Band Age," "In a Pig's Eye" and "Break Bar.

**United Artists** (Features)

"Count of Monte Cristo." (Reliance)

**Universal** (Features)

"Wake Up and Dream" and "Rocky Rhodes."

(Relations) "Red Rider in Enemies' Hideout" and "Red Rider Brought to Justice."

**Warners** (Features)

"Happiness Ahead."

**Velez Case to Academy**

Los Angeles, Aug. 30.—The suit of Lupe Velez against Rowland Prod. alleging non-payment of a $5,000 check was ordered to be arbitrated by the Academy. Judge Leon Yankwich today. The defendant was granted until Tuesday to file a writ of prohibition.

**Para. Releases Arlen**

Hollywood, Aug. 30.—Richard Arlen and Paramount severed their relations yesterday when Arlen asked for, and was granted, a release from his contract which still had a year to run.

**Breen in Air Talk Today**

Hollywood, Aug. 30.—Joseph P. Breen and Alice Ames Winter will discuss the industry over NBC tomorrow morning.

**Theatre No Church, Asserts Kuykendall**

(Continued from page 1)

straining orders to prevent the organization from entering into new contracts or renewing old ones for the public performance of music on a nonprofit basis, and that the contracts are determined by genuine competition between copyright owners.

The government alleges that the royalties now stipulated in the contracts of the societies are the result of actual noncompetition. The ASCAP also alleges that combinations exist between the organizations named which constitute a conspiracy in restraint of interstate trade. Dissolution of the organization is asked.

**Same Charges in Radio Suit**

These are the principal allegations contained also in the anti-trust suit of radio broadcasters against ASCAP, which is scheduled for trial here in October, and were to be the basis of the action which the ASCAP committee planned to bring against ASCAP in the near future. George Z. Metzler, former U. S. District Attorney here, today urged this week to bring such an action against ASCAP and on Wednesday virtually all exhibitors, their affiliated and independent circuits, pledged to contribute on the basis of a penny a seat to finance this legal battle against the ASCAP.

Whether the government's action, accomplishing as it does, the aims of the exhibitors, will result in the cessation of the exhibitors' legal offensive could not be learned last night. It is believed, however, that the outcome of the Federal suit exhibitors may control their activity by supplying the government with additional reporting forms which, while continuing to press their propaganda campaign among senators and congressmen for the purpose of changing the Federal revision of the copyright laws.

**Effect on Score Charge**

Inclusion of the Music Publishers Protective Ass'n in the government's suit is seen as an attack on the ASCAP's system of levying against producers for the right to record copyrighted music. This levy is the source of the score charge and, while that charge itself is not directly involved in the government's action, it is believed that a royalty charge for recording music which would be based on freely competitive bargaining among copyright owners might result in a lowering of the score charge and, hence, of the score charge.

It is also hazarded in film legal circles that, if the suit is decided against the ASCAP, its announced intention of putting into effect its schedule of increased music taxes on Oct. 1.

**Marin's Wife Is Killed**

Hollywood, Aug. 30.—M. E. H., wife of Fred Marin, manager of the Los Angeles Times, was found dead in her apartment on the fifth floor of the El Cortez Hotel. She was 30.

**New Yiddish Company**

Jack Stillman has been named head of the Yiddish Film Corp., which will specialize in Yiddish pictures. Four features, with English subtitles are on the schedule for the first half of 1931, the first being, "The Youth of Russia."

**Buffalo Reopening Set**

Buffalo, Aug. 30.—Shea interest in reopening of the Buffalo Theatre was expressed by "Cat's Paw." Charles Hayman had a deal practically settled to take over the house, but negotiations fell through, with Shea retaining the unit.
AND STILL THEY COME!

PUBLIX GREAT STATES CIRCUIT

Jules J. Ruben, Gen'l Mgr.

Operating in 18 cities and towns in Illinois and Indiana—Aurora, Decatur, Bloomington, Blue Island, Chicago, Danville, Elgin, Harvey, Joliet, Kewanee, Kankakee, La Grange, La Salle, Streator, Waukegan, Rockford and Peoria, Ill., and South Bend, Indiana—

Signs for
(the first new season deal they've signed)

UNIVERSAL

Features, News, Shorts and Serials for 1934-35

Thanks, Mr. Ruben, for your confidence in Universal Pictures. We will do our part!
Campi Asks Industry Aid
Push Zoning

(Continued from page 1)

CAMPUS, N.J.—Campi has turned to the city fathers in a last ditch effort to prevent the planned Space Age Theatre from being built in the Historic District, a request that has been placed on the agenda for the next City Council meeting.

The theatre poses a threat to the existing historic character of the area, and Campi feels that it would be a mistake for the city to allow such a development. He believes that the theatre would disrupt the area's unique atmosphere and detract from its appeal as a popular tourist destination. Therefore, he is seeking the support of his fellow city council members to prevent the construction of the theatre.

A date has not been set for the hearing, but Campi is hopeful that the city fathers will take his concerns seriously and take action to protect the historic character of the area.
"A Treasure Trove"

WALTER SPEARMAN
motion picture critic
CHARLOTTE NEWS
Charlotte, N. C.

“For digging out facts about the motion picture industry I’ve just discovered a treasure trove. It is the 1934-35 Motion Picture Almanac. There is enough material in it to last a daily columnist about 365 days.”

“A Compliment to the Industry”

WALTER D. HICKMAN
motion picture editor
INDIANAPOLIS TIMES

“The 1934-35 Motion Picture Almanac is the most complete authority on the movie industry I have ever seen. It is a compliment to the industry.”
Won't Sue in K.C. Crusade
On 'Indecency'
(Continued from page 1)
over the weekend and are still coming. We had the biggest Saturday and Sunday since opening the house last April."

Managers of other first runs feel the fight is theirs as well. As a result of the Journal-Post's announced policy of blaming them for the character of film entertainment at the subsequent runs. Theatre men regard the crusade as purely a bludgeon to force them to advertise in the Journal-Post. While all Kansas City theatres advertise regularly in the Star, the city's dominant paper, only three of the five first runs use the Journal-Post, and but 18 of the 42 suburbs advertise in that paper's amusement directory. None of the Fox theatres advertise in it.

The paper recently inaugurated a policy of reviewing all movies, regardless of whether they are biased or unbiased, the explaining the reviews in the other daily are "biased and untrustworthy," the Journal-Post's weekly reviews of the Tower shows, and occasionally of the Fox Uptown's, the other non-advertising first run, have been decidedly biased and unfair, in the opinion of theatre men. The current attack is the climax of the paper's editorial campaign against the Tower. Industry representatives say the Journal-Post is inconsistent in crusading for clean shows inasmuch as it is currently running several objectionable features, including "Hollywood Unmasked," which consists of scenes deleted by censors and scenes from so-called French versions together with parallel scenes as shown in this country. The Journal-Post's rotogravure section is entirely devoted to the latter feature.

It is also pointed out that on the day a Journal-Post launched its crusade against offensive theatre entertainment, a Dorothy Dix article in the self-described family newspaper dwelt entirely on the sex problem.

Star, Opposing Post, Using "Clean" Stills
KANSAS CITY, Aug. 30.—In contrast to the sensational feature, "Hollywood Unmasked" currently running in a number of newspapers, the Star has announced a policy of cooperation with the industry in not publishing pictorial material that may add fire to the present "cleanup" campaign.

While the Journal-Post is filing its Sunday rotogravure section with "Hollywood Unmasked," the Star prints a page of pictures depicting scenes from forthcoming releases that are in no way objectionable. Since the pictures are to be shown in local theatres, managers are appreciative of the Star's cooperation.

Stating that no old pictures will be used, the Star announces as its policy: "Hollywood, in an effort to satisfy the public desire for more wholesome conditions on the screen, has imposed a censorship upon its own still photographs in order to eliminate the naked and the vulgar. The leaders of the motion picture industry have asked the reputable press to cooperate by refraining from reviving old scenes made by persons who had no sense of moral responsibility. This department is happy to cooperate in so beneficial a movement." The statement is signed by John C. Moffitt, the paper's film critic.

"Hollywood Unmasked" consists of more than 400 censored and allegedly suppressed pictures and, according to the Journal-Post's blurb, from Hollywood actors and directors which movie stars would pay thousands of dollars to keep out of circulation. The feature is syndicated by the Register and Tribune of Des Moines.

Cal. ITO to Appeal
To NRA on Labor
LOS ANGELES, Aug. 30.—Decision to appeal to the NRA for a fair settlement of the union situation here was made at the first membership meeting of the revamped I.T.O. of Southern California today. The majority sentiment was against arbitration. Definite action on this point will be decided by a committee comprising Jules Wolfe, Irving Carlen and Harry Popkin.

The meeting was pessimistic over the chances of there ever being a settlement of the dual problem. I. E. Chadwick urged all independents stick together to survive. All dues due up to Sept. 1 were canceled. That is the date on which the new administration comes into effect. There were 50 new members at the meeting.

The show planned by the organization to raise funds is tentatively set for Oct. 22 at the Pantages.

Charles Dillingham Dead
Charles B. Dillingham, widely known theatrical producer and former owner of a chain of legitimate theatres in principal cities of the country, died at nine o'clock last night in his Hotel Astor apartment. Dillingham had been suffering from arteriosclerosis and had suffered several heart attacks during recent months.

MacMahon-Kibbee Again
HOLLYWOOD, Aug. 30.—WARNERS has bought outright by Universal the Spence titled "Social Pirates" as a vehicle for Alene MacMahon and Guy Kibbee.

Waring on Stage, Fields on Screen Do $21,000 in Buffalo
BUFFALO, Aug. 30.—Waring's Pennsylvanians on the stage and "The Old Fashioned Way" on the screen set the pace in Shea's Buffalo at $21,000, nearly $7,000 over normal in a generally brisk week. Weather was fair and comfortable. Total take was $43,000. Average is $36,300. Estimations for week ending Aug. 24:

"THE OLD FASHIONED WAY" (Para.)
BUFFALO—(3,500), 30c-55c, 7 days. Stage: Fred Waring and his Pennsylvanians, Babbs Bryan, Roy Sanders, Tom Waring, Polly McClintock. Gross: $21,000. (Average, $14,300.)

"A VERY HONORABLE GUY" (F. N.)
BUFFALO—(3,000), 25c-40c, 7 days. Stage: Jack B. Pringle, et al. Gross: $6,000. (Average, $840.)

"MURDER ON THE BLACKBOARD" (Radio)
BUFFALO—(3,000), 25c, 7 days. Gross: $8,900. (Average, $1,270.)

"THE WORLD MOVES ON" (Fox)
BUFFALO—(2,000), 25c-40c, 7 days. Gross: $6,800. (Average, $970.)

"WHOM THE GODS DESTROY" (Col.)
BUFFALO—(2,500), 25c, 7 days. Gross: $6,000. (Average, $850.)
Midwest Aims to Establish Film Quality

Rhoden Tells Another Angle of Move

KANSAS CITY, Aug. 31—This year’s advertising campaign of Fox Midwest Theatres is designed not only to publicize the season’s attractions but “to breed in your community a feeling that pictures generally are much improved and worthy of attendance,” the circuit’s managers are informed by Elmer C. Rhoden, division manager.

Commenting on the campaign in a language included in the division’s 1934-35 manual, Rhoden says: “We have recently been faced with the most bitter and relentless attack that has ever been leveled at our industry. All sects and creeds have apparently joined hands for the

(RContinued on page 4)

RKO Stays in R.C.; New Leases Pend

RKO headquarters will continue to be maintained in Radio City, although enough leases to replace those spring today have been concluded, it was stated yesterday.

The Center is being dropped from the RKO Radio City leasehold; the (Continued on page 4)

Music Hall’s $7,100 Broadway’s Leader

The Music Hall led last week’s rosies on Broadway, gaining an eat $71,000 on the second and final week of “Cat’s Paw.” The Capitol with “Houdo” had a nice take of 41,500 and the Roxy, with $26,700 for “Charlie Chan’s Courage,” was busy in the black.

“How’s Business?”

Columbus, Aug. 31—Establishing a local precedent, especially for a neighborhood house, the Victor is showing an all-Russian program. The feature is “Patriots,” a Soviet film produced in the U. S. S. R. by Myraborfilm.

The short deal with various phases of Russian activities.

ITOA Favors Conciliation With Unions

Peaceful Policy Will Prevail in Future

With the appointment of a labor committee headed by Dr. Leon Greenfield, Brooklyn circuit owner, the I.T.O.A. will try to conciliate differences between its members and local operators’ unions.

The exhibitor committee does not want to aggravate union matters and is in favor of a peaceful settlement of all controversies to the end that picketing will eventually be eliminated.

An attempt is being made by the committee to meet George E. Brown.

(Continued on page 4)

Orpheum, Frisco, to Extended Run Policy

SAN FRANCISCO, Aug. 31—With “One Night of Love” opening yesterday at the Orpheum to $300 over any previous day’s opening, Tucson and Marco has decided to adopt an indefinite extending policy. All new bookings will remain as long as the box office receipts warrant.

From present indications, F. & M. plans to hold the Columbia picture for six to seven weeks. In addition to Columbia’s lineup, the theatre will show Universal’s output.

British Sign Asther, Brook and Beaudine

E. O. Gurney of the Schubert-Feldman-Gurney office on the coast arrived yesterday from a two-month European trip during which he closed deals with British companies for the services of Clive Brook, William

(Continued on page 4)

Loew Expansion in New York Reported Over for Present

Having acquired the Gem, Far Rockaway, and replaced the Free-

ee, which was recently dropped, by the Boston Road in the Bronx,

Loew’s will not take over any more theatres in the local territory from independents, it is indicated.

Loew’s figures that selling in the New York area is practically completed for the new season and that, if any more theatres were taken over, it may find considerable difficulty in lining up product.

No new theatres are planned in this territory for the next two years. Certain spots are being watched but until they are developed to the point where a new house would warrant building, the circuit will not enter such zones.

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ASCAP Going Ahead With Tax Increase

Exhibitor Units to Drop Medallie Assessments

No change in the plans of the American Society of Composers, Authors & Publishers to place in effect on Oct. 1 its schedule of music tax increases in exhibitors will be made as a result of the filing on Thursday of the government’s anti-trust action against ASCAP and other music licensing groups.

E. C. Mills, ASCAP general manager, said yesterday.

Meanwhile, important exhibitor organizations such as T.O.C, Allied States and I.T.O.A, were preparing to abandon plans for assessing member theatres a penny a seat to contribute to the “war chest” being raised by the national exhibitors’ emergency committee to institute a suit against ASCAP such as that of the government’s. The exhibitor organizations were said to be proceeding on the theory that nothing more could be accomplished.

(Continued on page)

Circuits Agree To Jersey Dual Ban

Every affiliated circuit in New Jersey has agreed to end double featuring as soon as independent exhibitors in strategic spots become parties to the agreement and make the statewide return to single bills possible, it was learned yesterday.

The double feature ban in Jersey was to become effective on Monday but about 35 independent houses still remain to be converted to the agreement, which has been signed now by 173 theatres, it was stated.

Stebbins Is Here for Burial Arrangements

Arthur Stebbins is due to arrive from Hollywood by plane today to make preparations for funeral services for his wife Bella, and her two

(Continued on page 4)

No Issue Monday

Motion Picture Daily will not publish on Monday, Sept. 3, which is Labor Day and a legal holiday.
Saturday, September 1, 1934

**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

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**JAMES A. CRON**

Editor and Publisher

MAURICE KANN

Managing Editor

**JAMES A. CRON**  Advertising Manager

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Seider Reported in Deal for Fox Lineup

Negotiations are understood under way between Joseph Seider and Fox for the latter's product over the Prudential circuit in Long Island. Fox has been out of the circuit for several years.

Seider has pooled a number of Long Island circuits and has opened a New York office. As a result of this deal, Morris Kutinsky withdraws the Community Queens Village, from a booking and buying arrangement with Seider.

Saland Closes Print Compact With Hackel

Nat Saland yesterday closed a deal with William A. Hackel of Superfine Pictures whereby Mercury laboratories will handle the film printing on eight Bob Steele westerns, which are being distributed by William Steiner.

Hackel flew to the coast upon completion of the deal. The first release, "Demon for Trouble," is now being printed and the second is expected in New York Sept. 10.

**M-G-M Sat. Closing Stays**

M-G-M employees have been advised that until further notice the home office will be closed Saturdays. The original Saturday closing was effective until Labor Day.

**Purely Personal**

B INNIE BARNES, English plai-
er under contract to Universal arrives in town tomorrow by pla-
ner from the Majestic Tuesday, for England, where she will direct, a contract she has with ALEXANDRA KODA. She returns to America on a Feb. 28th.

ALICE TERRY (Mrs. Rex Ingram) Phil Baker, his wife and daughter, and ALBERT L. ENLARGER were among the passengers sailing yesterday on the Conte di Savoia.

STUART ERWIN and JUNE COLLINS (Mrs. Erwin), here on vacation, will make it a busyman's holiday Tuesday night by attending the Capitol's first evening performance.

JACK REILLY of Producers Labora-
tories, Inc., is consoling from recent heart attack. He hopes to be back on the job in two or three weeks.

ARLO MOORE left the coast last night for New York to attend the premiere of "One Night of Love at the Music Hall next Friday.

JOSEPH MOSKOWITZ, vice-president of the 20th Century, leaves for the coast today on a trip.

DIVISION ADMINISTRATOR SOL A. ROSENBLATT arrives from Washing-
ton today to spend the Labor Day week-end at his Great Neck home.

JAMES S. ROZENBERG leaves for Holly-
wood for New York on Tuesday to begin radio broadcasts and produce his new opera, "Moments of Love.

JOSEPH MOSKOWITZ, vice-president of the 20th Century, leaves for the coast today on a trip.

ROBERT RODERS leaves for Buffalo next week.

JOE O'Reilly returns from the Coast Sept. 8.

**Deals Set for "Ra-Mu"**

Distribution deals were set yesterday by Fairway Prod., Ltd., for Capt. E. A. Salisbury's South Seas adventure picture, "Ra-Mu," with the help of a plea for "Ra-Mu" by the eastern Pennsylvania territory; M. Jeffrey for New England and J. F. Franklin Enterprises for Hawaii.

John W. Hicks Returning

John W. Hicks, Paramount foreign manager, returns next Thursday from a two months' business trip abroad.

**Theatre Activities Quicken Along Line**

Approach of Labor Day and the official launching of the 1934-35 season continue to find activity in exhibition stirring in virtually all sections of the nation.

Among the developments reaching New York yesterday from Motion Picture Daily correspondent were these:

OMAGA, Aug. 31.—The local Camp office learns C. C. Goodrich, exhibitor at Stromberg, Neb., has agreed to reopen his theatre after having been petitioned to do so by the town's businessmen and civic leaders.

OMAGA, Aug. 31.—After a few months ago after repeated warnings he could not operate unless the ban on Sunday shows was lifted. When it appeared the moralists would have their way, he quietly closed his house. Program was registered immediately, but Goodrich promised was finally smashed and the house will open in two weeks. Sunday shows will be held at least until a future date. Stromberg is one of the last "blue law" towns in Nebraska, Lincoln, the capital, being one of the last major towns to allow Sunday shows.

Henry Rogge will open a theatre at Holdridge, Neb., with all new equipment.

W. S. Whitefield at Peru, Neb., will reopen his Thursday Sept. 15.

C. L. Peckham at Blue Springs, Neb., has installed sound-on-film equipment.

NOLSVILLE, Ind., Aug. 31.—H. P. Vonderschmit will reopen the Wilks with Photophone High Fidelity sound.

CAMDEN, N. J., Aug. 31.—The Broadway, a 1,100-seat luxe house which was almost totally destroyed by fire a short time after it had been opened, has been completely rebuilt and will reopen next week under the name "High Fidelity Sound." M. B. Ellis is manager of the house and secretary of the operating company.

COLUMBUS, O., Aug. 31.—The Fifth Avenue, 265-seat neighborhood house, has been installed with a straight picture policy Sept. 6. New sound equipment is being installed, and other improvements are being made, according to Ray Miller, who will manage.

CINCINNATI, Aug. 31.—Rebuilding the Hippodrome, a unit of the Frieght Circuit, at No. 498 S. Third Street across the river from here has been completed. The house was destroyed by fire several months ago.

MEMPHIS, Aug. 31.—The Strand operated by M. A. Lightman, re-

Cleveland, Aug. 31.—The Palace, local unit in the Taft chain, reopens tomorrow after a 30-day period of in-

Concurrently, the Paramount, major house of the local setup, discontinues double features on Friday and Satur-

and reverts to "encore night," each Friday, playing the extra fea-

"P. M." showing.

PHILADELPHIA, Aug. 31.—Stanley-Warner will open its newest neigh-

Porto, Aug. 31.—Harry Savini, head of M-G-M's mail room, has

PHILADELPHIA, Aug. 31.—The KRO Capitol, shuttered for the past few months, will be relighted tomorrow playing first runs on a full week basis. "The World Moves On" is the opening feature.

PHILADELPHIA, Aug. 31.—A lease has been negotiated for a site in Chestnut St. here for a Trans Lux house, and it is expected the theatre will be ready about Jan. 1.

**Marcus Made Associate**

HOLLYWOOD, Aug. 31.—Lee Marcus, head of Radio's comedy unit, is now an associate producer. His first feature arrangement is "Half a Million Dollars," written by Walter Wellman and Woolsey.

"Wandering Jew" Dated

"The Wandering Jew" goes into the Capitol Sept. 14, supplemented on the stage by the Fokine Ballet, Russian dancers.

**Pathe "A" Off 1½ on Big Board**

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**Technicolor Declines ¾ on Curb**

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**Trading in Bond Market Light**

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**MOTION PICTURE DAILY**

**St. Louis May Deler Action On Price War**

(Continued from page 1)

Denver Gets Smash Hit in "Cleopatra"

DENVER, Aug. 31—"Cleopatra" was a smash hit here this week as grosses soared over average at all first runs. Playing at packed houses, the 20th-Fox feature film brought the Denham $15,000, which compares with an average of $4,000. The runner-up was "Treasure Island" at a take of $9,000.

The Denver Gross: $3,500, above average by $1,000. "Dames," transferred from the Denver to the Victoria for a second run in town, was $500 over the house's average of $2,000. Total first run business was $37,000. Average was $20,000. Estimated takings for the week ending Aug. 30, $30,000.

**GENTLEMAN" (U. A.)**

ALADDIN—$1,900, 25c-35c-50c, 7 days.

**CLEOPATRA** (Para.)

DENVER—$2,000, 25c-35c-50c, 7 days, $31,500. (Average, $4,500.)

**THE TREASURE ISLAND** (M-G-M)

DENVER—$1,800, 25c-35c-50c, 7 days, $25,500. (Average, $3,600.)

**DERECK** (20th-Fox)

DENVER—$2,500, 25c-35c-50c, 7 days, $35,000. (Average, $5,000.)

**THE DAME** (M-G-M)

DENVER—$2,000, 25c-35c-50c, 7 days, $28,000. (Average, $4,000.)

**BED OF ROSES** (Para.)

DENVER—$1,300, 25c-35c-50c, 7 days.

**DAMES** (W. B.)

PARAMOUNT—$1,600, 25c-35c-50c, 7 days, $25,000. (Average, $3,600.)

**BOARDS Upheld by Campi in 6 Appeals**

Decisions backing gross wars of six cases submitted to it on appeal were made public by Campi yesterday. In a seventh case a board ruling was reversed.

The six instances where boards of directors had been heard by the respondents were these:

- *James Beatty, Liberty, San Jose, Cal., against Maurice Klein and Charles Hayman, Victory, same city, charging operation of "bank nights."*
- *John T. Rennie and Son, Rennie, San Jose, Calif., against the United Artists, same town, charging operation of "bank nights."*
- *Jesse H. Dodge, Mission, Ventura, Cal., against Paramount Co., Paramount Co., and Interstate Amusement Co., Prinicipal Theatres and the Ven- ture Co., same town, charging operation of "bank nights."*
- *Winfield Wash, against Universal Amusement Corp. Liberty, same town, and E. J. Zahn, Capitol, Tampa, Wash., against Evergreen Liberty, same town, charging operation of "bank nights."*
- *Victor Amusement Co.'s Victory, E. W. H. B. Co. v. F. J. Ward's Jewel, De- Witt Weiber's Weiber, Rex Theatre, and International Amusement Co.'s Ogden, Sekokoma Theatres; Hia- watha, D. R. King's Alhambra, all of Den- ver, against William Fox's Investment Co. and Associated Theatres Mayan, same city, charging operation of "bank nights."*

The same complainants as in preceding case against Amusement Enterprises, operating Egyptian, Granada and Oriental, Denver, charging operation of "bank and wind up." The decision reversed was in the case of Fox's Plantation, La Grange, Ga., against Walter Brandenburg, Family and Associated Theatres, charging operation of "bank nights." The grievance board in both cases found in favor of the respondent.

**New Paper for Carroll**

Hollywood, Aug. 31—Columbia has written a new long term contract for Nancy Carroll. Her first picture under the new deal will be "Spring 3100."

**"Richest Girl" Completed**

Hollywood, Aug. 31—"The Riches of a World" has been completed at Radio.

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**ASCAP Going Ahead With Tax Increase**

(Continued from page 1)

at the three houses pending outcome of the session.

Ward's complaint, and Cumpliff are hoping to get 90 per cent of the exhibitors lined up for continuance of present Arbitration Stakes. It also holds that the same amount of exhibitors to hold off on bringing back twin bills, although many have brought with this policy.

Warners is understood to have refused to be a party to any plan affecting the Shubert-Rialto. The settlement here is that if 90 per cent of the theatre owners agree to continue present Arbitration Stakes, the plan will go through without Warners. It is understood Warners' adverse attitude is a result of a peeve with F. & M. for taking over the Grand Central, Missouri and Ambas- sador recently.

Mills told the present Yesterday Island treat by telephone yesterday, gave indication that ASCAP regarded government's suits in any different direction than the music against it in the past. In addition to declaring that filing of suits is necessary, Mills also revealed that ASCAP's plans for putting its proposed music taxes increases into effect Oct. 1, Mills said that his organisation had been served in the government's action.

Will Defend Suit, He Says

"When we are," he said, "we will fend the suit. We have been engaged for 20 years in defending our ownership of music and see no reason for regarding this suit as different from the others. We are not going to believe that we are operating illegally."

Gene Buck, president of ASCAP, need Mills's statement in a formal denial of the ASCAP suits.

Walter Vincent, chairman of the arbitrators' emergency committee, was of town yesterday and could not be reached for comment.

The government's action also names the American Society of Music Producers, the Musical Publishers' Ass'n and the Music Dealers' Service, Inc., as defendants. Both ASCAP and BMI contain more than 100 member firms and individuals identified with those seven groups.

The suit asks for an abatement of the three principal copys; alleges constraint in restraints interstate trade, monopolistic prac- tices in the field of sheet music, as well as an order restraining the defendants from restraints preventing the organizations from licensing any one of them for a fee.

Music rights were also voiced again yesterday that the success of the government's suit might affect music in film, production and, hence, the score charge.

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**KANSAS CITY, Aug. 31—"Hideout" was the week's ace, zooming the Mid- land's take to $12,900, above par by $1,900, in spite of the movie's placing in the record-breaking column, the gross on "The Delense Rests" and a stage show called "Rose Garden Revue" soaring to $8,100. Elsewhere first run business was decidedly off. Total second run grosses were $32,000. Average was $2,000.**

**Estimated takings:**

**Week Ending Aug. 22:**

RETURN OF THE TERROR" (F. N.)

"THEIR BIG MOMENT" (Radio)

"GENTLEMAN" (U. A.)

"HIDEOUT" (M-G-M)

MIDLAND—$4,000, 25c, 7 days, plus Saturday late show. Gross, $4,000. (Average, $571.)

"HIDEOUT" (M-G-M)

DENVER—$3,500, above average by $1,000. "Dames," transferred from the Denver to the Victoria for a second run in town, was $500 over the house's average of $2,000.

Total first run business was $37,000. Average was $20,000. Estimated takings for the week ending Aug. 30, $30,000.

"THE DEFENSE RESTS" (Col.)

TOWER—$250, 25c, 7 days, last Saturday night show. Gross, $250. (Average, $35.71.)

"ROMANCE IN THE RAIN" (Univ.)

UPDOWNTOWN—$500, 25c, 7 days. Gross, $500. (Average, $71.43.)

**Two Theatre Groups Incorporate in Del.**

DOVER, Del., Aug. 31.—American World Theatres, Inc., National States Operating Corp. and National Recording Studios, Inc., were chartered here today.

American World Theatres was incorporated to do a general export and import business, listing capital of 6,000 shares, no par value. The incorporators are S. Peabody, Walter Lenz and R. W. Jones.

National States Operating Corp. was chartered to operate theatres and show halls, and to issue and sell capital stock of 1,000 shares, no par value. The incorporators are Peab- bles, Lenz and Jones.

National Recording Studios was chartered to deal in talking devices of all kinds, listing capital of $2,500 and surplus of $750 per share. The in- corporators are J. Vernon Pinn, Al- bert G. Bauer of Philadelphia and R. L. Spargeo of Wilmington.

**Equity Plans Stage Roadshow Circuit**

Organization of a legitimate theatre roadshow circuit to play 12 performances weekly at $1 top for drama and $1.50 for musicals in the larger cities will be discussed by Actors Equity Ass'n at a meeting in the American Theatre Wing today.

The plan, proposed by Max Gordon and having the backing of the League of N. Y. Theatres, calls for the booking of each show for a period of 10 weeks. Concessions from stage hands and musicians unions are required necessary for the success of the plan.
Looking 'Em Over

"Blind Date"
(Columbia)

A programmer that should have no trouble at the box-office. It should do particularly well in small towns and neighborhood houses. Roy Neil directs effectively, bringing about pleasing results from a moderate story. Al Siegel's photography is good.

The story is the familiar one of the poor working girl, engaged to a boy of her own class, who meets a wealthy society chap, falls for him only to be disillusioned and finally marries him in the end after her fiancé makes the noble gesture and releases her.

Ann Sothern, very well cast and photographing excellently, handles her assignment perfectly, but it is Paul Kelly, her hard-boiled fiancé, who will attract audience attention. Neil Hamilton handles the role of the socially prominent sweetheart in capable fashion.

The cast also includes Spencer Charters, Jane Darwell, Joan Gale and Mickey Rooney, all laugh-getting members of Miss Sothern's family. Production code seal No. 69. Running time, 65 minutes.

Memphis Public Cold To Approved Film

MEMPHIS, Aug. 31.—Despite the enthusiastic approval accorded "The World Moves," the local Better Films Council and special advertising of the picture by Loew's State here, little public response resulted.

Business at most downtown houses, however, continues on the upgrade, with "Mrs. Daines," "Affairs of the Coast," and "Down to Their Last Yacht" setting the pace.

Memphis Public Cold To Approved Film

Memphis Public Cold To Approved Film

(Continued from page 1)

TOA Favors Conciliation With Union

RKO Stays in R. C.

New Leases Pende

British Sign Asther, Brook and Beaudin

Tariff Deal May Aid U. S. Films in Brazi

Col. Press Book Ready

The plans laid out in this manual combine public relations with advertising. We are trying to kill two birds with one stone. Not only do we want the movie fans, and everyone else, to know what is in store for them, but we want our critics to see the list of enduring favorites that are to be made into films. We are laying little pictures, the Gables, the Crawfords, the Rogere's because we know that the admirers of these stars will not sit through a weak or disappointing picture that shows the pictures made from popular books because we know that the industry are the most powerful critics, and at the same time reach that large group of folks who only rarely attend our theaters.

DeMille for Decency

Without Censorship

NEW ORLEANS, Aug. 31.—Cecil B. DeMille, speaking here today before the Rotary Club, declared that, while he was for clean films, he did not believe in censorship because he regarded it as "un-American."

"Vulgarity, bad taste and filth are not necessary in any movie and are never a substitute for brains," he said.

"If the movies are censored it is only a step to national censorship and I feel that eventually will put a brass ring in the noses of the American public by the way we are being surrounded by a small group of reformers or politicians."

"Without crime, sin and strife there would be no drama. You read about a crime wave in the United States and some blame it on the movies. England, France and Germany show the ones we make in Hollywood but they have no crime wave.

ST. LOUIS, Aug. 31.—The American public wants clean pictures, not censorship. Cecil B. DeMille said an audience of club women, exhibitionists and the Greater St. Louis Better Film Council thought there was a vast audience waiting if we are able to deliver what it wants. Judged by the plans of the various producers, we are going to be able this year to offer this great group of the kind of entertainment it wants. It is our job to get the information to them.

After "Two Birds"

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SALES TAX IN OHIO IS SET; TIME IN DOUBT ON CONVIVENCE OF NEED OF LEVY

COLUMBUS, O., Sept. 3—Although sale of a general sales tax appears foregone conclusion, the remaining question is whether it will eventuate during the November session of the General Assembly.

Carlton S. Dargusch, state tax commissioner, is launching one of the last movements ever undertaken Ohio to awaken public interest in need of immediate action to prevent bankruptcy and compulsory reorganization of its cities.

I'llowood, !tly, 5

The story may be read in full in the issue of the Motion Picture Daily appearing this week.

LOEW'S, RKO SEEN ENDING LOCAL FRACAS

Fox to RKO if Latter Drops New Units

Imminent settlement of the Loew-RKO theatre and film buying tussle in Greater New York looms. Meetings to this end are being held daily between executives of Loew's, RKO and Fox.

If, and when, the efforts are successful, Fox product will go back to RKO and the contract with Loew's will be amicably settled, it is understood.

Harbinger of a general settlement is the announcement that Fox will withdraw from the east side and uptown Manhattan section where recent RKO acquisitions are said to be threatening operation of Loew houses.

Music Hall Has 81 Films to Draw On

Having completed its film buys for next season, the Music Hall now has a minimum of 71 and a maximum of 81 features bought from five different sources.

Loew, Skouras Named In Usurers' Complaint

Two complaints charging discrimination in the disposal of union ushers are scheduled for hearing today before the Regional Labor Board.

Hold Stebbins' Funeral Services in Hollywood

Instead of the funeral of Arthur Stebbins attended by the entire film colony, the services were held at the home of the deceased in Hollywood.

L. A. SCALPS UP

Los Angeles, Sept. 3—Independent houses here, following the example of Fox West Coast, which last week announced an increase in admission prices of 10 and 15 cents, are raising rates 5 and 10 cents on a graduated basis. This means a passage of two weeks before the second advance.
SO complex is the Paramount situation and so varied are the interests that authoritative spokesmen can’t always back up their points. This is the issue of a story explaining the picture’s way of handling the loanout. They referred to a union to prepare the public for the loanout, but not too much, he said. Adolph Zukor’s vision, the one wherein he saw Hollywood as the hub of the entertainment industry, didn’t sit any too well with some of the company’s financial people, by the way. They want the administration here, close to their boomers.

We like and, therefore, endorse the comment of H. E. Jameson, Wichita district manager for Fox Midwest, who said recently that the theatre manager now is the gate for parental neglect and indifference and that children often see the wrong kind of pictures. There’s one additional comment on that. Why only now? It’s always been that way. The film industry’s job is making good films, Parent’s job is to raise their offspring. More of them ought to do something about it.

Reports probably inspired, that the Low is circuit has over bought for the new season are denied by circuit executives. They say, in fact, the reverse is the truth of the matter, and that, according to the present status of their purchases, the chain is shy enough product to meet all requirements, for theaters requiring 150 pictures a year. It maintains it has only 155 linked up and is not quite certain about reaching the full quota. For theaters requiring 260, the circuit has available, so it says, 245. Big question here involved is; Will distributors deliver all they have promised? Few do, of course.

Before October days arrive, the expectancy is a nationally known organization will make more headlines with a solution against block booking and double bills. Not tied in with Allied in any manner, the name of this group is being held in great interest and consequently a story behind this. On the old schedule, the Roxy, which picked up where the Music Hall didn’t want to tread booked a "Dunm-Trevor". It proved to be "Happy, To Have A Baby, with Shirley Temple. It was also the Roxy which took what then was a gamble on "Handy Andy," it ran three weeks and annoyed the Music Hall."

Cleveland Union Ups Scale 10 Per Cent

CLEVELAND, Sept. 3.—Operator scale at local subsequent-run house went up 10 per cent on September 1. The rate for first-run subsequent non-bookings will go up $10 per week next year. It is estimated this boost will cost the subsequent-run theatre owner of Greater Cleveland a minimum of $75,000.

Reason for last year's lower scale was the fact the local operators' union, the Cleveland M. P. Exhibitors' Ass'n, lasted until August 23, 1933, which was held binding to both parties, though the court ruled that the scale in force on August 23, 1933, shall be in effect with the expiration of the contract.

Milwaukee 1st Runs Reduce Admission

MILWAUKEE, Sept. 3.—Admission has been reduced to $3 at the three first-run houses. Wisconsin Amusement Enterprises started the reductions with "The Wolf Man," for which 6 and 40 cents on closing every day in the week for the Wisconsin, and 1 and 40 cents to P. M., 25 to 6 and 35 closing on Mondays to Fridays, inclusive for its Alhambra, with Saturday and Sunday admissions for the latter house 25 cents to 6 and 35 cents to closing.

Warners have followed suit with "The Wolf Man," for which 6 and 40 cents on closing every day; 30 cents daily, 1 and 30 to 6 P. M., Sundays and holidays, 1 and 30 to 5 P. M., and 40 cents to 6 P. M., to close Sundays. 3 P. M., to close.

Fire Destroys Theatre

DETROIT, Sept. 3.—The Wolverin a six hundred seat neighborhood house has been destroyed by fire, cigarette stub carelessly thrown in the film. Edward Reardon, manager and owner of the house said that he would rebuild at once.

Ross Film for Columbia

Nat Ross has closed with Columbia for the distribution of "Atlantic Crossing". The film will be screened 12:30 today at the Stafford.
Controversy
On Premiums
Still Alive
(Continued from page 1)
for the Los Angeles area has been ad-
vised by Jacob Price, New York pre-
mium distributor and chairman of the
area board. The notice states that the vote must be in open meet-
ing after proper notice sent exhibitors.

Price, said the vote is for "legal and will be thrown out."
The local ballot was by petition circulated by
Jay Means, I.T.O. president and advance board member, and signed by exhibitors favoring the ban, which is expected Oct. 27.

Price informed Young a vote taken under similar circumstances in Sag-
aw, Mich., was declared illegal and premiums were not abolished. Young intends to press the matter on receipt of more information.

On checking the petition, Young finds 36 of 71 independents in the prescribed premium zone voted for the ban, more than the required num-
ber. Thirteen of 15 affiliated houses also signed the petition. However, he
claims four theaters affixing their signatures are not continuously oper-
ing, so that this is not a valid group. He says Be Regal, in Kansas City, Kan., is an exception. Young asserts disqualified theaters voting to abolish premiums is not a valid group. An Era, Kansas City, house in Edgerton and Tonganoxie, Kan., and the army post theater at Ft. Leavenworth, Kan.

U. A. May Not Press
Suit on Cancellation
(Continued from page 1)
A code agreement was reached with Distribution Administrator Sol A. Rosenblatt whereby the company’s pic-
tures, because of individual sales con-
tracts, would not come under the 10 per cent cuts.

However, Rosenblatt denies making any statement of this kind, adding that
U. A. cannot hang up without notices, and every company would seek the same privileges.

Final decision by U. A. will be reach-
ed this week when the board of
rectors meets. Several sessions have
been held between sales heads and sales men, and it is expected that the matter will be

One report current is that a Broad-
way house may be the overcharging
complaint against RKO before the lo-
cal grievance boards. It is claimed
that the time figure is 20 above the
52-week requirement, let alone the
higher number.

End Warner Subsidiary
Dexterity, Sept. 7—Warner Bros.
Prod. Corp., a Delaware corporation and subsidiary of Warner Bros. Pic-
ture, Inc., was dissolved by the State
Department. A voluntary certificate of dissolution was issued by Charles E. Granftand, Secretary of State, fol-
lowing the receipt of the consent of all the
stockholders.

Warner home office officials could
not be reached over the weekend for
coment on the dissolution.

L. A. Hearings Delayed
Los Angeles, Sept. 3—The local
clearance board has moved complaint
hearings forward from Wednesday to
Friday pending the filing of new com-
plaints.

Controversy
On Premiums
Still Alive
(Continued from page 1)
igart local union conditions for
riging "in union wage quiz.

Many questionnaires have been re-
ed to the committee and a meet-
ing of exhibitor leaders is slated this
week prior to a general meeting with
A.S.E. and Local 206 officials.

It is understood exhibitor leaders
will discuss the situation in effect be-
fore the advent of sound.

One Gets Radio Termer
Hollywood, Sept. 3—Radio has
named Alan Hare to a long term.
Hello America!

Such excitement when we brought to your shores the picture that is the sensation of the day in Europe "THE WANDERING JEW." We thank all the distributing companies for their enthusiastic interest, for their high praise. Leo, the M-G-M Lion, has won the race to present this new dramatic thunderbolt to American audiences. And we're honored that our triumphant picture is to enjoy the sponsorship and showmanship of the roaring Lion. That speaks a house-full for the picture!

Sincerely yours,

TWICKENHAM STUDIOS
ENGLAND
Hello Twickenham Studios!

We’re still breathless from the wonders of your amazing entertainment “THE WANDERING JEW.” It’s a privilege and a joy to bring its thrills and magnificence to America. We’re calling it “The successor to ‘Ben-Hur’” because it’s the BIGGEST PICTURE to flash on the screen since we wowed them with the Chariot Race! Very seldom that M-G-M goes outside its own Studio for a picture, but we’ll confess this is worth making an exception to the rule. What a picture! No wonder it’s the smash hit of Europe! Watch for miracles when the screen shouts: “Metro-Goldwyn-Mayer presents ‘THE WANDERING JEW’.”

Sincerely yours,

LEO of M-G-M
"It's an adaptation of the Damon Runyon story, 'Ransom $1,000,000,' which recently ran serially in Cosmopolitan Magazine," continues M. P. Herald. "The film is hectic action-packed comedy smacking of typical Runyon satire . . . The story gets off to a rip-roaring start . . . The usual satirical twist finds romance, comedy and gun-fire blending into an hilarious whole."

with

PHILLIPS HOLMES
EDWARD ARNOLD
MARY CARLISLE
Andy Devine - Wini Shaw

Produced by Carl Laemmle, Jr. Directed by Murray Roth. Presented by Carl Laemmle.

A UNIVERSAL PICTURE

DAMON RUNYON'S

MILLION DOI
STORY M'S VALUES"—says Motion Picture Herald

THE PUNCH-PACKED STORY OF A MAN WHO HAD HIMSELF KIDNAPPED TO SAVE THE WOMAN HE LOVED!

AR RANSOM
“The Merry Widow”  
(J-M-G-M)  

Hollywood, Sept. 3.—Box-office forces hard to resist conspire via the personalities of Maurice Chevalier, Jeanette MacDonald, Ernest Lubitsch, the title and Franz Lehar’s music to mould gay, laughable, opera-bouffe entertainment of high order.

Embroidered with Lubitschian tid-bits and regaling the audience with hearty laughter, the famous stage play, once produced as a silent film by M-G-M, is romantic, filigreed withJoel de la Chevaillière and a fairy with a mythical band, takes Prince Danilo (Chevalier), ladies’ man of the court, to Paris with definite instructions to meet and win Sonia, the recluse widow who owns fifty-two per cent of the country, and thereby do his patriotic duty. To Maxim, where all the girls know Chevalier too well, comes Miss MacDonald, incognito as Fifi, and meets him. Their romantic meeting, their parting, the embassy ball, his court trial and their reconciliation in prison are highlights, delightfully mooded and presented in Lubitsch’s inimitable manner under the aegis of Irving Thalberg.

Sufficed shot is Fifi and Danilo sitting at Maxim’s with Danilo stealing her slipper.

The cast, exceptionally well chosen, includes Edward Everett Horton, Una Merkel, George Barbier, Minna Gombell, Sterling Holloway, Donald Meek, Herman Bing and Barbara Barondess.

Played in comic, high opera style, high hilarity contrasts with racy and tender romance. The Merry Widow Waltz glides tunefully through the needlepoint production with its lavish settings in keeping with the haunting Maxims’ melodies.

The screenplay by Ernest Vajda and Samuel Raphelson is creative craftsmanship. Ollie Marsh photographed splendidly. Herbert Stothart’s musical adaptation heightens the effect. Dick Rodgers and Larry Hart contribute a new number.

“The Merry Widow” is a merry, romantic production and seems destined to be merry box-office. Previewed without production code seal. Running time, 110 minutes.

“Wake Up and Dream”  
(Universal)  

Hollywood, Sept. 3.—This musical show has all the assets of class A program production.

The story deals with Russ Columbo, June Knight and Roger Pryor, three small vaudevillians, kicked off one spell of bad breaks to another and finally winding up at the top of the heap in Hollywood. The theme, while not new, has many hilarious comedy situations contributed by John Mehan, Jr., author of the story and screenplay. The dialogue kept the audience in good-humored laughter.

Columbo, less self-conscious than heretofore, should go well with the feminine contingent for, if his profile doesn’t get him, his crooning will. The cast also includes Catherine Doucet as a mind-reader, Andy Devine as her body-guard and Henry Armita, whose antics nearly steal the show. The picture is neatly directed by Kurt Neuman. The song, “Too Beautiful for Words,” crooned by Columbo, is particularly catchy, with the others also good. Charley Usmar photographed well.

The picture has general appeal for family and neighborhoods especially. Running time, 67 minutes.

Loew, Skouras Named  
In Ushers’ Complaint  
(Continued from page 1)  

complaints were brought against Loew’s and Skouras by ushers’ Local 95, B. S. E. I. U. 

Harry Mitchell, business manager of the local, charges that William Costa was discharged by Loew’s two weeks ago because he was a member of the union and that Arthur Nichols was laid off by the Skouras’ Roosevelt about the same time for the same reason.

Loew’s and Skouras’ officials could not be reached over the week-end for comment on the charges of Local 95, which is the successor to Local 118, dissolved early this summer.

Hold Stubbins Funeral Services in Hollywood  
(Continued from page 1)  

the services were held in Hollywood yesterday. Stubbins at first had planned to fly in from the Coast for services here. Regina Lacks of his local office flew to the Coast Sunday to attend the funeral.

New Plans for Filmarte  
SAN FRANCISCO, Sept. 3.—Ralph Pincus may turn the Filmarte into a beer, dance and entertainment spot. He is dickering with United Artists for features and shorts without a repeat on any program.

Sales Tax in Ohio Is Set; Time in Doubt  
(Continued from page 1)  

The Ohio lawmakers here, the decision of the majority was that they would not sign an agreement to slice admissions or drop contracts until St. Louis Amusement Co. signed first. If St. Louis Amusement Co. agrees to go along, the exhibitors are promised to get 90 per cent of all theatre to join.

Some exhibitors are now skeptical whether St. Louis Amusement Co. will sign. As soon as John Cuniff, president, signs an agreement another meeting will be held for the other signatories.

Meanwhile F. & M. are going ahead with plans to reduce admissions Friday at the Ambassador, Missouri and Fox.

Universal Ahead in Production Schedule  
(Continued from page 1)  

completed, with the result that the writing staff is still in the midst of months, now numbering only six contracts.

Although production is slow down until Oct. 1, the studio reports that the writers’ department is only one feeling the brunt of the slow down.

Left Plans Theatre Increases in Boro  
(Continued from page 1)  

the Freeman, which was dropped Loew’s and has been closed the en summer. The Freeman opens Fri., Oct. 1. Because of the two new units being negotiated is the Crescent, now being operated by Haring & Blumenthal.
Retention of Federal Ticket
Tax to Be Asked in Congress

Washington, Sept. 4.—Continuation of the admission tax on at least its present level will be asked of Congress in January, it was predicted today in Washington as Administration officials began consideration of new revenue legislation.

With this and a number of other emergency taxes due to be automatically repealed next July, the Treasury has begun a study of the funds which will be needed, the general belief being that a measure carrying at least $500,000,000 will be sent to Congress at the opening of the session.

A number of the temporary taxes will be continued, it is certain, with the admission levy among them.

Some consideration is being given a general sales tax, but opposition to such a levy is so strong as to make it probable that no serious effort will be made along this line.

Exhibitors to Press Action
On Music Tax

Exhibitors will proceed with their court fight against the American Society of Composers, Authors & Publishers, despite the anti-trust suit filed by the government last week against ASCAP and other music licensing groups. Walter Vincent, chairman of the national exhibitors’ emergency committee, said yesterday.

A meeting of the emergency committee is scheduled for today at the Executive Office Building.

Checking Copyrights
In ASCAP Situation

PHILADELPHIA, Sept. 4.—Exhibitors here are understood conferring with legal lights in Washington on the copyright laws in connection with a planned fight against the ASCAP. George P. Aarons of the M.P.T.O., Eastern Pennsylvania, is corresponding with lawyers in Washington on the music situation. However, until the local unit is convinced it has an opening whereby it can wage a fight against ASCAP, it will not move legally.

Skouras, Randforce
To Take Salary Cut

Skouras and Randforce have offered to accept a 50 percent salary reduction as operators of Fox Metropolitan Playhouses following the reorganization of the circuit, it was learned today.

The aggregate salaries of the Fox Met operators, Spyros, Charles and George Skouras, Sam Randforce, are now $119,200. It is understood that their offer to reorganization factors would reduce this legally.

NRA’s Future
Coming Up At
Session Here

The future of the NRA will be detailed by Administrator Hugh S. Johnson at a session of Code Authorities for all industries at Carnegie Hall on Sept. 14.

Secretaries of all code authorities met yesterday at the Advertising Club where Grover Whalen informed them of the general meeting.

Enforcement of codes also will highlight the session. Johnson is expected to make an official announcement at the meeting of the future of codes which expire June 15, 1935.

All division administrators will attend, including Sol A. Rosenblatt for the film, theatrical and radio codes. Alternates for authority members also will be on hand.

John C. Flynn, secretary for the film code, is handling all arrangements for the picture industry. About 20 film executives will represent the industry at the conclave.

Frisco’s 2nd Runs
See Code Victory

SAN FRANCISCO, Sept. 4.—The long awaited code battle in Western decision here was a firecracker that failed to go off. In essence it is a victory for the second runs, with the reduction of clearance from 85 to 49 days, but in view of the trend during the past few weeks (Continued on page 11)

Production Slightly
Off; 33 Underway

Hollywood, Sept. 4.—Production activity dropped off slightly last week compared to the past month’s average, with 33 features before the mæras, 17 preparing and slated for (Continued on page 12)

Bank Asks Removal
Of Cincy Receiver

CINCINNATI, Sept. 4.—Motion has been filed in U. S. District Court here by the Provident Bank & Trust Co., (Continued on page 12)

Majors Select Group to
Study Clearance Problem

Executive sales heads of 11 companies yesterday were named by Campi as a special committee to work with George J. Schaefer, chairman, in the drafting of basic principles for clearance and zoning schedules.

A meeting of the sales officials will be held tonight at 6 P. M. at the Motion Picture Club where plans will be drawn for assistance of local boards in ratifying of clearance and zoning (Continued on page 11)

S. Buying More
Belgian Raw Stock

WASHINGTON, Sept. 4.—The United States is becoming a heavy buyer of Belgian raw stock, it was disclosed today by the State Department in announcing that negotiations of a reciprocal trade agreement with that country is to be undertaken. Purchases (Continued on page 11)

Wanger Deal Calls
For 6 Para. Films

Walter Wanger’s six pictures for Paramount release will be made at metropolitan Studios, Hollywood, George Schaefer, Paramount general manager, said yesterday in verifying the Wanger deal.

Wanger, new en route to Holly-
wood, will begin work at once on the President Vanishes." The second will be “Peacock Feathers,” starring Ann Harding, and to be produced Technicolor.

Way Takes
Soar Sharply
On Week-End

COLD unsettled weather resulted in aching week-end grosses at local box-offices. The Labor Day rain poured a light help, jamming all of today’s picture houses.

The Radio City Music Hall did $20,000 on “The Fountain” for Friday, Saturday, Sunday and Monday, in the estimate for the week in the neighborhood of $100,000. In the four-day period the Capitol took $40,095 on “Chained,” which is to held for a second week, while the (Continued on page 13)
Hardwick Takes on Ontario Census Job

TORONTO, Sept. 4.—Formal announcement has been made of the appointment of J. B. Hardwick as chairman of the Ontario census in succession to Major J. C. Boylen, who had held the post for more than 10 years—until the recent change in the Ontario Provincial Government. Hardwick is one of the two remaining members of the original board of his company having been dismissed in the economy wave of the new premier, Mitchell Hepburn.

The fourth to resign was Mrs. Eva Moran, who has been succeeded by A. J. Silverthorne of the Village of Scotland in Norfolk County. Silverthorne is known to the Canadian film trade.

Metzgers, Shapros Hurt

Lou and Mrs. Metzger and Jack and Mrs. Shapros were injured over the week-end in a train wreck near Peckskill, N. Y. The party was en route to Cape Vincent, N. Y.

After undergoing a plastic operation at Lenox Hill Hospital, Mrs. Metzger returned to her suite at the Essex House where she is recuperating. Metzger and the Shapros are also on the mend.

Indicted in Fox Plot

Maurice Monnier, chauffeur, of Hewlett, L. I., was indicted yesterday by the Brooklyn Federal Grand Jury as result of an alleged attempt to obtain $50,000 by threatening to kidnap a member of the family of William Fox. Monnier was arrested August 23 and charged with a sentence in the Nassau County Jail for alleged assault on a gatekeeper at the Fox estate.

Grant Shot by Thieves

Len Grant, manager of the RKO Flushing, was shot in the back early yesterday morning when thieves held him up. He was shot at the entrance of the theatre. Grant refused to open the safe at the command of the robbers, and was subsequently wounded by a bullet fired by the manager. He is in a Flushing hospital.

Para., Seattle, Robbed

SEATTLE, Sept. 4.—The Paramount here lost $2,200 to holding men at a bank near the downtown theatre and advice was telephoned the management. The bandits escaped in the crowd outside the house.

Most on Big Board Decline

Warren Bonds Advance Point

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

MOTION PICTURE DAILY

(Wednesday, September 5, 1934)

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Have you heard about our new feature "Babes in Toyland"? You will!
Mr. Picquet is president of the North and South Carolina Motion Picture Theatre Owners Association
who played it!

and you'll know what it will do for you

Talk to the men who have doubled their grosses... cleaned up on extended runs... broken their records... in every part of the United States... as well as in Canada. Hear their stories... and you'll join the rush of exhibitors... eager to sign for "The Cat's Paw" before the opposition beats them to it!

Ask the men who run the...

Paramount . . Atlanta  Palace . . Cincinnati  Rialto . . Louisville
Apollo . Indianapolis  Radio City Music Hall  Apollo . Atlantic City
Warfield  San Francisco  New York  Century . . Rochester
Palace . . Montreal  5th Avenue . Seattle  State . . Los Angeles

HAROLD LLOYD

in

The Cat's Paw

From the Saturday Evening Post story
by CLARENCE BUDINGTON KELLAND

PRODUCED BY HAROLD LLOYD CORPORATION  A FOX RELEASE
Cecil B. DeMille’s Paramount production “CLEOPATRA” with CLAUDETTE COLBERT, WARREN WILLIAM, HENRY WILCOXON, Ian Keith, Joseph Schildkraut, C. Aubrey Smith and Gertrude Michael, has the largest bath ever portrayed on the screen.
The sensational business that Cecil B. DeMille's "CLEOPATRA" is now doing in New York, Philadelphia, Atlantic City and Denver, indicates that it is one of the biggest grossing pictures in years.
Producer and Director of

"CLEOPATRA"

A Paramount Picture
CLAUDETTE COLBERT

as “Cleopatra”
in the CECIL B. DeMILLE Production

CLEOPATRA

A Paramount Picture
WARREN WILLIAM as "Caesar" in the CECIL B. DeMILLE Production "CLEOPATRA"
Exhibitors to Press Action On Music Tax

(Continued from page 1)

Actor to discuss further steps in the legal campaign to oppose ASCAP's tactics and to advance plans for the financing of a penny-a-seat contributions from cooperating theatre owners to finance the lawsuit.

While exhibitors welcome the government's action against the music publishers, it is considered to be only a temporary respite. Antitrust action, however, may come in the form of a Federal court suit.

Injury Causes Shutdown

Hollywood, Sept. 4,—Unable to continue "Babies in Toyland" without its services, the Hal Roach organization at last night closed the complete recovery of Stan Laurel, who recently injured his leg. All contract players and necessary operating employees have been laid off.

20th Buys Final Script

Hollywood, Sept. 4.—Darryl Zanuck today closed negotiations and concluded a contract of 20th Century's new season lineup. It's called "The Man Who Broke the Bank of Monte Carlo."

Moscowitz Reaches Coast

Hollywood, Sept. 4.—Joseph Moscowitz of United Artists arrived here today to participate in the general executive and production staff meeting of the company to be held here this week.

Heyman Flying East

Hollywood, Sept. 4.—Louis Heyman, general manager of Principal Distributing Co., flies to New York tomorrow to negotiate releases for the balance of his company's product.

Goldwyn Signs Hopkins

Hollywood, Sept. 4,—Samuel Goldwyn has signed Miriam Hopkins to a four-year contract, making her the first American woman star to come under his banner in several years.

Signs Jean Chadburn

Hollywood, Sept. 4.—As a result of a test for a minor role in a forthcoming musical, the 16-year-old American Jean Chadburn, Wampas "baby star," has signed a long-term contract.

Rob Corona Theatre

Hollywood, Sept. 4.—Holding men got away with $1,600 at the Corona Theatre, Corona, L. I.

Major Select Group to Study Clearance Problem

Frisco's 2nd Runs

See Code Victory

(Continued from page 1)

weeks, in which most first runs have been lifting prices, it may mean little. From all points, however, there have come expressions of satisfaction over the whole deal.

Briefly, the new deal calls for a retention of the original 9-day clearance for houses charging 50 cents or more. The new 9-day clearance will apply to theatres charging 40 cents top. In this category are four local spots, the Fox, St. Francis, Orpheum and Golden Gate.

With the trend looking upward, all of these houses may bring their prices up a dime in order to get the 5-day clause written in. With Fox West Coast controlling the first run situation, this looms as a strong possibility.

Another clause in the decision gives the San Francisco houses a first run in northern California, a day ahead of Oakland, and a week ahead of Stockton, which originally took all first runs.

Still another important clause says that a picture transferred from one first run to another must continue on an admission price equal to the average of first runs. This will affect the St. Francis, which usually took subsequent first from the Warfield at two bits less admission.

Labor Board Clears Loew's and Skouras

(Continued from page 1)

the gates because of union membership. The labor board found no basis for the charges. C. C. Moskowitz, the manager of Loew's at the hearing, the union also charged the Skouras Roosevelt with discrimination in the laying off of Arthur Nichols, executive and owners' meeting of the company to be held here this week.

Dog Racing Move Fails

Seattle, Sept. 4.—Petitions providing for the placing of a dog racing bill on the state ballot next November have been found to lack the number of signatures required. It appears certain, therefore, that dog races will not be held in Seattle or Spokane during the summer of 1935, inasmuch as betting is prohibited.

Finance Co. Formed

Dover, Del., Sept. 4.—Transcontinental Amusement Corp. has been chartered here to carry on a general financial business, listing capital stock of 1,000 shares, no par value. Incorporators are C. S. Peabody, B. R. Jones and W. T. Hobson of Wilmington.

New Camera Work

The fourth annual issue of Modern Photography will be off the press of the Studio Annual of Camera Art this week. The book contains 96 examples of the leading international photographers with their autobiographical notes and his usual articles.

"U" Holds Johnston

Hollywood, Sept. 4.—John Leroy Johnston has been signed to a new contract as publicity chief of Universal.

Grosses Rise As Vacations End in Boston

(Continued from page 1)

of unexpected sensitized films last year were valued at $360,916, three times the 1929 purchases of $110,324, it was revealed in a summary of our trade weekly.

A public hearing on the negotiations will be held by the Committee for Reciprocity Information Oct. 29, it was announced.

"Navy" Tips Take Up in Providence

Providence, Sept. 4.—The navy came along to boost grosses at the Majestic to $8,500 for one of the best takes in many moons, featuring a week of so-so attractions. A combo of "Here Comes the Navy" and "She Was a Lady" did the trick for the Fay interest. "Affairs of Ceglin," despite the personal popularity of Fredric March, pulled only $10,000 at Loew's, $2,000 under par.

The Strand caught $5,000 with the second feature, "She Loves Me Not." The RKO Albee was down to $4,000 with a double feature program. Total film business was $28,475. Average was $33.50.

Estimated takings for the week:

"BLIND DATE" (Col.)
LOEW'S (Average, $1,000)...
BOSTON—(2,300), 50c-50c, 7 days...
Gross: $700. (Average: $100.)
"YORK" (Fox)
"WILD GOLD" (Fox)
FENWIK—(1,800), 30c-50c, 7 days...
Gross: $1,000. (Average: $143.)
"DEAR LADY" (Metro-Goldwyn-Mayer)
LOEW'S—STATE—(1,200), 50c...
Gross: $500. (Average: $417.)
"MARRIAGE AND DIVORCE" (Par.)
METROPOLITAN—(4,350), 30c-60c...
Gross: $600. (Average: $139.)
"YOU BELONG TO ME" (Para.)
PARAMOUNT—(1,800), 30c-50c, 7 days...
Gross: $900. (Average: $133.)
Kann Injured; Wife Dies in An Auto Crash

(Continued from page 1)

Mentotte Prod., and Herman Center, Mrs. Kann's brother, were returning from Monhegan Island, Me. Goldberg was driving through rain and fog.

Goldberg was bruised badly and was placed in the emergency section of the hospital as a serious condition. Center was able to leave the hospital late yesterday. Kann will return to New York today.

The accident took place on York St. opposite the Yale University Theat- re. Goldberg told the police he was reaching to adjust the windshield to clear his vision when he crashed into the rear of a milk truck owned by E. Smith & Son. Mrs. Kann was rid- ing in the front seat and Kann and Center were in the rumble seat of the car.

Mrs. Kann was an inquest coroner and described the incident as a fatality by Coroner Frank Nance.

Funeral services will be held at the Blessed Sacrament Roman Catholic Church here Thursday morning. The body will then be taken to a mortuary to await arrival of relatives from the east before burial.

Columbo was accidentally shot and killed by Lansing Brown, Jr., as both men were examining a Smith and Derrin- ger dueling pistol. The gun went off and the bullet ricocheted off a table and struck Columbia over the left eye, entering his brain. He died Sunday night as specialists were pre- paring to operate to extract the bullet.

Columbo had completed "Wake Up and Dream" for Universal a few days ago. He was also an orchestra leader and joint author of two song hits, "You Call It Madness" and "Time on My Hands."

G. O. Burnett Passes

Toronto, Sept. 4—G. O. Burnett, general secretary of the Canadian Film Board of Trade and executive assistant to Colonel John A. Cooper, M.P.P.D.A. Canadian representative, died Sunday of cancer at the age of 35.

MOTION PICTURE DAILY

Wednesday, September 5, 1934

KANN INJURED; WIFE DIES IN AN AUTO CRASH

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Wagon Wheels"

(Paramount)

Hollywood, Sept. 4.—Better than the average western film fare and minus the usual blood and thunder hokum, "Wagon Wheels" sticks close to the historic record of the covered wagon trek to Oregon.

Mounted more elaborately than the ordinary western and handled well in all departments, this should register okay with the cowboy contingent. A film that is not finally disappointing. Box office for the virgin territory of Oregon. There is plenty of gun-fire enroute but the story continuity manages to supply definite reason for the shoot- ing. The story features the numerous hardships endured by the pioneers in the continent crossing. In the end, the safety of the scouts responsible for the safety of the pioneers, and Gail Patrick, a widow who has kidnapped her son, Billy Lee, from her in-laws and makes the trek to escape further family interference. The villain is Monte Blue, a half-breed, who turns traitor in the endeavor to keep the Indians from taking one of their territo- ries and Blue is shot during the showdown, paving the way for a happy ending in Oregon with Scott and Miss Patrick.

Charles Barton's first directorial effort is commendable. William Mellor's photography gives the picture distinction. The performances of Billy Lee and Jan Daggan are standouts. Jack Cunningham's screen- play is good. Production code seal No. 196. Running time, 57 minutes.

Bank Asks Removal Of Ciney Receiver

(Continued from page 1)

as trustee for the bondholders, to set the administration. Heffeld held the regular for receiver for the Shubert-Cox Theatres Co. The motion alleges that the receiver was appointed through dereliction of duty and that the petition had not been informed of the receiver's

C-dominated action.

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B'way Takes Soar Sharply On Week-End

(Continued from page 1)

Paramount garnered $20,700, with "Cleopatra," in its third week there.

The largest Labor Day crowds in the history of the theatre help to swell receipts at that house for the four days to $24,700. The film is "We're Rich Again." The Rivo- l, where "Dames" is in its third week, reported a take of $10,000 over the week-end, with "Dames." In the" West End," the labor day was $11,000, with "Straight Is the Way" the picture.

Broadway works for last week fol- low: Palace, "Hi, Coast and Cove," $8,500; Paramount, $45,200; Rialto, "Dragon Murder Case," $12,000; Roxy, $2,000; Strand, $29,000.

Rain Sends Record Crowds to Loop Houses

Chicago, Sept. 4.—Rain Saturday Sunday and Monday gave Loop house a record Labor Day week-end, with receipts from 30 to 35 per cent at every spot and necessitating extra police to handle the crowds.

Theaters also profited when thou- sands of the fair were impelled by the weather to seek film entertainment. Yet in spite of this attendance at the fair on Labor Day was the second highest of the year. Indications are that total busi- ness this week will hit the peak for the year.

Music Man Dies

(Continued from page 1)

RICHMOND, Sept. 4—Musician's Union No. 123 has just lost another move in its long fight to secure representa- tion in local theatres and amusement halls. Judge Ernest H. Wells has de- nied application for a reorganization hearing against the Walter J. Coulter interests to prevent the employment of outside musicians at Tantilla Gardens.

J. Q. Clemmer Resigns

SEATTLE, Sept. 4—J. Q. Clem- mer, manager of the Fifth Avenue Thea- tre here since its opening eight years ago, has resigned. His successor has not yet been announced by Frank L. New- man. Ronald Harrington, assistant manager, is temporarily in charge.

Twyman Out as Mayor

RICHMOND, Sept. 4—Frederick W. Twyman, mayor-exhibitor of Charlottes- ville, is no longer chief execu- tive as has been announced by D. W. Dardridge Haden.

Altering Reade House

Walter Reade is remodeling the St. James Theatre Park, N. J., at a cost of $75,000. Among the improve- ments will be new sound equipment.

Criterion May Be Majestic B'way Spo

(Continued from page 1)

Criticism to play Majestic's 12 fea- tures for the new season, starting with "Scarlet Letter." When the deal was signed, the Criterion will enter the first run category on Broadway again.

G. O. Burnett Passes

Toronto, Sept. 4—G. O. Burnett, general secretary of the Canadian Film Board of Trade and executive assistant to Colonel John A. Cooper, M.P.P.D.A. Canadian representative, died Sunday of cancer at the age of 35.

OPPORTUNITY

Entirely new national setup is anxious to come successfully to the attention of agents and film salesmen; if interested write in detail giving past experi- ences. All replies will be kept strictly confidential.

Box 506, Motion Picture Daily 1729 Broadway N. Y. City

Production Slightly Off; 33 Underway

(Continued from page 1)

the stages within two weeks and 38 in the cutting rooms. The short sub- jects also varied in addition to four shooting, 11 in prepara- tion and 20 in the cutting rooms.

Fox topped the list with features in production with six shooting, two editing; Radio, five, four, two; Warners, five, one, nine; Uni- versal, four, one, three; Columbia, three, two, four; M-G-M, three, two, 10; Goldwyn, two, zero, two; Roach, one, zero, three; the independent group three shooting, nine editing.

As for shorts, M-G-M had three shooting, five in the final stages of production, and three in preparation and three editing; Radio, two, zero; Columbia, two, two; Roach, zero, two; Radio, one, six. The indepen- dent group had two, three and seven.

Skouras, Randforce To Take Salary Cut

(Continued from page 1)

amount to approximately $50,000 annually. The operators' participation in profits of the circuit would not be disturbed by the salary change, it is reported. Groups active in the Fox Met organization are urging that the operators dispense with salaries entirely.

The reasonations that Fox Met may not be reorganized under the new bank- ruptcy laws were given yesterday with the filing of a motion by bondholders of the circuit to vacate an order.

Randolph Lewis Is Dead

Hollywood, Sept. 4—Randolph Lewis, 71, former producer and scenario editor for Pathé, died at the General Hospital here yesterday of a heart attack. He was here since 1912. He was a pioneer of the film industry and was popularly known as "Sunshine Randy." Surviving are a daughter, Anna Montgomery, and a grand- daughter, Evelyn Bentley, who is making arrange- ments for his burial in Chicago.
Mr. Budd Rogers,
Liberty Pictures Corporation,
1776 Broadway,
New York, N.Y.

Dear Budd:

We stayed in the other night
and looked at your three Liberty Pro-
ductions and one other picture and
I believe they were the finest group
of Independent Pictures we have seen
in a long time. It was a pleasure to
give you the business we did.

With best regards, I remain
sincerely yours,

David L. Loew
20th Century Man

Heading the 1934-35 These Big Darryl F. Zanuck presented by Joseph M. Schenck

Ronald Colman

"Bulldog Drummond Strikes Back"

You've seen the amazing box-office reports on its first 40 engagements! Out-drawing the first Drummond picture which out-drew 'em all...

Constance Bennett
Fredric March

"The Affairs of Cellini"

"Socks Baltimore for powerful $20,000!" shouts Variety's first report! And...it did stand-up-and-rave business at 20 Loew key-city houses last week...

They gave us
Moulin Rouge
Gallant Lady
House of Rothschild

AND FOLLOWED IT WITH THREE MORE!
HES ON!
Trade with Productions

With this one in production

The mightiest of 'em all!

WALLACE BEERY
in
"The Mighty Barnum"

Of a showman . . . by a showman
. . . for showmen!

And this one getting ready

FOLIES BERGERE

Now Americans can see for themselves! The gayest show in gay Paree! Watch for sensational cast announcements . . . !

One Hit

What a Record!

And six more in preparation

WITH "The Mighty Barnum" NEXT

AND

Folies Bergeré COMING

Released thru
UNITED ARTISTS
Every now and then a new picture takes its place
In making motion picture history.
The occasions are not many but when one occurs
It is a tense, stirring, unforgettable circumstance.
Such a moment is at hand:
There will be presented at
Radio City Music Hall on Thursday
A musical romance marking a new cycle of entertainment.
This is the first
And, as in similar instances in the past
It will in all likelihood be the greatest.
If one were to analyze the picture, one would find
That Entertainment is its outstanding quality.
Its dominant note is the most thrilling voice
Yet heard upon the screen.
Clark Gable defined it as the most romantic entertainment
In the world of the theatre.
Eddie Cantor said that because of it
The singer was destined to become
The world’s greatest musical star.
Norma Shearer was thrilled by it.
Maurice Chevalier stated that it would start another cycle.
Ruth Chatterton, Mary Pickford, Gloria Swanson
Added their plaudits to the rapturous comments of the others
And Liberty gave it Four ★★★★ Stars.
For all of these reasons
Columbia is proud to present
Grace Moore in One Night of Love.
Four Majors To Seek 25c Chicago Deals

Eighteen Films May Be Included in Plan

CHICAGO, Sept. 5.—Following an agreement reached between United Artists and B. & K., whereby a minimum admission of 25 cents must be charged in all of the circuit’s houses on three U. A. films, four other companies are discussing possibilities of each selling at least three pictures on the same plan.

The companies talking about the plan are Paramount, M-G-M, Warner-First National and Fox. Some other companies may join the confabs and it is likely that before the new term (Continued on page 14)

Warners, Col. Plan To Reissue Westerns

Hollywood, Sept. 5.—Warners and Columbia are taking advantage of the agitation for family films by reissuing several westerns, which have been given Production Code Administration approval.


Film Shortage Seem For Czechoslovakia

WASHINGTON, Sept. 5.—With 200 new pictures reported for the 1934-35 season, Czechoslovakia faces a film shortage for the current season, according to a statement to the U. S. (Continued on page 12)

Sinclair Wants State to Make and Exhibit Films

If Upton Sinclair is elected governor of California next November, he plans to launch a state-owned film industry with production necessarily intended for the quarter of a million unemployed in that state, he told Motion Picture Daily in an exclusive interview.

“we will make our own pictures and show them in our own theaters and with our own orchestras,” he said. This program is part of his EPIC plan, which has for its purpose the abolition of poverty in California. Sinclair revealed his program contem- (Continued on page 12)

Claim Losses Due to ‘Jack Rabbit’ Shows

Also Lower Industry’s Prestige, Is Charge

That so-called “jack rabbit” circuits, ruled by persons traveling from town to town with portable equipment at one-night stands, are causing an annual loss running into hundreds of thousands of dollars to distributors and exhibitors is reported in Motion Picture Herald, out today. The publication estimates the number of these legitimate operators in the country at approximately 1,000, with audiences ranging 200 persons.

Besides bringing a financial loss to the business, these operators, according to the Herald, “do much to pervert the prestige of the industry” (Continued on page 13)

K. B. Straussberg Jumps Up With Nelson, Renner

Sam Straussberg with nine theatres in Brooklyn has merged with Nelson, Renner, operating six in the same group, Interboro Circuit, Inc., has been formed and is now operating.

Nelson & Renner’s houses are the Astor, Interboro, New Hollywood, Endicott, Sun and Howard. Straus- berg’s are the Berkshire, Canarsie, Sunset, Park, Ritz, State, Sumner, Williamsburg in Brooklyn and the College Point, L. I.

Funeral Services for Mrs. Kann Tomorrow

Funeral services for Mrs. Marie Kann, wife of Maurice D. Kann, editor of Motion Picture Daily, will be held tomorrow morning at the home apartment, 65 Central Park West. The services will be private. The services will be conducted by Rabbi Alfred I. Aarons of the Congregation of Mt. Sinai, Brooklyn.

Kann returned to New York last week after being discharged from the Riverside General Hospital. He is a member of the Jewish Center. (Continued on page 12)

U” Seeking Foreign Film, Says Laemmle

LONDON, Sept. 5.—(By Cable) — At a press lunch in honor of Carl Laemmle, president of Universal Pictures, and independent producer in Europe to bolster its program. The company is planning to buy up to 20 of suitable nality, he said.

Claim Big Saving

Hollywood, Sept. 5.—According to statistics from the Academy of M. P. Arts and Sciences, the arbitration board of salvaged three films is reported to have saved approximately $100,000 for Hollywood actors and actresses during the four-year period the board has been set up to settle disputes within the industry.

Middle West Prices Gain; Outlook Good

KANSAS CITY, Sept. 5.—Reports in the East that the Middle West is “down and out” because of the drought are the source of much humor hereabouts. The drought has hit several states hard, but famine is not “stalking in the land.” In these circles, it is pointed that a smaller number of theatres are closed than at any time since the depression, that some are reopening this fall and several theatre construction projects are under way in the Kansas City territory.

Surveys by the Associated Press (Continued on page 13)

ITOA Labor Problem Up for Discussion

The local labor situation, particularly that involving Allied and Local 306, was discussed yesterday at the regular meeting of I. T. O. A., at the Astor. A review of the present situation for the benefit of exhibitors interested in making new contracts with Allied was presented.

The labor discussion lengthened the meeting into late afternoon and crowded a scheduled survey of new season’s product off the program. The meeting was well attended and will feature product discussion.

Circuits May Pay Cost of Music Fight

Defection of Allied and Theatre Units Seen

Affiliated theatres and large independent circuits may be obliged to bear the burden of financing the legal battle against the American Society of Composers, Authors & Publishers, alone, it was indicated yesterday at a meeting of the emergency committee at the Astor.

Allied States, from all indications, will not participate in the contribution to a legal “war chest” on the basis of a penny a seat from member theatres, as agreed to last week by M. P. T. O. A., affiliated and large independent circuits. It was also indicated that I. T. O. A. and T. O. C. C. will not make contributions.

Walter Vincent, chairman of the emergency committee, said that these (Continued on page 14)

Action Sought for Code Appeal Board

WASHINGTON, Sept. 5.—With the Industrial Appeals Board organized by Recovery Administrator Hugh S. Johnson more than a month ago to hear complaints from small business interests, not functioning, indications of dissatisfaction are beginning to reach here over the apparent deace of the organization which was to perform the (Continued on page 12)

U. A. Will Decide Suit Action Today

United Artists’ board of directors this afternoon will decide whether or not to file suit against Campi in the U. S. District Court for an interpretation of the 10 per cent cancellation clause in the code.

The meeting of the board originally was scheduled for Tuesday but was (Continued on page 12)

Objects to Code’s Advertising Rules

Although the code prohibits premiere advertising, William Yoost, local circuit operator and a member of the local clearance and zoning board, is in favor of independents advertising coming attractions in advance of play- dates in Greater New York.

In a dissenting opinion in a local case, Loew’s Rio against the Heights, (Continued on page 12)
Big Board Stocks Show Gains

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Pittsburgh Variety Dinner Set Oct. 14

PITTSBURGH, Sept. 5.—Sunday night, Oct. 14, has been picked as the date for the Pittsburgh Variety Club’s annual banquet. It is the first, in the past, in the ballroom of the William Penn hotel.

Two days after the date had been announced, more than 200 reservations were received by the committee, all from local non-members. Since the guest list is limited to 700, indications point to an early sellout.

Five Stories Purchased

HOLLYWOOD, Sept. 5.—Recent story purchases include two by Paramount and one each by Fox, M-G-M and Radio.

They are: Paramount, Sophie Kerr’s original, “Such a Lovely Couple” and Lewis Parker’s play, “Joseph and His Brothers”; Radio, Samuel Hopkins Adams’ “In Person”; M-G-M, Keith Winter’s play, “The Shining Hour”; Fox, Gordon Morris’ original, “Under the Pampas Moon.”

Shift Peckskill House

PEEKSKILL, N. Y., Sept. 5.—Ben Knobla is turned the Peckskill and Colonial over to Ray Whittaker, president of Preferred Theatres Corp. The Colonial is now closed due to a violation, but is expected to be reopened shortly.

Nathanson in London

LONDON, Sept. 5.—N. L. Nathanson arrived here yesterday from Carlisle, where he took his annual treatments. He leaves Saturday on the “Empress of Britain,” has contacted studio heads and given them advice on Canadian requirements.

M-G-M Signs Kingsley

HOLLYWOOD, Sept. 5.—Sidney Kingsley, author of the Pulitzer prize play, “Men in White,” has signed to a writing contract by M-G-M.

“Cromwell” Story Set

LOXON, Sept. 5.—Julius Hagen will produce “Oliver Cromwell” from the Richard Fisher book.

Kleins Sail for N. Y.

LOXON, Sept. 5.—Eddie Klein and his wife sailed for New York tonight on the Laffayette.

J. L. & S. to Acquire Neighborhood Spots

CHICAGO, Sept. 5.—John P. Goring has closed a deal with Mascot for three features for the Criterion, the first, “Young and Beautiful,” being dated to open Sept. 19, “Crimson Romance” and “In Old Santa Fe” are the other two. Majestic’s “The Scarlet Letter” will follow “Young and Beautiful.”

L. B. Mayer Returns

By BRUCE ALLAN

LOXON, Sept. 5.—Due to the illness of his wife, Louis B. Mayer is returning to New York on the Paris Saturday. A luncheon by the Cinematograph Exhibitors Ass’n scheduled for Tuesday was canceled.

Bowman at New Post

Edgar S. Bowman, former treasurer and general manager of Automatic Ticket Register, Inc., has assumed the post of sales manager of the Silent American Ticket Machine Co.

O’Reilly Returns Today

Charles L. O’Reilly returns today from Buffalo after a brief visit.

“MOST LAVISH PICTURE IN LONG TIME!”

Says Hollywood Reporter

Published daily except Sunday and holidays by Motion Picture Daily, Inc., subsidiary of Quigley Publications, Inc., Martin A. Quigley, President; Maurice Kann, Vice-President and Treasurer.


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Entered as second class matter, January 4, 1929, at the Post Office at New York, N. Y., under Act of March 3, 1897.


Fox Halls Three Films

HOLLYWOOD, Sept. 5.—Fox has temporarily halted production on three pictures.

Story trouble was responsible for stopping "Marie Galante" and "The State vs. Elinor Norton," with both scripts being shot back to the scenario department for rehearsing. The other delayed film was "365 Nights in Hollywood" and Leonard Frank is doing rehearsing of several musical numbers in the picture.

Stillman Heads Sour-Am

Jack Stillman has been made head of the Sour-Am Film Corp., a new producing company which will make Yiddish-language films. The firm plans to take four features this season with superimposed titles in English. The first will be "The Youth of Russia."

Boy Born to Browns

HOLLYWOOD, Sept. 5.—Harry J. Brown, Warner associate producer, is father of a seven-pound boy. His wife, Sally Eilers, is doing nicely at Cedars of Lebanon Hospital. They have named the youngest Harry Joe, Jr.

Adapting "Call of Wild"

HOLLYWOOD, Sept. 5.—Gene Fowler and Leonard Frank are doing the script of Jack London’s "Call of the Wild," which 20th Century will film for United Artists release.
BRITISH AGENT

By R.H. BRUCE LOCKHART

THE BOOK... THAT MADE THE WORLD TREMBLE... INSPIRED THIS GREAT WARNER BROS. PICTURE!

Available for Special extended engagements after September First—
Again Warner Bros. score with the Greatest Star Combination in Show History—
Kay Francis • Leslie Howard
in the picture the whole world will acclaim—

With William Gargan, in cast of hundreds...
Directed by Michael Curtiz.
Suggested by R. H. Bruce
Lockhart's Best-Seller.
A Fine National Picture.
Vivograph, Inc., Distributors.
BRITISH AGENT™
will be supported by the greatest National Newspaper Advertising Campaign ever undertaken by WARNER BROS.

...and you'll admit Warner Bros. know how!
“Cellini” Is
$14,000 High
In Pittsburgh

PITTSBURGH, Sept. 5—High gross here last week went to “Affairs of Cellini.” The $14,000 take at the Penn was over normal by $2,000.

A dual, “Side Streets” and “Ro-" "A REAL "GAY"" picture was a strong drawing, getting $6,500 at the Warners.

With the Fulton open and the Al- "Saturday," this figure was better than expected, since “River” had previously been pulled into the Warners as part of a double bill.

Total grosses, in four first run houses were $31,500. Average is $3,800.

Estimated takings for the week ending Aug. 30:

“SHE BELONGED TO SAILORS” (Fox) 
FULL-TON—$2,500. 6 days. Gross: $4,000. (Average, $666.67)

“ONE MORE CELLLIN” (U. A.) PENX—$3,000. 26th-28th, 6 days. Gross: $14,000. (Average, $2,333.33)

“ONE MORE RIVER” (Univ.) STANLEY—$6,000. 26th-28th, 3 days. Gross: $9,000. (Average, $3,000)

“SIDE STREETS” (Warners) ROMANCE IN THE RAIN (Univ.) PENX—$3,000. 26th-28th, 6 days. Gross: $6,000. (Average, $1,000)

“Treasure Island” $8,500 in Seattle

SEATTLE, Sept. 5—This town went for “Treasure Island,” in a big way, with the return gross of $8,500. Average was $880, over the line by $1,500.

“Whirlpool” and “The Morning After” took good $4,100 at the Liberty. The weather was hot, but a Pather-latch celebration brought a number of out-of-town visitors into the city.

Total first run business was $30,900. Average is $3,100.

Estimated takings for the week ending Aug. 31:

“PERSONALITY KID” (Warners) BROADWAY—$900. 7 days.

“BLUE MOSE” ($900). 12c-25c-50c, 7 days. Average $925.

“TREASURE ISLAND” (M-G-M) FIRST AVENUE—$800. 7 days. Gross: $5,600. (Average, $800)

“WHIRLPOOL” (Para.) "THE MORNING AFTER" (Col.) LIBERTY—$1,000. 30c-65c, 7 days. Average $142.86

“BULLDOG DRUMMOND STIKES BACK” (U. A.) MUSIC BOX—$800. 26c-50c-75c. 7 days. (Extended run. from Music Hall.) Gross: $600. (Average, $71.43)

“MICKEY" (Warner) "FAVORITE" (M-G-M) "ADVENTURE GIRL " (Radio) "HARRICK’S ORCHESTAL" (Mir.) "UNKNOWN BLONDE" (Majestic) "HAIL BILLY BILL" (Met.) "HELL CAT" (Col.) "KING OF THE KITTENS” (M-G-M) "UNIFIED ARTISTS" (946). 30c-50c-75c. 7 days. Gross: $5,000. (Average, $714.29)

“Crosby Sorts on Coast

Hollywood, Sept. 5—Bing Crosby has closed his New York office and will henceforth conduct all his business from the coast, Crosby’s father and brother, Everett, are handling his affairs.

‘River’ $8,900 Over on Loop, Doing $43,500

CHICAGO, Sept. 5—The fair crowned the $8,900 for “River,” leaving just enough space for the second run of “More River,” at the Chicago dropped grosses at $13,500, which is $8,900 over the average.

The new B. & K. Apollo, which opened Aug. 21, pulled $13,500 in nine days with “River.” The Palace was $2,000 over on “Down to Their Last Yacht,” which did $24,000. A week will be made for this fine showing going to the dance duos of Veloz and Yolanda.

All the other spots were above average, except “The Affairs of Cellini,” which, at $14,000 on the second week of “The Affairs of Cellini,” was $3,000 under. Another holdover “Treasure Island” at the Roosevelt. The film paid to $15,000, $3,000 over average.

Total first run business was $149,000. Average: $14,400.

Estimated takings for weeks indicated:

“ONE MORE RIVER” (Univ.) CHICAGO—$4,000. 30c-65c-85c. 7 days. Estimated $1,500.

“PARIS SUPER WHERE" (Col.) BROADWAY—$1,000. 26c-50c-75c. 7 days. Estimated $1,750.

“HARRICK’S MUSICAL BOX” (2,000. 26c-50c-75c. 7 days. Stage show Gross: $5,000. (Average, $714.29)

“UNCLE WIFE” (Warner) "UNIDENTIFIED" (Warner) "HARRICK’S ORCHESTRA" (Mir.) "UNKNOWN BLONDE" (Majestic) "HAIL BILLY BILL" (Met.) "HELL CAT" (Col.) "KING OF THE KITTENS” (M-G-M) "UNIFIED ARTISTS" (946). 30c-50c-75c. 7 days. Gross: $5,000. (Average, $714.29)

“Prisoners End Fire

Liberty, Mo., Sept. 5—Prisoners in the Clay County jail here, released to fight a disastrous fire in the city’s busy business district, saved the Plaza Theatre from destruc- tion by turning out hoses in its roof when flying sparks ignited it. The jail is next to the theatre.

The Plaza is closed for repairs. It is under lease to Commonwealth Theatres and sub-leased by M. S. Heath.

‘Cat's Paw’ $24,000 Hit, Philadelphia

PHILADELPHIA, Sept. 5—The “Cat’s Paw,” “Dames,” and a cool weather special from “Big Town” did well in this cold profit region and gave the best general total in weeks.

With “River” not showing the Fox, doubled the average with $24,000 and stays a second. Lloyd’s presence in town won him and the picture much space from the newspapers. “Dames” is the only deal with the Stanley with a good $14,500, with business apparently on the build for the second week-end at least.

Both films are listed for two weeks. Rest of the town was off, with “Cleopatra” slumping in its second Boyd week.

Total first run business was $62,200. Average is $5,680.

Estimated takings for the week ending Aug. 30:

“NOTORIOUS SOPHIE LANG” (Para.) ARCADIA—$600. 26c-50c, 6 days. Gross: $3,900. (Average. $650)

“CLEOPATRA” (Para.) BROADWAY—$400. 30c-65c-85c. 2nd week. Gross: $2,000. (Average. $1,000)

“STANLEY” (Col.) GLOVE (Radio) EARL—$2,000. 30c-65c-85c. 2nd week. Stage: Tommy Manhan orchestra. Bit Fox, $600. Female: Yvonne, Curr Bros. Betty. Gross: $2,100. (Average. $1,050)

“THE CAT’S PAW” (Fox) CAT’S PAW—$2,000. 30c-50c. Stage: Robert Minnervitch and Rascals; Alexan- der, Curr, Fox. Gross: $2,100. (Average. $1,050)

“STRAIGHT IS THE WAY” (M-G-M) KARLTON—$1,000. 30c-65c-85c. 6 days. Gross: $1,500. (Average. $250)

“DAMES” (Warners) STANLEY—$600. 30c-65c-85c. 6 days. Gross: $1,500. (Average. $250)

“PARIS INTERLUDE” (M-G-M) STANIX—$1,500. 30c-65c-85c. 6 days. Gross: $1,500. (Average. $250)

“Island” Grosses $9,000, Montreal

MONTREAL, Sept. 5—Further return to gaiety was developed last week. The Canadian premiere of “Treasure Island” brought the Capitol to $9,000 a week, despite the fact that it was a kids’ picture and juveniles are not admitted to theatres hereabouts legally. “The Cat’s Paw” and “Let’s Try Again” represented $9,500 to the Palace where average is $11,000. Re- peat of “Bulldog Drummond Strikes Back” gave $5,000 to the Princess as against the first week of $8,000. Nights were cool.

Total first run business was $35,500. Average is $4,300.

Estimated takings for the week ending Sept. 5:

“TREASURE ISLAND” (M-G-M) CAPITOL—$2,400. 30c-65c-85c-6c. 7 days. Stage: Del’ O’Dell. Breh, Fox, $2,000. Female: Melba. Gross: $2,500. (Average. $357.14)

“COCKEYED CAVALIERS” (U. A.) PARIS INTERLUDE—$1,500. 30c-65c-85c. 7 days. Stage: Del’ O’Dell. The Parisian Four, Breh, Fox, $1,500. Female: Yvonne. U. A. Imperatieals. Gross: $4,000. (Average. $571.43)

“PARIS INTERLUDE” (M-G-M) PARIS INTERLUDE—$1,500. 30c-65c-85c-6c. 7 days. Stage: Del’ O’Dell. Breh, Fox. $1,500. Female: Melba. Gross: $2,000. (Average. $285.71)
Grosses Jump In K.C. with Price Boosts

Kansas City, Sept. 5.—Banner grosses accompanied price increases at Loew’s Midland and the Publicx Newman to 40 cents since the present 25cent admission.

The Midland’s $19,000 on “Treasure Island” was the week’s pace-setter, followed by $13,500 for a prevailing average for the lower admission. “She Loves Me Not,” at $13,000, gave the Newman its top money in several years, more than doubling the par for the Newman’s low-price dual feature policy.

The Tower benefited by the Journal-Star’s front page blast against its stage show, which proved box-office publicity and swelled the gross to $2,500, The screen attraction was “Blind Date.”

The Mainsheet took off its 25cent policy with a sub-normal take of $4,500 on “The Dragon Murder Case,” while the Uptown cut the run of “The World Moves On” to five days to make way for “Handy Andy,” ending the period with $2,500.

Total first run business was $47,719.

Estimated takings:

Week Ending Aug. 29:

THE WORLD MOVES ON (Radio) EARLE—(1,105) 7 days, Gross: $1,500. (Average, $214.)

THE DRAGON MURDER CASE (M-G-M) MIDLAND—(4,000) 3d, 4d, 7 days, Gross: $6,500. (Average, $928.)

SHE LOVES ME NOT (Para) NEWMAN—(1,000) 3d, 4d, 7 days, Saturday midnight show, Gross: $1,250. (Average for previous 25 cent admission, $150.)

BLIND DATE (Col.) TOWER—(900) 3d, 4d, 5 days, plus Saturday midnight show, Stage: “Pattin’ On The Door” by Max Doubleday, Lott & Deann, Glendora Jones & Deanna Deann, Lott & Joyce, Maxine & Bobby Glass, $1,500. (Average, $300.)

“Cat’s Paw” Pulls $6,000, Oklahoma

Oklahoma City, Sept. 5.—“The Cat’s Paw” ran away with the big business here last week. It pulled $6,000, up by $2,000, at the Midwest.

“Where Sinners Meet” at the Capitol took $2,000 at the Liberty in four days. This is a normal gross for seven days.

Total first run business was $15,500.

Average is $135,000.

Estimated takings for the week ending Sept. 1:

BULLDOG DRUMMOND STRIKES (U. A.) CRITERION—(1,700) 10c, 20c, 35c, 41c, 5c, 7 days, Gross: $6,500. (Average, $928.)

THE CAT’S PAW (Fox) MIDWEST—(1,000) 10c, 20c, 35c, 41c, 7 days, Gross: $600. (Average, $85.7.)

WHERE SINNERS MEET (Radio) Capri—(2,300) 10c, 20c, 35c, 41c, 7 days, Gross: $2,550. (Average, $364.3.)

LIBERTY—(1,100) 10c, 15c, 20c, 35c, 41c, 7 days, Stage show, Gross: $2,000. (Average, $285.7.)

LET’S TALK IT OVER (Univ) LIBERTY—(1,000) 10c, 15c, 20c, 35c, 41c, 4 days, Gross: $1,000. (Average week, $250.)

Etiquette Note

Sault Ste. Marie, Ont., Sept. 5.—J. H. Chambers, proprietor of the King’s Theatre in Sault Ste. Marie, Ont., is traveling in hard luck. After spending $12,000 on the theatre in the past couple of years, Chambers has been ordered by the City Council to vacate the building by Sept. 15 because he owes purchase payments and taxes to the city from whom he bought the house. The city has ruled that he should have more payments before improving the theatre.

“Handy Andy” Washington’s Big Repeater

Washington, Sept. 5.—On a return engagement at Loew’s Columbia “Handy Andy” demonstrated its considerable pull here by piling up a gross of $3,700. This topped par by $600.

The Girl From Missouri” reached $19,300 at Loew’s Fox, but this was $1,200 under the line. Total grosses were $52,600. Average is $7,120.

Estimated takings for the week ending Aug. 30:

LET’S SHOULDN’T LISTEN (Para) EARLE—(2,380) 7 days, Gross: $3,700. (Average 750.)

THE GIRL FROM MISSOURI (M-G-M) LOEWS—(2,500) 7 days, Gross: $4,500. (Average, $642.)

HANDY ANDY (Fox) LOEWS—(3,300) 7 days (return engagement). Gross: $3,300. (Average, $471.4.)

WHERE SINNERS MEET (Radio) Capri—(2,300) 7 days, Stage: “Pattin’ On The Door” by Max Doubleday, Lott & Deann, Glendora Jones & Deanna Deann, Lott & Joyce, Maxine & Bobby Glass, Gross: $1,500. (Average, $300.)

FRIENDS OF MR. SWEENEY (War) AMERICAN—(1,000) 7 days, Gross: $1,300. (Average, $185.7.)

THE LADY IS WILLING (Col) RKO—(1,800) 7 days, Gross: $7,400. (Average, $1,058.)

“World” and Show Detroit Top $21,600

Detroit, Sept. 5.—Helped by a seven-act stage show, “The World Moves On” reached $21,600 at the Fox last week. This is up by $6,000. Cool weather was a factor.

“Dames” went to $23,200, over normal by $3,200, at the Michigan. There were seven acts on the stage bill. “Treasure Island” held up to $5,700 in its second week at United Artists.

Total first run business was $56,200. Average is $8,533.

Estimated takings for the week ending Aug. 30:

HOUSEWIFE ( Warners) CENTURY—(1,000) 7 days, Gross: $4,000. (Average, $571.)

BEYOND BENGAL (Showman’s) LYRIC—(1,000) 7d, Gross: $1,500. (Average, $150.)

THE DRAGON MURDER CASE (F, N) RKO ORPHEUM—(2,000) 7 days, Gross: $6,500. (Average, $930.)

TREASURE ISLAND (M-G-M) STATE—(1,200) 7 days, Gross: $6,500. (Average, $541.7.)

KINGSNATCH (Swedish) WORLD—(400) 7 days, Gross: $2,500. (Average, $625.)

Jump Fireside Capital

Dover, Sept. 5.—Fireside Players, Inc., of Baltimore, has increased its capital from $1,000 to $2,000 with the State Department, Troy S. Aschraft of Cunden, Del., is agent for the corporation.

“MAGNIFICENTLY PRODUCED AND ACTED!”

Says Mayme Ober Peake

Boston Globe
A NEW GIFT
TYPE OF SCREENSHOW!

30 BIG STARS

of screen, stage and radio, all doing their stuff to make a grand and glorious entertainment even more grand and glorious! . . . Tons and tons of talent poured into a swift-moving STORY!

☆ EDMUND LOWE
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☆ ALICE WHITE
☆ VICTOR MOORE
☆ HUGH O'CONNELL
☆ STERLING HOLLOWAY
☆ DOWNEY SISTERS
☆ DOUGLAS FOWLEY
☆ HELEN VINSON
☆ ALEXANDER WOOLLCOTT

☆ RUTH ETTING
☆ PHIL BAKER
☆ ETHEL WATERS
☆ DOUGLASS MONTGOMERY
☆ ROGER PRYOR
☆ GENE AUSTIN
☆ BELA LUGOSI
☆ JUNE KNIGHT
☆ ANDY DEVINE
☆ GUS ARNHEIM'S ORCHESTRA
☆ HENRY ARMETTA
☆ BEAL STREET BOYS
☆ WINI SHAW
☆ CANDY AND COCO
☆ THREE STOOGES


UNIVERSAL'S MUSICOLOSSAL MELODY-DRAMA
**“Phil Spitalny and His Musical Queens” (Vitaphone)**

A girl band is led by Phil Spitalny in several orchestral and chorale numbers, the most striking of which is the rendition of “Let’s Fall in Love.” Other numbers played are “Bingle Call Rag,” “Dinah,” and “Hungarian Rhapsody,” Mutilly entertaining. Running time, 10 mins.

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**“Poisoned Ivory” (Radio)**

An Edgar Kennedy domestic battle staged in a mountain cabin at Christmas time. Edgar blows up when he gets a tie from his mother-in-law and his brother-in-law gets a radio. He even has a row with the family doctor and his wife.

The excitement speeds up when Florence Lake gives Edgar his medicine and then discovers a bottle of poison on the table. It’s photographic developer left by the brother. Edgar is all right, but the family think he is going to die and convince him he is. When the doctor arrives, still mad with Edgar, he fails to clear up the situation.

Kennedy fans will like it. A preview audience gave it a noisy reception. Running time, 21 mins.

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**“Dumb-Belle Letters” (Van Beuren-Radio)**

Juliet Lowell has taken nine more letters out of her collection. They are presented as real. Whether they’re real or not, they’re funny. Audiences howl. Running time, 4 mins.

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**Looking Over Shorts**

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**“Eyes on Russia” (Van Beuren-Radio)**

These are scenes made by Margaret Bourke White all the way from the Caucasus to Moscow for the Vagabond Adventure Series. Farm life with its modern mechanics, work- ers’ clubs, street scenes and other phases of Russian life are shown. The running comment by Miss White could stand considerable improvement. Running time, 11 mins.

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**“Peculiar Penguins” (Walt Disney-U. A.)**

Walt Disney comes through again with another artistic animation, entertaining and novel. Technicolor effects are outstanding, especially the rainbow etchings.

Peter arouses the ire of his sweetheart when a puffer fish he has given her becomes so playful after being drenched that it annoys Polly to distraction. Peter makes up for the faux pas when he rescues her fair lady from a shark. Running time, 8 mins.

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**“Guess Stars” (Vitaphone)**

With a story that allows the Radio Ramblers to demonstrate their amazing ability at impersonations of famous radio performers, this short should please any audience. Imitations of Chevalier, Valkac, Rubinoff, Dick Powell and John McCormack are featured. Running time, 9 mins.

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**“Grandfather’s Clock” (Van Beuren-Radio)**

One of the Burt Gillett “Fiddle Tales,” a combination of actual photography and cartoon. It starts with two children playing with soap bubbles in front of a clock. They bang an alarm clock and the big clock tells them what happens to little clocks. The cartoon antics then begin.

Clocks play football until one is injured and repaired. Very interesting for children. Running time, 10 mins.

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**“The Old Maid’s Mistake” (Radio)**

Walter Catlett is up to his usual tricks as the manager of a combination vaudeville-picture house who puts on a show for Emma Ray, Katherine Ward and Dot Farley when they tell him the members of their club want a dress rehearsal. A swell show is put on for the trio and when it comes to a showdown on the club’s membership, the comic learns the three ladies come as the entire roster.

Produced by Lou Brock and directed by Al Bostag, the 20-minute subject has its funny moments.

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**“Honkey-Donkey” (Roach-M-G-M)**

This latest of the “Our Gang” series, with Roach’s new recruits, should be a big hit with audiences. It has some of the original members of the “Gang” to aid the newcomers in maintaining the Roach standard. The story concerns the “poor little rich boy” that gets mixed up with the gang and their trick mule, brings them into his palatial home and nearly wrecks the place when the mule runs amuck. Spanky provides most of the laughs. Running time, 20 mins.

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**“The Girl at the Ironing Board” (Vitaphone)**

This is a burlesque on the number “The Girl at the Ironing Board” from “Ragtime.” It depicts the lives of underwear and the like in laundry after closing time. The various situations which are brought about by the antics of the three principal characters form the basis for an entertaining little melodrama and interest-cartoon comedy. Running time, minutes.

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**“Good Time Henry” (Universal)**

A rollicking, rib-tickling short that should please any audience. Hen Armetta, as a reformed playboy, has stepped out once more with Hal Hamilton, much against his wishes, for business reasons. Fear of discovery by his wife and regret for havin kicked over the traces once more, throws him into numerous and laugh-provoking comedy situations. Running time, 21 mins.

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**“Attention, Suckers” (M-G-M)**

HOLLYWOOD, Sept. 5. — “Attention Suckers,” produced by Pete Smit, is an interesting short exposing 10 card tricks of dealing and playing as utilized by professional card sharks. Clever use of a mirror, a detect, swift hand maneuvers is particularly novel. The “waterfall” or “accordiana” shuffles, the three card monte, and trick of dealing your four aces, all revealed. Will appeal to any audience. Running time, runs.

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**“Cracked Shots” (Radio)**

With Tom Kennedy, Will Stanton, Helen Brock, Nat Carr and Ed Des- ing, this short should have laugh from practically any audience. T刑警 concern is a motorist with an unfortunate falling for showing craps, who loses his rent money and tries to win it back in a trap shooting contest. It winds up with a straw shooting the straw in the face of every automobile owner of the clay pigeons. Running time, 20 mins.

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**“A Journey in Flanders” (Foz)**

Another of the Magic Carpet series that takes the audience through me of the principal cities and waterways of Belgium in a very interesting manner. The camerawork of Pierre is perfection; the architecture, canals and their pupils, native songs and costumes are a dream to those peculiar to Bel-gium are shown. Shots of Antwerp, diamond cutters wind up the re very entertaining. Running time, runs.

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**“Held for Ransom” (Jamestown Prod.)**

A visual history of the famous U.S. Peace商务部 all the audiences. It takes place in scenes that appear to have been staged and staged with clips from various newsreel of the old world’s appeal most audiences. The entire case, from the actual kidnapping to the final se- ncing of the culprit by the court, traced. Particularly striking is the speech delivered by the judge as she passes sentence. Running time, mins.

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**“The Best Picture in YEARS!”**

See Page 16
"Charlie Chan in London"

(Hosp.)

Hollywood, Sept. 5.—Another intriguing chapter in the series of Earl Derr Biggers' Chinese detective yarns. Mystery stories continue to hold innumerable fascination for the reader. Likewise, this film keeps one on edge throughout trying to guess who may be the real murderer. Warner Bros. continues his fine series of impersonations. His calmness, sure-footedness and final surprises make these roles outstanding.

Urged by Drue Leyton to save her brother from being hanged for a murder attributed to him, Oland forsook a trip to China to stay in London and lend his assistance. He goes about his scintillating in a quiet way, only casting suspicion upon several principals, but saving the big surprise for the last few rounds.

There is the lovers' quarrel when Miss Leyton hears her sweetheart, Raymond Milland, tell Oland he believes Douglas Walton guilty. The former, a detective, produces a man's plea of innocence to Miss Leyton. She gets Chan to snip around and after a series of unsuccessful events he finally lands his man. The lovers then make up. Running time, 78 minutes.

Legion Looms Big In F. W. C. Parleys

DENVER, Sept. 5.—The Legion of Decency will be one of the major items for discussion at the convention of the intermountain division of Fox West Coast theatres to be held at the Denver Hotel, Colorado Sprngs, Sept. 11-13.

About 40 will attend the meeting and will discuss and hear talks on theatre management, admission prices, "bank nights," advertising and exploitation, as well as new film deals and analysis of new product.

On the 11th a luncheon will be given at the Broadmoor, at which other theatre men, exchange managers and newspaper men will be guests.

Charles and Spross Skouras have been invited to attend, but it is doubtful if they will be at the meeting. Rick Ricketson, division manager, will have charge of the convention.

Those Who Will Attend

In attendance from the Denver headquarters will be Ricketson, Wm. Steege, Harry Ashton, J. Weiner, Wm. Ager, Max Goldstein, Wm. Dollison and George Frantz.


"A GRIPPING MASTERPIECE SUPERBLY ACTED!" Photoplay

Says Kathryn Dougherty

"Destroy" and Show Leaders In Cleveland

CLEVELAND, Sept. 5.—Cool weather was a big help to grosses last week. Big money went to the RKO Palace where a stage show with "Whom the Gods Destroy" brought in $20,000. Average without a show is $10,000.

"The Grand Canary" topped normal by $5,900 at the $6,000 gross at Warners' Hippodrome. "Affairs of Cellini" was strong at $14,000 at Loew's State.

Total first run business was $44,000. Average is $29,000.

Estimated take-ins for the week ending Aug. 31:

"THE GRAND CANARY" (Fox) WARNERS' HIPPODROME—$5,300, 36c-35c-5c, 7 days; Average, $3,000.

"WHOM THE GODS DESTROY" (Col) RKO PALACE—$1,900, 36c-8c-5c, 7 days; Stage: Ted Flo Rito and band. Gross: $5,000. (Average, $10,000 without stage show).

"AFFAIRS OF CELLINI" (U. A.) LOEW'S STATE—$2,300, 36c-36c-6c, 7 days; Average, $16,000. (Average, $10,000)

"ELMER AND ELSE" (Para) LOEW'S STILLMAN—$1,900, 36c-36c-6c, 7 days; Average, $3,500, (Average, $4,000)

Para. Holds Lee Tracy

Hollywood, Sept. 5.—Paramount has renewed its option on Lee Tracy for another picture on the five-picture contract he now holds. The picture for which he was signed will be his third.

"Purely Personal"

ARTHUR SANCHEZ of Trans-Oceanic Film Export Co. is on his way to Europe aboard the Champlain on a business trip. He will be away six weeks.

W. RAY JOHNSTON, en route here from the coast by easy stages, will make a final stop-over in Chicago tomorrow and is due in town the first of next week.

LIE BLANK, Warners' Minneapolis branch manager, is here confering with Norval H. MORSE, Vitaphone executive in charge of shorts and trailers.

ELIOT McGRAW has been signed to edit a Spanish feature, "Romance Tropical," being filmed in Porto Rico by Latin Artists Pictures Corp.

R. A. McCUNE is back at his desk at the Warner home office after an absence of seven weeks due to an attack of tonsillitis.

George M. COHEN will sing his latest song, "My Little Girl," in next week's picture, "Gambling," now being made by HAROLD F. FRANKLIN.

E. W. HAMMONS, president of Educators Pictures Corp., will be aboard the Transylvania and is expected to return in about 10 days.

Ian TAYLOR and BOYCE DEGRAD have sold an original, "Not On Your Life," to Warners.

LOU GOLDBERG has completed the adaptation on "The Crime of Mrs. Cress." Drue LEYTON, Paramount foreign manager, arrives from Europe today at the Manhattan.

LOUIS HYMAN, general manager of Principal, arrives today by plane from Hollywood with a print of "Chanda." 

HOWARD S. CULLMAN last night entertained the entire cast of "Romance of a People." 

BELLE BAKER sails Sept. 18 aboard the Paris for London, where she opens at the Palladium on Oct. 1.

RUTH GORDON, who appeared last for the Theatre Guild in "They Shall Not Die," has been signed by M-G-M.

TMMcCoy has left Hollywood by motor after a personal appearance tour through the midwest.

VINA DELMAR has sold "The Day Never Comes to Fox.

BERTRAM BLOCK is back as head of the M-G-M scenario department.

Africa to Have Censors

WASHINGTON, Sept. 5.—Censorship makes its bow in French Equatorial Africa under a decree dated Aug. 3, reported by the Trade Commissioner Eugene A. Masuret, in Paris, to the U. S. Department of Commerce here. Under the new control will be exercised over films, phonographic discs, and the taking of motion pictures. No film shall be presented without the visa of the lieutenant governor of the colony where the film is to be shown.

Faye in Vallee Act

Hollywood, Sept. 5.—Alice Faye will leave next week for a week's appearance with Rudy Vallee and his band at the fair in Chicago.
Sinclair Wants State to Make and Exhibit Films

Hawaii Not In

Hawaii does not come under the film code for the United States, the NRA has decided. Because of labor provisions in the U. S. possession and other varying ingredients, it is held that Hawaii comes under Division VIII of the NRA, which deals with codes other than this country.

Nebraska Exhibitor Cited on Code Order

Omaha, Sept. 5.—Charged by T. C. Shipley, exhibitor at Clay Center, Neb., with using a substitute in allegedly violating an order of the grievance board, George K. Werner, Fairfield, Neb., exhibitor, has been instructed to appear before the board Friday and explain why he is giving a 10-cent rebate to his patrons.

Some weeks ago Shipley complained to Werner that his new, or second, a charge, but this week Shipley entered his new complaint. He stated patrons pay the regular 13 cents admission at the window, but when they present tickets to the doorman he hands them a dime along with the torn stub.

U. A. Will Decide Suit Action Today

(Continued from page 1) put over until this afternoon. Edward Rafferty of O'Brien, Driscoll and Ballard, who has been handling the case, is now in Havana on a two-week vacation, returning Sept. 17. Dennis F. O'Brien of the legal firm will attend the directors' meeting.

May Fight Code Ruling

New Orleans, Sept. 5.—Affiliated Theatres may go to court over a code decision holding the Palace, New Iberia, guilty of overbuying and ordering the management to release a film to the exhibitor to show it for free. Chotiner heads the new I.T.O. board of directors.

St. Louis Tax $14,300

St. Louis, Sept. 5.—Theatre paid the city a total of $14,300 in taxes during the fiscal year 1933-34, according to the annual report of City Comptroller Louis Nolte, recently filed with the Board of Aldermen.

Funeral Services for Mrs. Kann Tomorrow

(Continued from page 1)

Columbo Funeral Today

Hollywood, Sept. 5.—Funeral services for Russ Columbo, actor and radio singer, who was accidentally killed Sunday, will be held here tomorrow with the celebration of a requiem mass at the Blessed Sacrament Church.

The Universal studio, where Columbo was employed, will be closed for a three-day period during the funeral service.

Harry Marsey Passes

Buffalo, Sept. 5.—Harry Marsey, who had the first picture theatre here and conducted it in connection therewith the first exchange in this city, is dead. His first house was known as the Happy Hour. He operated the Elder Terry, now a second run neighborhood, as a legitimate theatre 40 years ago.

Mrs. Earl Bright Dead

Hollywood, Sept. 5.—Mrs. Earl Bright died suddenly here this morning. Her husband is a member of Joseph J. Breen's production code staff that was formerly secretary to Will H. Hays until transferred to Breen's staff a few weeks ago. She was about 35 years old.

Edward Kearns Dies

East St. Louis, Ill., Sept. 5.—Edward Kearns, 64 years old, theatre manager and operator, is dead at St. Mary's Hospital of injuries suffered when he was struck by an automobile. Mrs. Kearns, three sons and a daughter survive.

Shamrock to Distribute

Detroit, Sept. 5.—Bert C. Fassio, president Shamrock Pictures Corp., stated he has opened his first exchange here to distribute in Michigan. Space has been acquired in the Film Exchange Bldg. The first salesmen are here with 12 others to follow along with other short subjects of one and two reels.

Omaha Golf Set Sept. 21

Omaha, Sept. 5.—A stag golf tournament for exhibitors in the Omaha trade territory is to be held here this month. The annual meeting of the local chapter of the exhibitors association will be held here Friday, Sept. 21, D. V. McLucas, United Artists branch manager, and A. M. Avery, RKO manager, are in charge of arrangements.
Middle West Prices Gain; Outlook Good

(Continued from page 1)
and the larger daily basing on first-hand observation reveals that farmers, in the aggregate, will receive a larger crop this fall than any year since 1930. The short crop has created spectacular price increases. In addition, cash benefits from the AAA program and good government agencies are of material assistance. In Nebraska alone, benefit checks from the AAA under the corn-hog reduction program will total $30,000,000.

Merchants and bankers report almost unanimously that business has improved. In addition, market prices according to an Associated Press report, in Kansas City continued to show the best gain in bank clearings among the leading cities in the United States, figures released by Dun & Bradstreet, showed with year over year increase was 41.4 over a year ago for total clearings in Kansas City for the week ending.

Omaha bank clearings for July showed an increase of $21,500,000 over July, 1933, a gain of approximately 24 percent.

Certain sections, of course, suffered almost a complete loss of 1934 crops in the drought years, but farmers in these localities are assured of Government aid.

Mill Strike Effects On Theatres Studied

Federal funds for crop curtailment programs will maintain purchasing levels in areas affected by the drought, in the opinion of representative agricultural and government agencies.

As a result, theatre business in the drought areas is expected to maintain its 1932-33 level, the Federal payments are also regarded as likely to overcome adverse economic effects of the current textile strike in the south and Midwest, even though Administration efforts to settle the strike are not immediately effective.

$36,000,000 for Farmers

Approximately $36,000,000 of Federal funds for crop reduction programs will be distributed to farmers in drought areas within the next few weeks, in addition, market prices for farm products are substantially higher than in other years. Based on present market quotations, Prairie Farmer estimates the current value of corn, wheat, oats and hay in Illinois and Indiana alone at $429,960,000, compared with $277,743,000 last year. Federal payments to these states will aggregate an additional $70,428,000.

The Southern Agriculturist estimates Federal payments of $85,500,000 for cotton reduction in southern states, which, together with higher market prices for cotton this year, is expected to offset much of the ill effects which might result from even a partial strike, if any, in the cotton textile industry. The strike situation, however, is being watched by film and equipment men with considerable apprehension. With more than 250,000 workers now on the strike list, most of them in North and South Carolina,

Star Ratings End

New Orleans, Sept. 5.—The item has discontinued its star system of reporting films, reasoning that the original criticism by the several members of the staff instead of one writer. Objections on the part of some Boards of Management. It is said, who threatened to reduce their lineage, is given as one of the prime reasons.

Georgia, Alabama and Tennessee, the theatre equipment in each being far more similar, feel the danger of much of the ground gained in improved conditions in these states due to the struggle of the event of a lengthy textile strike.

President Roosevelt’s intervention yesterday to end the strike through the Jaycee Press is viewed in this industry as a possible means of preserving the trade gains made in the south during recent months. Other sections affected by the textile strike, such as Massachusetts, New York, New Jersey, Connecticut and Maine are also feeling heavily to absorb strike costs than is the south.

Associated Theatres Re-elect Directors

TORONTO, Sept. 5.—All directors of Associated Theatres, Ltd., independent co-operative booking and buying organization, have been re-elected for the next 12 months and the returned board will select its own officers at the September meeting of the executives.

Those re-elected are: Ernie Marks, Martin Theatre, Oshawa, president; Arnold Specter, Buffalo; William Boyd, Toronto; T. A. Moorehead, Brampton and London; Ed Goodwin, Toronto, and W. A. Boutilier, Toronto. Oscar Hanson is the general manager of Associated Theatres.

The organization has 70 theatre members throughout Ontario and all head-office equipment paid for including a new private screening room.

Film Shortage Seen For Czechoslovakia

(Continued from page 1)

Department of Commerce from Commercial Attache Sam E. Woods, in Prague.

Of the 260 films said to be available, 37 are of Czech origin, 106 German, 48 American, 40 English, 23 French and six Russian, Polish, Hungarian and Italian.

There is a question, Attache Wood states, whether exchanges will be able to be in all of the pictures which they intend to place on the market. Of the 37 local pictures only two-thirds are finished, and it might happen that the local theatres will feel sharply the shortage of new features, as the proposed total of 260 hardly covers the normal requirements.

Rent Suit Is Filed

CINCINNATI, Sept. 5.—Majestic Theatre Co., Louisville, Ky., has filed suit there against the United Theatres Co., an Ohio corporation, seeking collection of rent totaling $158,428.35, claimed to be past due.

The amount includes $9,128.33 as interest.

Claim Losses Due to 'Jack Rabbit' Shows

(Continued from page 1)

as a whole through slipshod and dishonest methods, anticipated prints which reproduce imperfectly, and by means of the type of product screened. "Jack rabbits," the publication ascertains, "have been a source of great trouble to the establish film in many years, principally in the rural sections. Their development now has reached a point where not a few of the established exhibitors find their business in jeopardy, due to grossly unfair competitive methods employed by the itinerant circuits, which cause of low overhead are in a position to charge little or no admission to their performances, staged in empty stores or vacant lots.

"While the so-called honest 'Jack rabbit' operator pays for his film and lives up to the terms of his contract with the distributor, frequently acquiring the prints outright, the illegitimate operator 'bicycles' prints from one community to another though authorized to use the print for only one showing. In many instances his prints are acquired illegally, or are 'duplicates' purchased cheaply from 'bootleg exchanges.'"

Nebraska House Reopens

SPENCER, Neb., Sept. 5.—Jones and Bradstreet have re-opened their Boyd.

"LAVISH, FASCINATING, THRILLING!" Says Ralph Wilk

Film Daily
Hollywood Personalities


Circuits May Pay Cost of Music Fight

(Continued from page 1)

indicated deletions would not alter the committee's proceedings with its legal actions against A. S. C. A. P. under the direction of George Z. Medallie, former U. S. District Attorney.

"As is often the case among exhibitors," Vincent said, "a few may be obliged to bear the burthen for the benefit of the many. If that becomes necessary, we will still have enough support to carry through our plans."

Vincent intimated that strong plea would be made for the support of all exhibitor factions, and that if those who withdrew from the association would cooperate without the aid of those who withdraw, he said that no increase in the contribution rate of a penny a week would be made even though the indicated deletions of the three exhibitor organizations materialized. Vincent estimated that affiliated circuits alone will contribute $40,000. In addition, large independent circuits such as DeMograph, Inc., B. F. Baker and Others and Wilmer and Vincent organizations, will also participate.

See No Need for Action

Allied, I. T. O. A. and T. O. C. first indicated that they would not contribute to the committee's "war chest" following the filing of the government's anti-trust suit naming A. S. C. A. P. last week. They felt that the Federal suit would accomplish all that could be hoped for from the filing of any exhibitors' action. In an exhibitors' committee, however, emphasized that exhibitors require immediate relief to forestall the music tax increases which A. S. C. A. P. proposes to put into effect October 1, and that this relief will not be forthcoming from the Federal Government.

Medallie is expected to file petitions within the next few weeks for injunctions restraining A. S. C. A. P. from placing the increases in effect and from collecting any music taxes whatever in the future. The actions will be filed in Federal court here.

Nebraska-Iowa Men To Talk Music Tax

OMAHA, Sept. 5.—All exhibitors of Nebraska and western Iowa have been asked to meet here Sept. 20 to discuss the proposed increase in the music tax.

Charles Williams, president of the Nebraska M.P.T.O.A., is assuming responsibility for the summons, though he says the invitation extends to all exhibitors, regardless of affiliation.

Warners to Get Para. Films for St. Louis

ST. LOUIS, Sept. 5.—Although F. & M. have bought "The Belle of the Nineties," and have dated it to open at the Ambassador on Sept. 14, Warners will play the distributor's 1934-35 output at the Shubert-Naito and Orpheum.

The F. & M.-Paramount deal was a one-picture contract, since the Mac West film is one of the 1933-34 releases and was not sold to Warners.

Four Majors To Seek 25¢ Chicago Deals

(Continued from page 1)

season gets under way a maximum of 18 films will go out of Chicago exchanges with the understanding that not less than a quarter can be charged at any time.

Chicago is now witnessing a stalemate in selling because B & K. recently appealed from a decision of the local clearance and zoning board. No one is selling and the U.A. & K. deal is the first on record.

B. & K. recently protested to the Chicago clearance board that the current season's schedule should be altered so that one week's protection can be given the circuit between runs. B. & K. now runs pictures with competitors on a policy of dating as soon as pictures are through at prior runs. The circuit wants this done away with and instead a seven-day lapse set in between bookings. This would provide for a dead week for distributors. When the case first came up before the Chicago board, the members voted five to one against the B. & K. protest. Walter Immerman, now in New York, sat as a member of the body after having filed the complaint. Independents were considering challenging Immerman, but decided to let him sit since he would be out-voted anyhow.

The appeal has been in the hands of Campi for weeks and no word has been received when a general protest hearing will be held. Meanwhile, selling in the Windy City is a dead issue.

Just what reaction will be gotten from independents is anyone's guess. They have not yet been approached by U. A. or any other distributor on the plan, but the general impression is that it would be a good move.

In contrast to the Miami, Milwaukee and New England clearance and zoning schedules, the Chicago plan makes no reference to duals or admission prices, holding the same protection and policies should prevail for 1934-35.

Although new deals are being held up, there is no product shortage. Practically all exhibitors have dates in for bookings until October. By that time the selling season will probably get under way.

Chicago exhibitor leaders plan to see when the protest schedule is set by Campi in New York.

An important independent leader here told Motion Picture Daily that he will reverse the decision of the local board in the B. & K. case, the clearance board will refuse to hear any more cases.

What good is the code if it has no advantages," he said. "All we are getting is the opportunity to pay our help more money. We did better with the clearing board when there was no code and we can still do without it.

Pitt Price Cut May Embroil Pittsburgh

PITTSBURGH, Sept. 5.—After a three-month shutdown, the Pitt reopened this week-end with vaudeville and pictures. The opening bill has eight acts and "Born To Be Bad.

The admission price, which was 40 cents after six o'clock last year, has been reduced to $1.40 and there are reports about town that this smash may mark the beginning of a general price war locally. The lower scale is believed to be aimed at the Alvin, which has a 40-cent top, to prevail on both straight picture and combination week.

Jack Jones, once manager of the Howard Thurston show and formerly with the Comerford circuit, is managing the Pitt, which is operated by George Shaffer. Jones succeeds George Otte.

RKO in K. C. Sets 45c.

KANSAS CITY, Sept. 5.—Instead of 50 cents, plus tax, as planned, the increased night price at the RKO Mainstreet is 45 cents, plus tax, for vaudeville-film shows.

Charter Philadelphia, Theatre

HARRISBURG, Sept. 5—Shillington Theatre, Inc., 1026 Rockland St., Philadelphia, has just beenchartered here with a capitalization of $10,000.

Launching New Shorts

HOLLYWOOD, Sept. 5.—Columbia begins its 1934-35 program of shorts with three comedies going into production.

"MORE THRILLING THAN THE BOOK!"

Says Elizabeth Wilson

Silver Screen

See Page 16

"MOTION PICTURE DAILY"

Thursday, September 6, 1934
Free Shows Checked By K. C. Operators

KANSAS CITY, Sept. 5.—Free shows in Kansas City have been checked by action of the Better Business Bureau of the Independent Theatre Owners. Milo Cornell, and J. Charles, promoters of the grrits performances, have been wary by city counselor's office to obtain a theatre occupation license or be subject to arrest. The promoters have promised to abide by the rules set up by the city council.

The Better Business Bureau investigated on complaint of Mrs. A. Baier of the I.T.O. that the free shows were being run in defiance of the local ordinance, which prohibits the use of the Municipal Auditorium for the purpose of exhibitions or shows of any kind. The Better Business Bureau was able to show that the shows were being put on one night weekly, in the Sheffield and Waldo districts. In one instance a business men's association was the sponsor.

According to the Better Business Bureau, the promoters showed silent films on the program, charging no admission but obtaining considerable revenue through selling to merchants in the community advertising flasbes which were sold at $1.50 a night. The promoters contend that since the shows were free no license was necessary, but the local city counselor, ruled against them.

A. F. A. Holds First Meeting of Season

The American Federation of Actors held their first meeting of the season, last night at the Hotel Edison here.


Blumenthal Goes Blind

HOLLYWOOD, Sept. 5.—Richard Blumenthal, associated with the Paramount Pictures Department in Hollywood, who was rushed to the Cedars of Lebanon Hospital, where he underwent a delicate operation on his eyes. Doctors are confident of restoring his sight. The loss of vision is the result of a motorcycle accident eleven years ago in France.

Reinhart on the Coast

LOS ANGELES, Sept. 5.—Max Reinhart is here today to stage Shakespeare's "Midsummer Night's Dream" at the Hollywood Bowl. He was received with a signal greeting at the Biltmore, attended by more than 250 leading film executives, stars, writers and civic leaders. Rupert Hugless acted as master of ceremonies.

DeMille Back on Coast

LOS ANGELES, Sept. 5.—Cecil B. DeMille returned here today from his vacation tour with the statement that the public desires clean entertainment.

Albany

Albany, Sept. 5.—Open House activities recently were transformed into "Carnival Night," which was attended by a large turnout of bakers and their guests. Activities in keeping with the carnival spirit, and dancing, continued until early morning hours. The headquarters were decorated in gala colors.

Variety Club members were guests of the local Warners Club at their annual outing, held at Babcock Lake. The affair was climaxied by a ball game, staged between the two clubs, and which found the Variety Club men victorious over the theatre men by the close score of 22-21.

From all indications, the first annual golf tournament to be staged Sept. 7 by the St. Patrick's Country Club, will be a success. Many attractive prizes have been donated by those who love the industry. The local tent is awarding the main trophy, which is to be presented to the Barker scoring the best medal. Keen rivalry is expected among the Bakers Freelow, Sauber, Bulwinkle and Shea, for the coveted honors of getting the first birdie. The golf tournament will be climaxied by a dinner and floor show at the clubrooms in the evening.

Barker Eastman of Paramount spent some time vacationing in Vermont and during his absence, his local duties were carried on by Abe Stone.

Permanent committee have been drafted by Chief Barker Buckley to carry on club activities. Each member has been given a definite assignment and, according to committee re, various activities can be anticipated for the fall and winter.

Barker Mike Kaller at Oneida has fully recuperated from his recent illness, after having spent several weeks at his summer home at Saltville. Mike operates theatres in Syracuse, Utica, Rome and Oneid.

Cincinatti

CINCINNATI, Sept. 5.—Weekly meetings of the local tent are to be resumed Sept. 10, according to tentative arrangements. The initial shindig will be an evening affair.

Barker Joe Alexander is spending his vacation in New York.

Bill Hastings, RKO Lyric, is back on the job after a sojourn with the home folks in Maryland.

P. J. Woni is a bi-monthly visitor to the local tent since making his headquarters in the city every other week. Woni reported Tent No. 2 is raging for big doings during the coming season.

Harry Silver, non-resident of Hastings taking over Detroit while his theatre, the Palace, is dark.

Barker Harold Eckard is compiling a list of boys' and girls' names in anticipation of a blessed event at his home.

Allan S. Morris has recovered from his recent illness and again is back at his desk in the Columbia exchange.

Frank W. ("Wes") Huss is sojourning in the wilds of Canada.

Whither he was driven by an oncoming attack of hay fever.

Although activities around the club rooms are at a low ebb, on account of the summer heat, bakers are looking forward with unusual anticipation to the resumption of the weekly luncheon-meetings.

Cleveland

Cleveland, Sept. 5.—The first annual golf tournament of the Variety Club was held at the Beechmont Country Club. About 70 members and guests attended the festivities which started at noon, continued late into the evening and consisted of golf, meals and other competitive games.

Johnny Himmele, Paramount branch manager, won the first prize with a score of 66. The prize was a cocktail shaker and glasses presented by Universal. Pare Essick won second low net score—a golfer statue, presented by United Artists. Jack Shulman of Painesville won low gross by 79, and took home a set of military banners, presented by RKO. Eddie Johnson's prize, a cocktail set presented by Warners, was won for the best poker hand for five selected holes. Bill Smith, with three fives and two sixes, won a beer set donated by National Theatre Supply.

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Washington

WASHINGTON, Sept. 5.—The resumption of weekly luncheons of Tent No. 11, originally scheduled for Sept. 10, has been set back to Sept. 17.

Harry Hunter and Charles Kranz, earlier named as the kings-for-the-day, will reign on the new date.

Wants an Injunction

ALLIANCE, O., Sept. 5.—W. B. Uling, operating the Rex, has appealed to the local courts for an injunction to enjoin members of the operators' union from picketing his house.
THE COUNT OF MONTE CRISTO

with
ROBERT DONAT
ELISSA LANDI

Directed by ROWLAND V. LEE

A Reliance Picture - Released thru
UNITED ARTISTS

THIS IS THE PICTURE they’re all raving about.
Dropping of Code Salary Control Is Not Surprise

WASHINGTON, Sept. 6.—Formal decision of the National Recovery Administration to suspend indefinitely the salary provisions of the film code was no surprise either in Washington or to the industry in view of the strong report made by Administrator Rosenblatt, upon whose judgment Administrator Hugh S. Johnson has placed the utmost reliance.

It was made clear that the administrator concurred with Rosenblatt in the belief that a contract is in violation of the code and that regardless of the form of protest presented, a salary being unreasonably excessive is a breach of the contract between

(Continued on page 4)

U. A. Decides Against Suit On CampiRule

United Artists has dropped plans to file suit against Campi in the U. S. District court over the interpretation of the 10 per cent cancellation clause in the code.

The distributor threatened legal action following an adverse decision by Code Authority recently. The ruling held that the Albin, Albion, Ind., which had bought all of U. A.'s product for 1933-34, was entitled to cancel a picture it requested.

A meeting of the company's board of directors scheduled for yesterday.

(Continued on page 4)

Fox Met Bond Group Offers To Withdraw

The bondholders' committee of Fox Metropolitans, Playhouses offered to withdraw its plan of reorganization for the circuit in favor of a new plan to be developed by other creditor groups, it was learned yesterday following a meeting of reorganization factors in the offices of Beekman, Bogue & Clark, counsel to the bondholders' committee.

The action is taken as an indication of the bondholders' failure to obtain permission from Skouras and Randolph, Fox Met operators, to include

(Continued on page 4)

Objections to Para.-Broadway Plans

Paramount will continue operations in Germany with a reduced staff as long as business in that country warrants, John W. Hicks, vice-president of Paramount International, said last night on his arrival from Europe.

Hicks reported that the Nazi censors had given "The Great Dictator" a high rating for artistic merit in approving the

(Continued on page 3)

Objections Filed to Para.-Broadway Plan

Objections to the plan of reorganization for Paramount-Broadway Corp., a subsidiary of Paramount Publix holding title to the Paramount Theatre and office building in Times Square, were filed in U. S. District court here yesterday by minority bondholders of the parent company.

Principal objections were centered upon the plan's provisions for cancellation of Paramount's $4,822,000 claim against Paramount-Broadway and the

(Continued on page 3)

Stage Show Return Set for Paramount

Stage shows will return to the Paramount either Thanksgiving week or Christmas week, Boris Morros, managing director, stated yesterday. The definite date is contingent upon long run pictures now booked for the house.

It is expected that the Paramount, Brooklyn, will also follow the same policy. Si Fabian is operating the Brooklyn unit under a pooling arrangement with Paramount.

(Continued on page 3)

RKO Realigns Its Theatre Subsidiaries

Swope Is Named Head of Keith-Albee-Orpheum

In a realignment of corporate entities which RKO officials describe as a unification of RKO and N.R.A. today, Herbert B. Swope, a member of the RKO board, was elected chairman of the board of Keith-Albee-Orpheum Corp., and of both Keith-Orpheum and Keith-Albee Corp.

Other officers elected yesterday to posts in the five subsidiary theatre corporations are: I. E. Lambert, vice-president and general counsel of the

(Continued on page 2)

NRA Rules Against Trick Actors' Pay

WASHINGTON, Sept. 6.—Ruling that no person could be employed to appear on the stage of a film theatre unless paid at least the code minimum of $7.50 per day, the N.R.A. today made it clear that no performer could be classified as an amateur if receiving

(Continued on page 4)

Warners Will Hold Pittsburgh Doubles

PITTSBURGH, Sept. 6.—Reports that Warners intended to eliminate doubles at their downtown Warners have brought a denial from Harry Kal- mine, zone manager. He insists they're in to stay and that sufficient product is available.

Local showmen agree that double features pulled the Warner through the summer. Since the start of the twin bill policy several months ago, grosses at the Fifth avenue house have been mounting steadily.

Sales Tax Gaining Favor in St. Louis

ST. LOUIS, Sept. 6—Fears of a heavy admission tax have been temporarily allayed by a decision of the bi-partisan special tax raising committee to present to the Board of Aldermen a sales tax plan calling for

(Continued on page 2)
Para. to Continue German Operations

(Continued from page 1)

Para-Broadway Plan

(Continued from page 4)

Objections Filed to Para-Broadway Plan

(Continued from page 1)

Allied to Meet Sept. 13

Allied of the Radio-Keith-Orpheum Corp., as a member of its board of directors and the directorates of its affiliated organizations. This close acquisitionship fully qualifies him for the chairmanship of the Keith-Orpheum board.

Sales Tax Gaining Favor in St. Louis

(Continued from page 1)

two cents on each $1 of sales for the first year and one cent for two succeeding years.

Sentiment among the leaders is crystallizing in favor of a sales tax. President Kentucky's president of the M. P. T. O. unit, thinks two cents is too high for the first year.

Wehrenberg points out there are four first runs and 68 second runs. He estimates the first year's tax for first runs at $33,250 and $70,750 for the subsequent. No way is seen of passing the tax to the public, as the tax on a 10-cent ticket would be less than one cent.

Dowling Closes a Deal

Ambrose S. Dowling, RKO European sales manager, has closed with Toschi-Sascha of Vienna for the distribution of four of his company's films in Austria. The quartette are "Little Women," "Morning Glory," "Finishing School" and "The Right to Romance."

Miss Moore Entertained

Grace Moore was entertained at a reception last night in the studio atop the Music Hall. Her host was W. G. Van Schmus, managing director of the theatre. The Governor Alfred E. Smith, Mrs. Smith and Mayor Fiorello La Guardia were among the notables present.

Louis Hyman in Town

Louis Hyman, general manager of Principal, arrived by plane from the coast yesterday and plans to stay several weeks before returning. However, as a member of the Principal; E. Cline, director, and George O'Brien leave Hollywood Sept. 14 en route to Europe.

Henry Seigel Resigns

Henry Seigel, assistant to Laurence Bolognino, president of Tri-Consolidated, Inc., resigned. Seigel continues operation of the Boston Road until Loew's takes it over in a few weeks.

Eastman Up 1 1/2% on Big Board

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No Change in Curb Prices

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Erik Charell

THIS INDUSTRY OWES YOU A DEBT OF GRATITUDE . . . WHICH THE BOX OFFICE WILL COLLECT!

YOUR GENIUS
has blazed a new trail . . .
marked a new milestone.

YOUR DARING ORIGINALITY,
soaring imagination,
are reflected in every scene
of "CARAVAN".

YOU HAVE INSPIRED
a cast of many stars
to give the grandest performances
of their lives.

YOU HAVE ASSEMBLED
mass effects
involving thousands
of people . . .
and infused them
with swinging,
colorful rhythm.

YOU HAVE GIVEN US MUSIC,
gay and exciting,
that fills the hearts
of the audience.

YOU HAVE CREATED SPECTACLE
of such sheer beauty
that nothing ever done
on the screen
can compare with it.

YOU HAVE DEPICTED ROMANCE
that fires the senses
like wine.

ABOVE ALL
You have given us something
in your first production
for FOX
definitely new
and significant
that will be studied
in every studio . . .
and welcomed by a public
that has been begging
for a newer, truer use
of the motion picture.
Columbia Net For ’33 Hits $1,088,834

Dropping of Code Salaries Control Is Not Surplus

(Continued from page 1) producer and artist would remain standing.

It was also made clear that General Johnson agreed that the provisions suspended contained in the Code Authority powers not contemplated by the Industrial Recovery Act, and, further, that they were administered by the courts.

The outstanding comments in Rosenblatt’s report were quoted by the recovery administration in announcing General Johnson’s decision, developing the main factors which producers and artists have consistently maintained made the provisions of the code invalid, as follows:

The provisions of this entire section are put on the assuitive that while an artist may be born, in effect he has to be made by the efforts of the producer before his talents have any substantial value. Careful training, proper casting in proper parts, and skillful and expensive advertising are all considered important contributing factors in developing a star to a point where his services can command a substantial price. In short, the producer maintains that he compensates an artist for his services in two ways: first, through his actual performance in all series; and, second, through the professional standing which the artist secures in the result of intelligent direction and proper casting — (therefore) — the producer maintains he is entitled to some machinery to protect the value of the artist.

On the other hand, Rosenblatt said, artists opposed the provision upon the ground that it “will tend to decrease bidding for their services and thereby tend to limit the compensation which their services may command in the future; further, that such provisions impair their right of negotiation while completely free from any contractual obligations. It would appear that the factors involved are no different from those surrounding any other type of contract relationship governing any other type of speculative business procedure. Granting that a producer makes an investment of a star during the period of a contract, there seems to be no valid reason why he should expect to receive a just return on any values which might be created as a result of this investment beyond the period of the contract or any obligations which he in any way sustains to his business judgment. As in any other type of speculative investment, the producer will naturally not be compensated for the good will resulting from the best of his business judgment, with a view to securing an adequate return on his investment. Any provision which would prevent the realization of those values is a part of the business judgment. That which might prevent the realization of those values is an extension of the business judgment. That which would prevent the realization of those values would involve the destruction of the business judgment. That which would prevent the realization of those values would involve the destruction of the business judgment. That which would prevent the realization of those values would involve the destruction of the business judgment. That which would prevent the realization of those values would involve the destruction of the business judgment.

The publication of Rosenblatt’s report, it became evident that the recovery administration would make no effort to apply the provisions under the act which was to be supported by the failure of General Johnson to take prompt action, as he had done, had Rosenblatt recommended otherwise than he did. The report was submitted July 19.

“Villa” Beats Move For Mexico Boycott

By JAMES LOCKHART

MEXICO CITY, Sept. 6—“Viva Villa” has surmounted another of the many opportunities offered to the producers of the United States of cutting exhibition rights in the face of an expected boycott called by the Cinematographic Employees’ Federation of Mexico, according to the news that the picture slights the Mexican revolution, regarded as a great social movement which started in 1910. Union leaders led the way for support of the boycott by the Peasants’ Confederation. The labor organization decided against action in view of the fact that the government had approved the film.

Today police were seeking sympathizers of Pancho Villa as a result of the explosion of two bombs last night at the First Avenue show in Los Angeles. Two women were hurt. The theatre is being tagged. The critics generally have praised the film.

Woolf to Sail Sept. 13


Is Now “Elinor Norton”

HOLLYWOOD, Sept. 6—Fox has changed “The State Versus Elinor Norton” to “Elinor Norton.”

Fox Met Bond Group Offers To Withdraw

(Continued from page 1) in a reorganization plan a clause which would permit a sale of the circulation department to any newspaper publication. This had been the objective of recent negotiations between the creditors and the operators, who, early this week, made what was regarded as an alternative offer in agreeing to a 50 per cent reduction of their present aggregate annual salaries of $18,200, exclusive of participation in profits.

In offering to withdraw their plans the bondholders’ committee, it is reported, invited opposing factors in the reorganization to prepare an alternative one. No indication of whether or not this would be done was given at the meeting.

Barnstyn Going Abroad

Jack Barnstyn, president of British and Continental Trading Co., sailed on the Statendam on Sept. 25 on a six-months’ business trip to stop in London, Paris, Holland, Scandinavia, Spain, Italy, Prague, Vienna, Budapest and all Balkan states. Barnstyn has the foreign rights to the British Principal’s product and will enter deals for distribution abroad on the trip. He also has “Young Eagles,” which he will sell in foreign countries.

Ampa Resumes Sept. 20

The Ampa resumes weekly meetings at the M. P. Club starting Sept. 20. The weekly meetings are now being held up new programs.

License Suspended Over Union’s Claim

(Continued from page 1) transferred to the Union City Theatre.

On July 5, Local 306 tried to claim payment on the judgment and was refused on the ground that a new corporation had been formed.

Benas Will Analyze Films for I.T.O.A.

Recommendations on an analysis of new product by John Benas, buyer and booker for the Leon Rosenblatt circuit, were made at the I.T.O.A. meeting on Wednesday, Harry Brandt, president, stated yesterday.

NRA Rules Against Trick Actors’ Pay

(Continued from page 1) ing compensation of any sort, whether it be a meal or a dollar.

Further, the administration ruled, where a performer appeared in more than one theatre on the same day he was to be paid for the showing in each house in which he appeared, whether compensation was paid directly or indirectly.

The rule was made to dispose of complaints that certain exhibitors had been chiseling by employing performers full days in one theatre only for supper money, and calling them amateurs, while others had been using performers in two theatres simultaneously but paying only for their appearance in one.

The ruling was made by Division Administrator Sol A. Rosenblatt.

U.A. Decides Against Suit on Campi Rule

(Continued from page 1) may be held this morning. It is said that the cancellation issue will not come up until U. A. will abide by Campi’s decision.

In line with its policy, United Artists does not continue to sell on individual contracts. It is stated that exhibitors will be asked to make any and all rejections of new U. A. pictures before a deal is closed so that there will be no need of cancellations later.

Powell in Pittsburgh

Pittsburgh, Sept. 6—Dick Powell, who got his start here as a master of ceremonies, returns to town tomorrow for a week at the Stanley to open his personal appearance tour. He’ll also play Washington and Philadelphia before returning to the coast.
EVERY ONE IN TOWN will want to be in on the fun!

WHEN they hear the news that these "State Fair" sweethearts are in love with each other again ... in the merriest, happiest, most appealing romance in years ... the crowds will jam the aisles and overflow into the lobby ... and you know it!

Janet GAYNOR
Lew AYRES
in
Servants' Entrance

with
NED SPARKS
WALTER CONNOLLY
LOUISE DRESSER
G. P. HUNTLEY, JR.
ASTRID ALWYN
SIEGFRIED RUMANN

Produced by Winfield Sheehan
Directed by Frank Lloyd
From the novel by Sigrid Boo
Adaptation: Samson Raphaelson
Strike up the band! He's breaking records in "BULLDOG DRUMMOND STRIKES BACK" and preparing for the triumph of his career in "CLIVE OF INDIA".

Simply beauty-full at the box-office in "THE AFFAIRS OF CELLINI" with Fredric March! Now prepare for her with Clark Gable in "IT HAD TO HAPPEN".

How he's March-ing on to new highs everywhere with Constance Bennett in "THE AFFAIRS OF CELLINI".

She's Young...and beautiful! And topping her "HOUSE OF ROTHSCHILD" success by her brilliant performance with Ronald Colman in "BULLDOG DRUMMOND STRIKES BACK".
Eclipsing his "HOUSE OF ROTHSCHILD" triumphs with "THE LAST GENTLEMAN"... and getting ready for the "best picture of 1935"... "CARDINAL RICHELIEU"... Mightier than ever in the mightiest of 'em all! "THE MIGHTY BARNUM!" Bigger than "THE BOWERY"... and you know how big that was!

What happened with "It Happened One Night" will happen again when he appears with Constance Bennett in "IT HAD TO HAPPEN"

Stepping from "The Merry Widow" to the roguish humor of the merry widower in "THE RED CAT"... merriest of all musicals!

WATCH THEIR FEATURES!

20th CENTURY PICTURES

Presented by JOSEPH M. SCHENCK

DARRYL ZANUCK PRODUCTIONS

Released thru UNITED ARTISTS
RKO Opening Portugal and Spain Offices

Reisman Picks Barcelona For Headquarters

RKO Export Corp. is organizing
own distribution offices and facili-
ties in Spain and Portugal, according
to cable reports to RKO headquar-
ters here yesterday from Phil Reis-
man, vice-president of RKO Export, in
Europe.

Reisman reported that final ar-
rangments have been concluded for
the organization of a number of ex-
changes in the principal cities of
Spain and Portugal and that head-
quarters will be established at Bar-
celona.

Robert Trillo, now manager of the
RKO exchange at a Panama, has been
named in charge of the new RKO
distribution territory and leaves for
Barcelona soon.

Settlement Seen of RKO-K-A-OTrouble

Amicable settlement of differences
between the administration of RKO's
banks in the RKO corporate scheme,
which have cropped up from time
to time in recent months, is expected as a re-
ult of the election on Thursday of
(Continued on page 3)

Ask Leave to Take $25,000 from Saga

A petition for leave to accept an
offer of $25,000 from Saga Theatres
Corp., a Paramount subsidiary, for
claims totaling $2,000,000 against Olym-
pia Theatres Corp. and Olympia
Operating Corp., was filed yesterday
with Referee John E. Joyce by the
Paramount Publicly trustees.

Joyce is scheduled to make his rec-
nommendation on the petition Monday
in a report to the U. S. District
Court.

Fifth Memphis Spot Starts Sunday Show

Maxatre, Sept. 7.—A fifth theatre
was added this week to the list of
those operating here on Sunday. M.
(Continued on page 3)

Approved Pictures Total 33 for Week

HOLLYWOOD, Sept. 7.—Production
Code Administration, under the direc-
tion of Joseph L. Breen, issued a total
of

Houses Open Generally As Business Gains

New Buildings Part of Autumn Development

Increasing theatre activity through-
out the country is reflected in the re-
opening of 22 houses in 11 American
cities and three in Canada. The re-
openings are in line with post-Labor
Day spurs in business and increased
theatre attendance in widespread sec-
tions.

Six of the reopenings are Warner's
houses. The Famous Players-Canadian is
reopening two and RKO one. The lat-
er is the Grand at Cincinnati, where all seven RKO houses are
now in operation. The Warner re-
openings are the Kenton, at Kenton,
(Continued on page 3)

Rosenblatt to Get Cincy IATSE Fight

WASHINGTON, Sept. 7.—Represent-
atives of the various factions involved in the I. A. T. S. E. controversy in Cin-
cinnati will probably meet with Divi-
sion Administrator Sol A. Rosen-
blatt within a few days to discuss the
situation.

A conference was reported to have
been held at the recovery adminis-
tration today, but Rosenblatt denied that
any meeting had taken place and ex-
plained that an assistant deputy ad-
ministrator had gone to Cincinnati
some days ago to survey conditions
and that a conference probably would
be arranged in the near future.

No Time Limits on Code Cases, Ruling

KANSAS CITY, Sept. 7.—No statute
of limitations exists in code board pro-
ceedings, it being up to the local boards
to decide whether a complaint on an
old violation should be heard, the
(Continued on page 3)

Sinclair Details Film Relief Plans

WASHINGTON, Sept. 7.—Upton Sin-
cclair elaborated on his plan for film
production by the unemployed during
a talk here. He said his aim was to
have them shown to unemployed as
(Continued on page 3)

Laemmle Not To Buy Films for U. S. List

Carl Laemmle denies that he in-
tends to buy pictures abroad for
American distribution. Whatever
(Continued on page 4)

Theatre Unmoved

Tampa, Sept. 7.—The two-
ton safe of Casino Enter-
pises was rolled out of the
building, down an alley half
a city block long and loaded
onto a truck during the early
morning hours.

It was found two miles out
in the country, badly wrecked
and with about $2,000 miss-
ing.

The theatre itself was
found on the same site.

Shift Looms In Fox Met's Legal Tangle

Opposition to a reorganization of
Fox Metropolitan Playhouses under
the new bankruptcy laws was seen
brewing in independent bondholder
circles yesterday and indications are that
these groups may bring their objections
before Federal Judge Julian W. Mack
on Sept. 12, the sched-
uled date of a creditors' hearing on
making permanent the petition for re-
organization of the circuit.

No plans of reorganization for Fox
Met were ready yesterday for submis-
sion to the court on Sept. 12. The
plan of the bondholders' committee
(Continued on page 3)

IEPA Rentals Fight To Go to the Public

PHILADELPHIA, Sept. 7.—The Inde-
dependent Exhibitors' Protective Ass'n.
plans to carry its fight against "extor-
tionate film rentals" to the public in
a "vigorous campaign" appealing for
support of the independent exhibitor.

The association will make
its point before the screen, radio and a public
(Continued on page 3)

New Ontario Censor Asks More Westerns

TORONTO, Sept. 7.—O. J. Silver-
thorne of Scotland, Ont., newly ap-
pointed member of the Ontario censor
board, made quite a bit with film dis-
tributors of Toronto—if it can be
called a bit—when, at the request of
(Continued on page 3)

Toronto Men Added As Loew Directors

TORONTO, Sept. 7.—Following rep-
resentations by a committee of Ca-
nadian producers, Irwin S. Bicknell
(Continued on page 3)

NRA's Future Under Johnson On the Scales

"Important" Statement To Be Made in N. Y.

WASHINGTON, Sept. 7.—Adminis-
trator Hugh S. Johnson's future con-
nects with one national Recovery
Administration may be revealed next
week at the meeting in New York
called by Grover Whalen, at which the
administrator is to make an "impor-
tant announcement."

In Washington today it was viewed
as probable that the conference be-
tween Johnson and other key officials,
led by Secretary of Labor Perkins,
over the future of the NRA might
make it necessary for the President
personally to determine the future pro-
gram of the organization.

As a result of the break, the work
of the administration has been ma-
terially slowed down, while many code
(Continued on page 3)

Heard's Newsreel Gets N. Y. Charter

ALBANY, Sept. 7.—Hearst Metro-
tone News, Inc., has just been char-
tered here with 500 shares of non
par value stock. Incorporators are
William R. Hearst, Edgar B. Hatrick,
Caleb Streeter, Ivan Margolies,
Marine Strunk and Helen Bovis.

This incorporation is a result of the
separation of Fox Movietone News
(Continued on page 3)

"Empress" Is First Para. for Capitol

"The Scarlet Empress," starting
Sept. 14, will be the first Paramount
picture at the Capitol. The arrange-
ment is for a one-week engagement and has nothing to do with a recent product pooling plan which was dropped.

The Capitol originally had booked
"The Wandering Jew," starting next
Friday, but cancelled the British film
last Thursday. It is possible that
after re-editing, the picture may be
dated in again.

"Cleopatra" Pulls In $152,200 in 3 Weeks

With "Cleopatra" garnering $35,000
in the third and last week, the total
intake at the Paramount for the three
weeks was $132,200. For the first
What N. Y. Critics Think

“One Night of Love” (Columbia)

“America—one of the season’s most distinctive and distinguished films fills the wall screen with the promise of delights of music, song, laughter and beauty in quality rarely seen in the most select of the motion picture palaces. And its star, Grace Moore, adds to the importance of the occasion with a convincing presentation that has lent the glory of her God-given voice, she brings to the screen a new medium a brilliant histrionic talent together with a sweetness and a hibable person in perfect combination. With “One Night of Love” Miss Moore becomes quite definitely one of the foremost figures of filmdom.”

The Daily News—“Recommended without reservation to every member of the family. It is so completely satisfying as an entertainment that it is bound to give pleasure to everybody who sees and hears it. For it not only presents Grace Moore and Tullio Carminati in a brilliantly executed picture, but the picture introduces informally and lightly a number of clever artists, beautifully sung by Miss Moore, from a variety of songs.”

The Evening Journal—“Miss Moore’s glorious voice and radiantly perfect figure, both things which have been added to a magnificent blend of music and romance. It is written, played and directed with authority.”

Mayer Returns to C. C.

COLUMBUS, Sept. 7—Louis Mayer, transferred from the Mainstreet office here, to the offices of the RKO Majestic here three months ago, returns to his original Kansas City assignment next week, according to Paramount confirmation to Harry Schreiber, city manager.

Clifford Boxman, assistant manager at the RKO Palace, will succeed Mayer at the Majestic.

New RKO House Opens

The RKO Hollywood, located at Sixth St. and Avenue B, opened last night to a crowd of personalities along with civic and political leaders present.

Sam Sax Signs Waitress

Sam Sax has signed Leona Olson, a veteran in the Vitaphone Brooklyn studio. She will appear in a short subject and later may be seen to Hollywood to appear in features.

Most Issues Off on Big Board

Columbia Pictures, etc. 4 3 6 5 3 2
Consolidated Film Industries. 4 3 5 4 3 2
Consolidated Film Importers 4 3 6 5 4 3
Eastman Kodak 9 9 9 9 8 7
Loew’s, Inc. 4 3 5 4 3 2
Pathé Exchange A 3 2 1 0 0
Pathé Exchange “A” 3 2 1 0 0
RKO 3 2 1 0 0
Warmner Bros. 3 2 1 0 0

Trans Lux Climbs 1/4 on Curb

Para. F. L. Bonds Slump 1 1/8

Katherine Standing, Star

KATHERINE STANDING, daughter of George Standing, will make her screen debut in “Gambling,” which Harold B. Franklin is producing at the Eastern Service Studios in New York.

Robert Gilham, Paramount advertising and publicity director, is on his way to the coast to see how all the plans for the new season are progressing. He is expected to be back in 10 days.

Howard S. Cullman, trustee to the Roxy, has been elected vice-chairman of the Port of N. Y. Authorities after serving as a commissioner for that body since 1928.

Quigley, novelists, has soiled his “The Case of the Velvet Claws,” and “The Case of the Lucky Legs,” two mystery novels, to Warner Bros. of Gomery-British, will be host at a cocktail party at the Waldorf-Astoria on Tuesday afternoon.

William R. Ferguson says the next A.M.P.A. meeting will be held Sept. 15 at the M. P. Club.

Jules Levy visited Barney Rosenzweig at his hotel. Levy is a film enthusiast.

Philip Wylde’s “Death Flies East,” an original story, has been bought by Columbia Pictures.

Tamara Geva is in town from the coast to appear in the stage play “That Red Cat.”

Harley Westley returns here from Hollywood tomorrow to resume his stage work.

Maurice Chevalier, and his manager, Max Ruff, sail today for Europe on the Ile de France.

Pete Smith is due in from Hollywood a week from today.

Mitiam Hopkins arrives Monday for a short vacation from the studio.

Planning Fan Magazine

Toronto, Sept. 7—Plans are nearing completion for the publication of a fan magazine by Famous Players-Lasky, Canadian, Ltd., with Gene Curry in the publicity department of the company, in charge.

The book will be distributed to patrons of the houses controlled by the company free of charge, and will serve as a valuable newsletter. The first issue is expected to be out Nov. 1.

Blair With Wilkinson

Harry Blair left New York this week by automobile for Hollywood to join the editorial staff of William Wilkinson’s Hollywood Reporter. He was a member of the editorial staff in New York of Associated Publications and was previously associated with Film Daily.

Son Born to Joel McCrea

Hollywood, Sept. 7—A seven-pound boy was born today to Frank Darro and his wife, Betty, mother and child are doing nicely.

Warren Young, Star

Harry and Albert Warner have quietly returned from the coast.
MOTION PICTURE DAILY

Saturday, September 8, 1934

NRA’s Future Under Johnson
On the Scales
(Continued from page 1)

...authorities have finally ceased to act until they learn definitely that there is ahead of them. Enforcement of trade practice provisions has been delayed in many cases, it is said, while labor standards are being maintained mainly through the efforts of state compliance officers reporting to the National Emergency Council.

Secretary Perkins is successful in his efforts to eliminate Johnson, will be followed by a large number of subordinates in the higher positions, many of whom are staying only at high personal solicitation, and it is feared that entire organization might disintegrate to such a degree as to make its building impossible.

No Time Limits on Code Cases, Ruling
(Continued from page 1)

Kansas City grievance board has been permitted to act.

"Common sense should maintain in procedure," wrote John C. Flinn, code secretary. "If it is apparent that complaints would not serve a constructive purpose, then the board is privileged to throw them out. The rule making a complaint lead three months after the violation occurred. While the local board heard the case, it asked Flinn to rule in the future.

New Ontario Censor
Asks More Westerns
(Continued from page 1)

be pressed for public exhibition, he is of the opinion that the film industry is not producing enough westerns to suit him.

Silverton, who hails from the rural section of the province, was an exhibitor in the old silent screen days, having operated a theatre at Melfort, Sask. He is one of two members of the new board serving under J. B. Handwick, as chairman, the latter being the only survivor of the censor board of six which operated under the time of the Conservative Party.

Toronto Men Added
As Local Directors
(Continued from page 1)

F. M. Kimbro, both of Toronto, have been added to the board of directors of Marcus Loew’s Theatres, Ltd., Toronto.

Announcement has also been made that, in accordance with the resolution passed at a recent general meeting of the company, an all-Canadian audit of the company’s books will be made. A considerable amount was taken to the fact that duplicates of vouchers given auditors of the booking agency in New York were not signed by the company’s author.

Shelly Film to DuWorld
DuWorld has obtained world rights to "The Chump," a two-reeler featuring the late Hal Skelly.

Shift Looms
In Fox Met’s
Legal Tangle
(Continued from page 1)

has not yet been adapted to Fox Met’s new status as a debtor corporation and there appears little like the other action virtually will have been completed on that date. The committee has offered to withdraw its plan of reorganization drawn by the minority bondholder groups, but these factions are now working on a plan of reorganization and petitioning and returning Fox Met to equity receivership, it is reported.

On Tuesday, Judge Mack will hear a motion to vacate his order of Aug. 28 disapproving the plan of reorganization sponsored by the bondholders’ committee. Fox Met creditors’ groups maintain that Judge Mack’s action in disapproving the plan makes it possible for the bondholders’ committee to cancel the operating contracts of Skouras and Randolph. A hearing has been set for proceeding with actions leading to a sale of the Fox Met assets, or to take other action that would propel the company into voluntary liquidation.

It might be argued Tuesday that the court’s order should be vacated in order to protect the interest of the creditors over the committee’s plan and its proceedings.

Representatives of Skouras and Randolph will go with Judge Mack on Thursday to urge a reconsideration and met yesterday at the offices of Brooman, Bogue & Clark, counsel to the bondholders’ committee, on the same subject.

IEPA Rentals Fight
To Go to the Public
(Continued from page 1)

mass meeting of the theatre-going audience with the abuses heaped upon the independent theatremen. It says: "The criticism ill-disposed to the picture company to the plight of the independents following the disastrous summer from which we are only now digging is out the straw that broke the camel’s back. So long as the theatre-owner and the exhibitor have to toil for the $1,000, star salaries and fancy bonus for executives, the exhibitor will find the public sympathetic ally in his fight against ruinous film prices."

As an instrument for advancing the cause of the independent showmen in this area, a new trade weekly, to be known as the Independent Exhibitor Film Bulletin, will make its appearance Tuesday. It is stated the publication will be "a strictly independent exhibitors’ paper, largely representing the interests of the I.E.P.A." Mo Wax will edit it.

Postpone Fox Hearing
A Fox Theatre-reorganization hearing which had been postponed for Monday, was postponed yesterday to Sept. 20. The hearing is on a petition to make permanent the order of the district attorney to reorganization under the new bankruptcy laws.

Settlement Seen
Of RKO-K-A-Trouble
(Continued from page 1)

Herbert B. Swope to the chairmanship of the board.

The differences were reported to have reached a point last spring where RKO was owner of 51 per cent of the K-A-O stock, sought to have the circuit established as a corporate entity, apart from the other RKO theatres. The result was that Swope gave rise to reports at that time that Meehan would dispose of his K-A-O interests.

Thursday’s election, which brought Swope into the top K-A-O post, such as that of the Warners, president of K-A-O and all other RKO theatre subsidiaries, will maintain the balance of Meehan and RKO representation on the K-A-O board as has existed heretofore.

The first result of the election is to unify the various RKO theatre subsidiaries, reestablishing them as an entity.

Judge Blumberg’s order on the reorganization of the subsidiary companies. The addition to K-A-O, are B. F. Keith Corp., RKO Proctor Corp., Stadium Corp., the Strand, RKO Mid-Wat Corp. and RKO Service Corp. All other officers elected Thursday held their office without action.

Relieved of the theatre offices, McDonough is enabled to devote his entire time to production and will report to the permanent president. He is president of RKO Radio Pictures, Inc., and affiliated producing companies, the B. Kahane continues as vice-president of RKO Radio Pictures and president of RKO Studio Corp.

Fifth Memphis Spot
Starts Sunday Show
(Continued from page 1)

A. Lighthart’s New Strand recently reopened after being shuttered two months for improvements, joined the other downtown houses in opening on Sunday.

Between the "sandwich show" plan of Sabbath operation used by the Orpheum and the Community Fund charity guarantee of $59 per theatre used by the Warner and the two Loew theatres, the Strand chose to parochially. In the publicised parade into court house here as usual for the weekly fines of $25 for a theatre, they were joined by E. J. Johnson, manager of the Strand.

Hearst’s Newsreel
Gets N. Y. Charter
(Continued from page 1)

and Hearst Metrometre News. Since the start of the latter of the series, produced in association with Fox Movietone News. Under the new deal starting Sept. 1 they are separate.

May Robson to Coast
May Robson departs for the coast today. She came to New York to attend the opening of her grandchild, Virginia May Robson.

Houses Open
Generally As Business Gains
(Continued from page 1)

O.; Plaza, at Sandusky; Lake, at Cleveland, and the Aldine and Ardmore, at Shadyside, in Washing;

On, and the Camera, at East Liberty, Pa. Famous Players Canadian, in addition to reopening the Royal at Guelph, Ont. and the Royal-Victoria, at Victoria, B. C., is building a new 1,000-

Theatre at Postletos, B. C., Steve Fitzgibbons, circuit executive, said Thursday prior to his departure for Toronto. The new house will probably be named the Capitol and will be ready for reopening of the first of next year, it was said.

Two openings in Washington have occurred this week. They are Sidney B. Lust’s Hippodrome and the Garden. Slated for reopening in the near future are the Rialto and National.

At Pittsburgh, Harris Amusement Co. has opened the remodelled Alvin, one of the city’s historic show houses. In New Orleans, M. N. Ash will reopen the Globe, with M. J. Terre Haute, the Fourth Ave. Amusement Co. has reopened the Grand and American, leaving but two houses dark in that city. and in two in West Terre Haute. At Hamilton, Ont., William Marriott will reopen the Gaiety.

The Strand, Vicksburg, is being reopened by James Adams, and the Newcomb, New Orleans, by Henry Sho’s Bradford, Bradford, Pa., has reopened, and Herman J. Endres reopened his Little German Theatre at Buffalo.

MEMPHIS, Tenn., Sept. 7—Having spent an estimated $25,000 on remodelling the New Strand, M. A. Lightman and partners will expend something like $30,000 more here during the next few weeks on the Lamar and Cameo.

Sinclair Details
Film Relief Plans
(Continued from page 1)

well as produced by them, if he is elected governor of California.

Relief should not be confined to those who work with their hands, he said, but should be extended to "any who are to provide relief along the lines of work with those in need of more familiar support."

Under a plan, orchestras would be organized, legitimate plays would be staged and films would be produced within the next few months by companies among those are being given relief. Such persons, he asserted, cannot, however, be required for merchants or theatres and there will be no competition with business in any line.

Court Frees 31 Pickets
Thirty-one pickets, arrested Saturday night in front of the Globe and sundry other places here, were released by Magistrate Louis B. Brodsky yesterday in a test case of the police decree prohibiting mass picketing of theatres. It was testified the pickets created no dis-order.
Saturday, September 8, 1934

Laemmle Not to Buy Films for U. S. List

(Continued from page 1)
purchases are made, he makes clear in a cable from London to R. B. Clark, Laemmle's London vice-president, will be for European release.

The cable follows: “Have no intention of buying films for U. S. list. Universal to release in the United States. Gabrille trade paper reports that Universal is buying foreign film for the U. S. list. Laemmle says there are no posters and harmful. Universal program for 1934-35, as announced, will be an ‘exhibition off’ program. Report should have said that I may try some foreign films while here for foreign distribution only. Please make this clear to the industry.”

Psychologist Says Films Cause Laxity

Pictures tend to influence childen toward the adoption of laxer rather than stricter standards of behavior, according to information presented yesterday at the Symposium on Wayne, held at Clark University at the 42nd annual meeting of the American Psychologica Society.

The report was based on a study of children in a public school in a poverty district of New York City. It said in every instance but one that the change in the moral attitude of the child was in the direction of the emphasis in the film shown.

Funeral of Mrs. Kann

Funeral services were held yesterday for Mrs. Maurice D. Kann, wife of the editor of Motion Picture Daily, who died Thursday of a heart attack, in Ogden, Utah, while seeing at New Haven General Hospital, from injuries sustained in an automobile accident. Rabbi Alfred Isaac Arons, of the Congregation of Mount Sinai Synagogue, in Brooklyn, read the service at the Kann home on Central Park West. Interment was at New Mount Carmel Cemetery at Glendale, Long Island.

Gersten Services Sun.

Frank Gersten, former owner of the Prospect and Royal, Bronx, and several New Jersey houses, who died Thursday of a heart attack, will be buried tomorrow. Funeral services will be held at 10 a.m. at Riverside Memorial Chapel, New York, and at Amsterdam Ave. Gersten, who was 60 years old, is survived by a widow at three children.

Jim Mitchell Dies at 47

Hollywood, Sept. 7—Jim Mitchell, 42, died this morning in Hollywood Hospital after an illness of 18 month. Surviving him are his widow, a daughter, and a son. In newspaper work 16 years, he was the past 10 Hollywood correspondant for the Los Angeles Examiner. He was well known production circles.

Tom Buckingham Is Dea

Hollywood, Sept. 7.—Tom Buckinghain passed away this morning the Queen of Angels Hospital following a gallstone operation. Thirty-eigh year old, he wrote more than 700 scenarios and directed 11 pictures since 1920. He was under contract to Warners. His widow, Jane Riddle, an actress, survives.

Motion Picture Daily's Hollywood Preview

"The Pursuit of Happiness"

Paramount

Hollywood, Sept. 7.—The old Puritan custom of “bundling,” practiced during Colonial days and consisting of the courtship between a man and a maid in bed under the covers, but fully clothed, in order to save firewood, is here dramatized with robust humor and good taste.

Francis Lederer, a Hungarian soldier being drafted by Britain to fight the colonists escapes to Connecticut and hides in the barn of Joan Bennett’s father. After escaping from the guardhouse Lederer goes swimming with Miss Bennett and is caught “bundling” by the snooping Walter Kingsford, the town’s blue-nose headman, but happiness triumphs.

Lederer, noted stage star, delivers a romantic performance. Elfin and tender, Miss Bennett resembles a cameo of the period. Kingsford is a standout as the Pilgrim father. Mary Boland and Charlie Ruggles team up for a laugh, with Barbara Barondess excellent, as are the balance of the cast.

The production reflects care and discrimination in dialogue, decorational of the period, and atmosphere and lighting. Karl Strauss’ photography is good. Alexander Hall directed smartly and subtly with an eye on showmanship.

As his first production for Paramount, Arthur Hornblow has produced an artistic, ticket-selling production to delight audiences with humor and romance. Production Code Seal No. 178. Running time, 85 minutes.

"Crimson Romance"

Fox

Hollywood, Sept. 7—This film is packed with action, drama, comedy and other essentials necessary to deliver entertainment for all classes. It is a composite of the outstanding air thrillers, treated intelligently throughout and carrying the new twist of an American loyal to his German pal joining up with the German air forces prior to America’s entry in the World War.

Moving into Germany, the film reveals the working of the German aircraft, and a girl ambulance driver comes into the picture, splitting the lifelong friendship of the two buddies. The conflict of the two pals loving the same girl furnishes romantic and dramatic situations.

Ben Lyon and James Bush portray the two pals, with Sari Maritza as the love interest. The trio lead a fast pace for the supporting cast, consisting of Otto von Stroheim, William Bakewell, Hurdie Girdie, Herman Bing, Bodil Rosing, Vinnie Barnett, Arthur Clayton, Oscar Apfel, Purnell Pratt, Jason Robards, William von Brincken, Brandon Hurst, Crauford Kent and Jamieson Thomas, all giving creditable performances in interpreting the characters in the original of Al Martin and Sherman Lowe.

Milton Krin’s treatment and Ernest Miller’s excellent photography, along with the expert direction of David Howard, contribute in mounting well a picture of romance and war skillfully treated and flavored with box-office bouquet.

Previewed without a code seal. Running time, 65 minutes.

Looking ’Em Over

The Private Life of Don Juan

London Films

London, Sept. 7—“The Private Life of Don Juan” was given a notable opening at the reconstructed London Pavilion last night. Douglas Fairbanks is admirable as a middle-aged Don Juan who makes the mistake of tempting death, and, reappearing, is laughed at as an imposter.

Benda Brittain, as the wife he wooed, is outstanding.

Sarcastic comedy and frankness of dialogue are the keynote of the story. Production and photography are brilliant with the most impressive scenes Juan watching his own funeral attended by a hundred women in veils, a free-for-all fight and a colossal theatre set when he interrupts a drama picturing his life to announce his identity.

It should enhance London’s reputation in America as a producer of good box-office material.

Bruce Allan

Again was $32,000, considered very good for that house. Rainy week-end weather helped all grosses.

Sheehan Due Sept. 28

Winfield Sheehan is due to return from Europe on Sept. 28.

Approved Pictures Total 33 for Week

(Continued from page 1)

of 33 certificates to as many subjects during the week ending Sept. 5. This includes 11 new features, 10 new shorts and 12 reissues of westerns.

Columbia heads the list by getting 14 on 14 westerns to be released in addition to the current program. The company also came in for certificates on twelve other features and one short. Warners was the only other company securing a certificate on a reissued western, this, however, was in addition to three shorts.

Fox emerged with three features; Paramount, one; Chesterfield, one; Liberty, one. Others to receive certificates on shorts are M-G-M, with four; RKO, one, and Principal, one.

The list follows:


Fox (Features) "Love Flight" and "Don’t Marry." (Spanish) and "Vekk’s Bad Boy," produced by Principal and released through Fox.


(Continued from page 1)

seven days, the Paramount film chalked up a gross of $72,000. At the end of the second stanza, the box-office tally was $45,200.

In Newark, the Paramount hiked its normal take of $15,000 to $20,000 and Adam Adams is holding it for another seven days. Paramount pictures in Brooklyn garnered slightly over $25,000 on “Cleopatra” at the end of the first week and is holding for another week. Universal, one. The Fox’s take on “We’re Rich
New Plan for Clearance Is Agreed Upon

committee includes 14 Basic Principles

Fourteen basic principles in drafting franchise and zoning schedules for all territories are outlined in a plan drawn up by the committee composed of George J. Schaefer, chairman; Neil Deegan, Jules Levy, A. E. Cohn, F. Frish, A. W. Gradwell, Sears, John D. Crum, Mage, Edward Golden, Percy Sighart and Harry Martin. The committee was formed to study the problem of franchise schedules and will consider the recommendations of the committee at its meeting Thursday when it is expected to adopt the new plan.

Contract Cases Up To Chicago's Board

Chicago, Sept. 9—Two cases pending attempts to avoid completion of contracts through formation of new organizations were subjects of a special meeting of the grievance board in the morning. In one case, United Artists sought to head off E. H. Christy and the Elmo Amusement Co. by a suit in Chancery to dissolve their existing contract with Universal. In the other, brought by Paramount against C. G. Lecander, Geneva, Ill., the battle is over Lecander's operating rights in the state as determined by the U. S. Census Bureau.

R. I. Theaters Take $3,271,000 in Year

Washington, Sept. 9—Thirty-seven theaters operating in Rhode Island last year had total receipts of $3,271,000 and comprised the most important branch of service activity in the state, according to figures made public by the Census Bureau.

Shift West Picture To Chicago Theatre

Chicago, Sept. 9—Mae West's "Belle of the Nineties," embazoned for many weeks on the marquees of New York's vaudeville, is closing her engagement, has been switched by B. & K. to their ace Chicago theatre, where it opens Sept. 14.

N. O. "Nabes" Turn To Serials, Vaude

New Orleans, Sept. 9—Fully eighty percent of the neighborhood theatres have resorted to serials and vaudeville in order to draw respectable-sized audiences to the houses.

Para. Films in B'klyn Have Peculiar Angle

All Paramount pictures which are not dated in the Paramount, Brooklyn, will continue as is. Such films are: "The Great Sable Stag," "Chasing the Crows," "The Red Headed," etc.

Memphis Operators Sign New Contracts

Memphis, Sept. 9—Union contracts in all Memphis downtown theatres have been extended for another year on the same basis as for the period which ended Sept. 1. All the necessary papers have not been signed, but definite agreements to that effect have been reached. Union men worked for several days last week without contracts, pending their arrival from New York offices.

RKO and Fox Product Deal Awaits Kent

His Return from Coast Set for Wednesday

With S. R. Kent due to return from Hollywood Wednesday, it is expected the Fox product situation in Greater New York will be straightened out by the end of the week.

Deals under discussion call for Loew's to turn over to RKO the Fox output for 1934, and an agreement is expected to follow that between the two circuits on disposition of theatres recently acquired in this territory by RKO.

Loew's, it is understood, is insisting that unless RKO drops recent acquisitions in London, the East Side and downtown theatres will be threatened. Under the proposed plan, Loew's will have the choice of theaters and will be paid $3,000,000 for the properties.

Mean to Means

Kansas City, Sept. 9—Because of what they term his "crack-down" tactics in connection with the local vote banning premiums and his activities as a member of the grievance board, independents opposed to Jay Means, manager of the T. O., are referring to him variously as "Hugh," "Humphrey Johnson" and "the General." And not with benefit of a commission from the Governor of Kentucky.

Philadelphia Construction Is a Surprise

Philadelphia, Sept. 9—For the first time since the 29 bubble burst, theatre building is going forward here. This is considered phenomenal in view of the devastating knock out the business this summer by the Catholic ban.

The new construction work, however, is far different in form from the building of the last 25-29 period. Small capacities are now the rule and practically every new theatre is on the intimate stage.

The Yorktown, opened by Stanley-Warner last week in the large Elkins Park suburban district, has just over 700 seats.

Seattle Speculates On Oldknow Return

Seattle, Sept. 9—Visit here of Oscar Oldknow, former head of FWC which operated the Orpheum, again brought rumors of the reopening of the Orpheum, which has been dark for many months. During his stay here he was in conference with Frank L. Newman, Sr., president of the Evergreen (Fox West Coast) circuit.

Gaumont Sets Deal For Toepiltz Film

By BRUCE ALLAN

London, Sept. 9—Gaumont British will handle the distribution of the first Toepiltz production, "The Great Adven-
tor," throughout the British Empire and probably in America. The present agreement also gives Gaumont Brit-
ish an option on the distribution of all future Toepiltz product.

Antarctica

Radiograms from Admiral Byrd's expedition in Little America report the closing of a successful winter film season at the "Paramount Pen-
guin," the expedition's radio communi-
tation center, and compliment Epiu on the performance of its sound equipment under tough conditions at the nether pole.
**MOTION PICTURE DAILY**

(Registered U.S. Patent Office)

Vol. 36 September 10, 1934 No. 59

**Monday, September 10, 1934**

**Looking 'Em Over**

**"Soviets Greet New Turkey"**

*(Ankina)*

Produced cooperatively by the Leningrad Cinema Trust and the Turkish ministry of education, this film is a comprehensive pictorial history of the new Turkey. The celebration of the 19th anniversary of the republic serves as the peg on which a film tribute to the regime of Mustapha Kemal Pasha. As a camera record of the progress made by his people under his guiding hand, "Soviets Greet New Turkey" is an interesting exhibit.

There is little dialogue in the picture and the titles are all in English, so it should not be much of a risk for the exhibitor to run the feature on a dual program as a travelling. A mobile camera and good photography to add to the entertainment value of the film. The picture takes the audience on a tour of Turkey that winds up in Angora, the capital city. There the picture ends with a stirring parade that offers an impressive display of the country's military power.

The picture stresses Russia's participation in the celebration of the first decade of the Turkish republic.

The choir of the Angora Conservatory of Music and the Leningrad Philharmonic Orchestra supplied musical accompaniment to the picture. Running time, 65 minutes.

**Purely Personal**

Gladys George, under contract to M-G-M, will give up screen for a while to appear in Broadway presentation of "Personal Appearance" on Broadway.

Herbert Miller, advertising manager of Jay Emanuel's 'Philadelphiana,' is no longer a bachelor. The bride was Mildred Goldstein.

Olga Baclanova has been signed for a Vitaphone short, production which will get under way shortly in Hollywood.

Margaret White, Monogram's secretary, returns today from a vacation trip to Canada and the World's Fair.

Edward Sutherland, Paramount director, was on his way east plane over the week end.

Leonard Irks has sold his picture "Concealment" to Warners.

Bob Morre is taking up penguin and vengence.

Hal Roach plans to stay away for at least two weeks.

Warren Hymer is at the Warners from Philadelphia.

Bessie Mack is getting over sprained back.

Sam Dembow looks as natty ever.

**Fox-Adams in Deal for Detroit Film**

Detroit, Sept. 9.—The Fox-Adams, the latter one time an house but now a second and current run, have closed a deal whereby the Admas will play all features from the Fox that will suit their patrons.

The Admas will also play "slough off" that will not stand seven-day run or 65-cent top price.

**Form Cambria Theatre**

Dover, Del., Sept. 9.—Cambria Theatres, Inc., has been charter to operate theatres and place advertisements of all kinds, listing cap. of $25,000. The incorporators are: Emile Bonnet, L. M. Taby and J. Lauridsen of New York City.

**Shafer May Be Judge**

Kansas City, Sept. 9.—Abe Shafer, Edgerton, Mo., exhibitor, will be running "Judge Shafer" in Piatt County where he has been married, by the Democratic county committeeman as candidate for judge of the east Precinct of the county. Nominations are equivalent to election.

**Liberty, Security in Del**

Liberty Pictures has closed a sale with Security Pictures Corp. for Omaha, Des Moines, Kansas City. Bud Rogers represented the former and Max and Mane WEintraub the latter.

**Detroit's Smoking Ban Up on Sept. 11**

Detroit, Sept. 9.—Detroit theatre operators have until Sept. 11 to protest against the new smoking ordinance before the Com- mon Council for the third time on that date.

The new ruling prohibits all smoking in theatres unless special permits are granted and it is understood that it will be followed by similar action in other city as well.

They will be allotted only to theatres of fireproof construction.

Most of the city's downtown theatres have special smoking loles or mezzanine floor seats where smoking is permitted, but all open-air bands have been converted from smoking to non-smoking areas.

Pantages Gets Majestic

Hollywood, Sept. 9.—Alexander Pantages has signed for 12 Majestic pictures, the Pantages-St. John closed the deal for Majestic. "Scarlet Letter" will be the first on the deal.

Majestic has completed a combination deal with John Goring of the Criterion, whereby the Majestic will have a choice of 12 films from Majestic and Mascot lineups next season. "Young and Beautiful," a Mascot release, is the first film set which automatically makes the house a first run again. The film opens Sept. 19.

**"Gift of Gab"**

(Universal)

Hollywood, Sept. 9.—This is another hilarious travery on radio broadcasting, designed to extract a consistent flow of laughter from any audience, no matter how cynical. The story opens with a fact talking gripper and his stooge, who, after failing in selling a patented ink remover, inadvertently find themselves pushed into the radio broadcasting business. What follows is a series of clever blackouts behind the scenes of a radio studio.

This is made necessary to capitalize on the many top names in radio, screen and stage circles such as Ruth Etting, Phil Baker, Alexander Woolcott, Ethel Waters, Alice White, Victor Moore, Hugh O'Connell, Helen Vinson, Gene Austin, Tom Hanlon, Henry Armetta, Andy Devine, Wini Shaw, Marion Byron, Sterling Holloway, Sid Walker, Skins Miller, Jack Harling, Edwin Maxwell, Boris Karloff, Paul Lucas, Chester Morris and many others.

This large cast is headed by Edmund Lowe and Gloria Stuart, who set the pace and carry what little story there is. Aside from this large group of actors, orchids must go to Rian James, for his treatment, the production photography of P. Fulton and the intelligent execution of Karl Freund, the director.

A picture of this kind should appeal to all classes, especially the radio listeners, who hear but never see their favorites.

Previewed without Production Code Seal. Running time, 70 minutes.

**Columbia Up One on Big Board**

Columbia Pictures, etc. 

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**Technicolor Lone Curb Issue**

**Warner Bonds Slump 1 1/4**

General Theatre Equipment 6s 4 1/4. 

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**Liberty, Security in Del**

Liberty Pictures has closed a sale with Security Pictures Corp. for Omaha, Des Moines, Kansas City. Bud Rogers represented the former and Max and Mane Weintraub the latter.
New Plan for Clearance Is Agreed Upon

Women in Portland Hit Block Booking

PORTLAND, Sept. 9.—Present discussions of the demands of several speakers at the convention here of the Western Federation of Women's Clubs, because the discussion was led by Mrs. F. J. Kane, northwestern director of the National M. P. League, who upheld the work of the Legion of Decency, the progress of which was outlined by Rev. George Campbell. Mrs. Vira O'Hare of Los Angeles, vice-chairman of the Motion Pictures Federation, was of the opinion that the quality and content of pictures could be established on a higher level by the board of which she is a member. She praised the board for its elimination of any reference to duals.

K. C. Board Orders Stoppage of Films

(Continued from page 1) A notice was delivered to stop service to his Westport Theatre here Sept. 22 unless he files a certificate of compliance by Sept. 29. The board also ordered Rigney was using subterfuge in accepting a cereal food stop in lieu of a 10-cent children's admission against the permission of the Board of Radiation KMBI of Kansas City probed that they would accept box tops as $20 value, in return giving him permission over the air for an equal amount. In addition, Rigney gave each coupon holder a pass for the following week's program. Rigney claimed it was an advertising stunt, but the board determined it was the plan of the theatre to lower his overhead. He previously had been ordering cease giving out free passes or lowering the admission on the grounds of having his film service stopped.

Three Grievances Up To Cleveland Board

Cleveland, Sept. 9.—The grievance board, scheduled to meet Sept. 10, will meet Sept. 17. Three cases to be heard are Jack O'Connell, Toledo, for violating the SVO Theatre, Toledo, pressing against passes as an unfair trade practice; Allen Seitz Amusement Co., for the use of the theatre; and Sandusky, against Warner's, operating the Riviera, Sandusky, charging overflow at Center Woodland Co., operating the Haltom, against the family, claiming free distribution of candy to children and the admission price of five cents for children is a double violation of the code. The Sandusky case is the first filed with the Cleveland board on overlooking.

GFTA Protests Over Code Board Members

ATLANTA, Sept. 9.—Acting upon a resolution of the GFTA T.A., Ike Katz, president, has asked an audience with the board of Grievances to loan A. Rossmann to protest the presence of Oscar sam and Nat Williams on the clear ance and zoning and grievance boards, respectively. They are independent unaffiliated members. Formal protest has already been made to John C. Finn, secretary of Code Authority.

Only 20 Holdouts Delay Ending of Jersey Duals

and posting of one sheet in all theatres announcing the new policy.

Among the 20 houses which have not yet signed are a group operated by Y.达标son. If RKO submits no signs, it is expected the remaining holdouts will join in the move. Loew's has not yet affixed its signature, but is committed to the plan provided all other houses agree to go single feature.

Dubinsky Theatres Make Policy Shifts

ST. LOUIS, Mo., Sept. 9.—Policy changes at Dubinsky Bros. theatres were effected here last week as follows: The Electric resumes regular shows with films on Friday, Saturday, and Sunday, showing first-run pictures the balance of the week. The Orpheum, second run, goes first run, while the Crystal reopens as a second run.

Price increases include a boost at the Missouri to 25 cents matinee, 35 cents nights.

Roxy-Rialto Deal Set

Contracts on the product pooling deal between the Roxy and Rialto are expected to be signed by Howard S. Cutinan this week, following return of Harry C. Arthur from St. Louis convention. Arthur Mayer already has signed the deal for the Rialto, but the Roxy signature is being held up until Arthur can improve his present contract rates. Several picture deals are near consummation and provide for Roxy and Rialto combination dates.

Pickford to Head Drive

HOLLYWOOD, Sept. 9.—Although Mary Pickford is now in the east, she has accepted the position as head of the Women's Campaign Committee for Los Angeles' forthcoming Community Chest Drive, which will begin next month.

Dubinsky Recovering

KANSAS CITY, Sept. 9.—Ed Dubinsky, head of Dubinsky Bros. Theatres, is recuperating from a minor operation at Menorah Hospital here. He is expected to leave the hospital in a few days.

Col. Winding Up List

HOLLYWOOD, Sept. 9.—Col. Windup will start work on the last film of the 1933-34 program this week when "Criminals Behind" goes before the cameras. The cast lists Sheila Mannering and Charles Sabin. Jack Rawlins will direct.

Columbia Signs March

HOLLYWOOD, Sept. 9.—Joseph M. March has been signed by Columbia to handle the opening of "Spring 3100," starring Nancy Carroll.

"Dames" Into Fifth Week

"Dames" will be held over for its fifth week at the Strand. This necessitates the postponement of the opening of "British Agent" to Sept. 19.

RKO and Fox Product Deal Awaits Kent

take over the Embassy, Port Chester, and Royal. In the third situation, it is also reported Skouras may get the four Lee Ochs houses in upper Manhattan, Randalf, under the plan. To the latter, the Ulta, Brooklyn, Whether Skouras will take the Alden, Jamaica, has not yet been determined. It is said, Loew's may get the Apollo and Hollywood on the lower east side. These two of 40 full-time employees throughout the year. Total wage payments during 1933 were $735,000, of which $20,000 was for part-time employees.

The bulk of the business was centered in the city of Providence, where 13,000 people were employed for the year of $2,330,000 and wage payments of $488,000.

Receipts totaling $1,254,000 were reported for last year by the 92 film theatres operating in Mississippi. The houses had an average of 386 employees and the total payroll for the year was $207,000.

Para Films in Bklyn Have Peculiar Angle

(Continued from page 1) that borough. Si Fabian, who operates the Fox and Strand in Brooklyn under a pooling arrangement, will not be permitted to switch Paramount films not booked into the Paramount, according to the Loew franchise.

(Continued from page 1) RKO played Fox product last season and it is held Kent will have to approve the new deal before the Loew contracts are transferred to RKO.

The Mayfair on Tuesday night starts showing "Crosstie Chain in Bits don," first fox picture on the new schedule to be sold away from the Roxy. The Palace will probably play Fox films after the Music Hall.

Racetrack Closing Helps R. I. Houses

PROVIDENCE, Sept. 9.—Exhibitors here feel heartened over the strong grosses garnered during Labor Day week. The windup of the racetrack meet at Narragansett Park, which was supported by the State, a track record, seemed to have a beneficent effect on all downtown theatres. One exhibitor, who had made serious inroads into matinee attendances since its opening in August.

But exhibitors now have the strike to contend with and Rhode Island is a strong textile centre with 45,000 operatives out of work. Unless the walkout lasts too long, however, the strike may benefit shown for a time as the strikers will have to do something with their leisure time.

R. I. Theatres Take $3,271,000 in Year

(Continued from page 1) the average of 406 full-time employees throughout the year. Total wage payments during 1933 were $735,000, of which $20,000 was for part-time employees.

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"Should be a money-maker . . . It's 100% entertainment."
—Hollywood Variety

"This musical show has all the assets of class A production . . . Has many hilarious comedy situations. Has general appeal"
—Motion Picture Daily

WAKE UP A

RUSS COLUMBO
ROGER PRYOR
JUNE KNIGHT

Philadelphia Construction Is a Surprise

(Continued from page 1)

500 seats. The Grange, which S-W house has been occupied by the North Side daily in the Broad and Olney section, is the same size. Right opposite this theatre will be the Bromley, upon the theater operation of Charles Segal, independent exhibitor and president of the M. P. T. O. of the district. It will have 1,500 seats, largest of the new operations. It will probably be ready by the first of the year.

The Frolic, an independent at 52d and Wyoming Ave. in West Philadelphia, was reopened last week. It is about 500 seats capacity. The remodeling of this South Philadelphia, will reopen this week with approximately the same capacity. The only downtown theatre in Philadelphia, it will probably be the first of the new operations to reopen.

Construction Before Crash

In the five theatres that were under construction downtown during the boom, four downtown buildings were built: The Boyd, 2,400 seats; the Mastbaum, 4,600 seats (now closed); the last, 1,100 seats; the Forrest (legit.), 2,000 seats, and the Erlander (legit.), 2,000 seats. The Erlander, illegally operated, by RKO Radio as a season as first run house and has played other picture contracts.

In addition to these theatres, de luxe neighborhood houses and in the suburbs, the four of the Stanley-Warner neighborhoods, the Circle, State, Uptown and Midway, average around 2,500 seats each.

RICHMOND, Sept. 9.—More than $30,000 is being spent on the construction of new theatres in Virginia and neighboring states. Carolina Theatres, Inc., is reported planning 5,000 seats in the site of the old Imperial in Charlotte. The seating capacity will be 1,200. The organization has also acquired the Queen Frank, Hendersonville, N. C., and will renovate it.

Baltimore, Sept. 9.—Through arrangements completed by J. Louis Rome, managing director of the Associated Theatres Co., two more houses have been added to that circuit—the Astor and Cameo. This now brings the total of Associated theatres to 11. Mr. Zellowitz, manager of the Cameo, has inaugurated family treat nights on Wednesday and Thursday, when prices of admission are adults 15 cents and children 10 cents. The price for children at the Astor is now 10 cents at all times and in the afternoons including Saturdays, Sundays and holidays it is 15 cents.

DETROIT, Sept. 9.—The State Thea- tre, one of the United Detroit houses, will reopen Sept. 14 after being closed most of the summer. The new management of the theatre, Frank Westman, is nearing completion and will be ready in about six weeks.

Columbus Left $20,000

HOLLYWOOD, Sept. 9.—The estate of Russ Columbus, who died here recently, amounted to $20,000, it was revealed here yesterday, his attorney. The singer left no will.
Discharging an OBLIGATION

ANY manufacturer who has won his way into the confidence of a great industry is under obligation to maintain the standards that have given his product preference. Eastman Super-Sensitive "Pan" is continually discharging such an obligation. On the lot... in the laboratory... on the screen... it is unfailingly delivering the same qualities that first made it a sensation in the motion-picture world. Eastman Kodak Co. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative
**“Dames” Hits High Figures On the Coast**

LOS ANGELES, Sept. 9.—Despite the outdoor draw of Labor Day grosses in first-rate houses, Sept. 9 was the highest point in a long time. Good attractions helped.

Warners’ Hollywood piled up $53,000, 25c-40c, 7 days. Shorts, news, gross: $31,000. (Average, $4,420.)

“NOW AND FOREVER” (Para.) PARAMOUNT—(3,935), 30c-5c, 2nd week, gross: $12,000. (Average, $6,000.)

“DOWN TO THEIR LAST YACHT” (Radio) RK0—(2,700), 25c-40c, 7 days, gross: $3,000. (Average, $428.)

“DAMES” (Warner) WARNER BROS. (Hollywood)—(4,400), 30c-5c, 7 days, gross: $23,000. (Average, $3,285.)

“MILLION DOLLAR RANSOM” (Univ.) PANTAGES—(3,000), 25c-40c, 7 days, gross: $10,000. (Average, $1,428.)

“Girl” (Warner) MUSIC HALL—(2,275), 25c-40c, 5 days, gross: $6,000. (Average, $1,200.)

“YOU BELONG TO ME” (Para.) PARAMOUNT—(3,000), 30c-40c, 3 days, gross: $15,000. (Average, $5,000.)

**“Dames” High In Seattle on $7,000 Gross**

SEATTLE, Sept. 9.—“Dames” did so well at the Music Hall that the house was shifted to the Blue Mouse for a second week. The take was $7,000.

**Late on Cooling**

Kansas City, Sept. 9.—Consideration of the Kansas City grosses demand comfort, and this accentuated by the record-breaking heat this summer, a number of small neighborhood exhibitors have installed cooling systems in recent weeks. Late, perhaps, but done.

Among them are the Lindbergh, Aladdin and Gillham, Kansas City, and the Iola, Iola.

**Philadelphia, Sept. 9.—This town went “Romance in the Rain” with a rush, with the result that the Earle gross piled up to $17,500. Normal is $12,000.

Latrobe had a day running into big figures. “Affairs of Cellini” ran up to $12,000 for the reopening of the Alhambra, and “The Cat” was still a smash hit in its second week at the Fox with $16,000.

only to be disappointed were “Girl from Missouri,” which didn’t make the grade at the Boyd and “Dames,” which faltered after three days. Sched ahead of time at the Stanley.

Total first run grosses were $71,000. Average is $60,960.

Estimated takings for the week ending Sept. 6:

1. “AFFAIRS OF CELLINI” (U. A. RKO—the Vermont) $3,500, 25c-40c, 6 days Gross: $11,000. (Average, $1,833.)
2. “THE LAST OF THE REDMEN” (Col.) ARCADIA—(600), 25c-40c, 6 days Gross: $8,000. (Average, $1,333.)
3. “GIRL FROM MISSOURI” (M-G-M) STANLEY—(2,000), 25c-35c, 6 days Gross: $1,000. (Average, $167.)

**“Romance” Is Philadelphia Hit, $17,500**

“DAMES” (Warner) STANLEY—(3,000), 25c-40c, 6 days Gross: $6,000. (Average, $1,000.)

**“Chained” $21,000 Leader in Buffalo**

BUFFALO, Sept. 9.—Reopening of the Great Lakes apparently had slight effect on attendance at the cheap houses, but the Buffalo with “Chained” again was away above normal at $21,000. The second week was still well above average in the Hippodrome. The American Legion convention district Democratic rally and four Nations celebration at nearby Fort Niagara brought many visitor to the city. Weather was comfortable.

Total take was $50,100. Average, $4,600.

Estimated takings for the week ending Sept. 7:

1. “CHAINED” (M-G-M) BUFFALO—(3,000), 25c-40c, 7 days Stage: Saxon Sisters, Al Binnie: Costel Court, S. Sullivan; Marg Dryman; S. Fass. Gross: $21,000. (Average, $3,000.)
2. “HE WAS HER MAN” (Radio) HERE COMES THE GROOM (Para.) COURT STREET—(2,500), 25c-40c, 7 days Gross: $1,000. (Average, $143.)
3. “THE CAT’S PAW” (Fox) THE CAT’S PAW—(2,000), 25c-40c, 7 days Gross: $1,500. (Average, $214.)
4. “BLIND DATE” (Columbia) LAFAYETTE—(1,200), 25c, 7 days Gross: $6,500. (Average, $936.)

**“Chained” $15,000 Wow in Providence**

PROVIDENCE, Sept. 9.—Although believed to be financially flat on its back for the last three weeks, this city was dumped $15,000 into the Loew State coffers for “Chained.” This is up by $3,000, $5,000 for “Pursued” and $7,000 for “World Moves On” at $2,000 a week at Fay’s.

Total first run business was $43,700. Average is $6,100.

Estimated takings for the week ending Sept. 7:

1. “CHAINED” (M-G-M) LOEW’S STATE—(3,000), 25c-40c, 7 days Gross: $11,000. (Average, $1,571.)
2. “DAMES” (Warner) MAJESTIC—(2,400), 15c-40c, 7 days Gross: $1,000. (Average, $143.)
3. “WORLD MOVES ON” (Fox) FAY’S—(2,500), 15c-40c, 7 days Stage: Saxon Sisters; S. Sullivan; Don Green. Gross: $7,000. (Average, $1,000.)
4. “DOWN TO THEIR LAST YACHT” (Radio) CHEATING DEATH—(2,700), 15c-40c, 7 days Gross: $4,000. (Average, $571.)

**New Milwaukee Cuts Are Put in Effect**

MILWAUKEE, Sept. 9.—The policy of reducing admission prices for downtown houses has extended to the neighborhood houses with the exception of the Oriental. Tower, Shorewood and Downer announcings.

The first two, former Fox houses, have inaugurated an interchangeable price and entertainment policy calling for a 30-cent top charge to-day, Thursday, Friday and Saturday, with doubles feature the last three days.

Wednesday’s top is 15 cents for the houses with a single feature.

Both the Palace and Strand, local firsts, are taking effect. Reopenings this month, continue with immediate prospects for reopening. Warners have also gone in for double feature week. Several of their neighborhood houses.

Incidentally superlatives are being tossed about handily in price battle with the Wisconsin advertising “the greatest amusement buy in America,” and the Riverside, not to be outdone, churning “world’s lowest prices.”

**Temple Sets a New Record for Omaha**

OMAHA, Sept. 9.—Shirley Temple is the town’s favorite. She has helped the Orpheum to two records in recent months, the latest $11,410 on “Now and Forever,” the important half of a dual bill. “The Personality Kid” was the other feature.

The Bradeis slumped severely after a good Labor Day and went below $3,000, with $3,000 “Down to Their Last Yacht” and “Hat, Coat and Glove.”

“Scarlet Empire,” preceded by a brilliant campaign, opened with a smash, but died the last six days and limped in with a bare average of $4,000.

Total first run business was $19,000. Average is $15,000.

Estimated takings for the week ending Sept. 5:

1. “THE SCARLET EMPIRE” (Para.) WORLD—I—(2,800), 25c-40c, 7 days Gross: $4,000. (Average, $571.)
2. “THE PERSONALITY KID” (Warner) WORLD—II—(2,800), 25c-40c, 7 days Gross: $11,400. (Average, $7,500.)
Ticket Taxes
In '33 Off to $14,613,414
Drop Under Previous 12 Months $907,097.88

WASHINGTON, Sept. 10. Admission collections during the fiscal year ending June 30, last, were $907,097.88, or $14,613,491 against $15,715,483, as reported to the Internal Revenue Bureau.

Collections on admissions sold at box-offices which include purely all film theatres, fell off $684,753 from $14,072,093.69 in the fiscal year ending June 30, 1932, to $13,387,341.94 in the fiscal year ending June 30, 1933. It was revealed yesterday in New York, Illinois and California that more than half of all collections, it was shown.

The tax collections are grouped by governing agencies, which box-office returns being one of the factors.

(Continued on page 7)

Studios Speed Up; 37 Features Going

Hollywood, Sept. 10.—Production is reaching a high crest of the new season Thursday. In the M. P. Club was made public preliminaries of all 37 films on the schedule to be forthcoming in the next two years. Among the items of interest are the following:

1. Dr. Jekyll and Mr. Hyde—Edgar Wallace, producer.
8. The Man of the Century—Ernst Lubitsch, producer.

(Continued on page 6)

Ill-Noonan to Top First Ampa Program

Hollywood, Sept. 10.—Production was as high as ever. The teams of the new season Thursday were announced by the M. P. Club to be as follows:

1. Dr. Jekyll and Mr. Hyde—Edgar Wallace, producer.
8. The Man of the Century—Ernst Lubitsch, producer.

(Continued on page 2)

Art of Plainfield Wins Quigley Award

3d M. Hart, city manager for the Wholesome Theatres in Plainfield, N. J., is the latest winner of the Quigley Award. His campaign on aers "Circus Clown" turned the four streets around.

(Continued on page 2)

Fear General Attack Upon NRA Control

Shoe Trade Asks End of All But Labor Rules

WASHINGTON, Sept. 10.—In what may be the opening move in a general attack upon the NRA, the shoe manufacturing industry, through its trade association and code authority, has recommended to President Roosevelt the elimination of all codes and special provisions except those dealing with labor, which was learned today.

Although many industries have complained that the trade practice provisions were useless and were not being enforced, the shoe trade is the first to deliver a concrete attack upon an endeavor which the Administration

(Continued on page 9)

Seattle Houses Use Radio for Programs

SEATTLE, Sept. 10.—Local first-run houses are going strong on radio broadcasts. During the last week, regular 15-minute programs on the city's largest stations have been used by Evergreen circuit for "She Loves Me Not" at the Fifth Avenue; by John Hanruck, for "Dames" at the Music Hall, and Jensen-Hoyherberg for "Twentieth Century" at Liberty. Theatre newspaper ads advise readers to tune in and listen to these broadcasts.

Kent, Off for N. Y., Denies Fox Shakeup

HOLLYWOOD, Sept. 10.—Before leaving for New York today Sidney Kent vehemently denied persistent rumors that a change in Fox's studio group was forthcoming. Kent has been in the studio for four months, and says the studio is under.

(Continued on page 6)

Tracy Will Pay Fox For Loss from Delay

HOLLYWOOD, Sept. 10.—A precedent in punishing an actor for delaying production was established when Spencer Tracy agreed to pay Fox a reported sum of $25,000, plus half his profits.

(Continued on page 2)

CODE CLEARANCES TO VOID CONTRACT

Dembow Quits Para. to Join Nat'l Screen

Sam Dembow, Jr., has resigned as vice-president of Paramount's Famous Theatres Corp., to become an executive of National Screen Service, effective Oct. 1. He has been an executive of Paramount theatre interests for nine years. His successor will be appointed today.

Dembow's resignation was announced to the press by George J. Schaefer, Paramount general manager, by telephone late last night. At the same time Dembow's letter of resignation to Schaefer was made publ.

(Continued on page 9)

"Tango" Games Stir Ire of Kansas City

KANSAS CITY, Sept. 10.—Exhibitors here are interested in the fight being waged by the Better Business Bureau against "tangos" of games. At the request of the bureau and the Parent-Teachers' Council, county authorities are investigating to determine if the games are legal.

(Continued on page 6)

New Plan on Code Costs Is Completed

A new plan for assessing producers and distributors. The Code Authority, which is reported to be based on the annual volume of business of each company, has been completed and will be

(Continued on page 9)

G-B May Put 20 in Music Hall-Roxy

A possible 20 Gaumont-British pictures may play the Music Hall and Roxy under a deal closed by Mark Oster, G-B chairman, which already specifies four for the Radio City house and 10 for the Roxy.

The first G-B booking will be

(Continued on page 2)

Ads Turned Down on "Yesterday's Film"

HAMILTON, O., Sept. 10.—The Hamilton Journal-News has refused to run paid advertising or reading notices on "The Girl from Missouri," current at the Paramount, and the

(Continued on page 2)

The total for the week ending Aug. 22-24 was $1,241,121. For the week ending Aug. 16-17 it was $1,044,965. The gains were uniform in 17 of the 22 cities reporting, and were especially noteworthy in New York. Total for

(Continued on page 7)
G-B May Put 20 in Music Hall-Roxy

(Continued from page 1)

"Power," with Conrad Veidt, which goes into the Music Hall on Oct. 4, may be followed by the following two pictures: "Chow," with Anna May Wong, will open at the Roxy. "The Iron Duke," with George Arliss, and "Myrna Loy," with Jessie Matthews, have also been set for the Music Hall, with additional subsequent bookings possible. Other G-B bookings include "Evenglow" and "Princess Charming," both with Evelyn Layne; "Jack Ahoy" and "Little Friend."

U. S. Seeks Tariff

Deal with Sweden

WASHINGTON, Sept. 10.—Proposed negotiation of a reciprocal trade agreement with Sweden was announced today by the State Department.

Figures on the trade between the two countries, prepared by the Department of Commerce, show that in 1947, a year amounted to 3,454,708 feet valued at $35,548, against 4,256,954 feet valued at $41,250, last year, even film, but not so exposed, amounted to 352,507 feet valued at $9,980, against 647,575 valued at $127,708.

Two Arrests Follow

In Mexican Bombing

MEXICO CITY, Sept. 10.—Two men were arrested in connection with the recent bombing of the Regis Cinema here during a showing of "Viva Villa." They were taken into custody at the local M-G-M offices where, police say, they were demanding money under threat of a radical campaign against the picture.

Roach Studios Resume

Hollywood, Sept. 10.—The Roach studios resumed operation today after a long shut down, results of a series of Ullman comedies was started under the title, "Open by Mistake." Charley Chase has returned to the lot after a journey to Mexico to prepare the second of his series of short shorts.

Blumenthal Recovering

Hollywood, Sept. 10.—Richard Blumenthal, who was stricken with blindness recently and removed to the Cedars of Lebanon Hospital, is reported recovering by physicians. Early today a small piece of steel worked its way out of his right eye ball, relieving the congestion in both eyes.

Take Players to Frisco

Hollywood, Sept. 10.—Warners will take 14 of their contract players to San Francisco Sept. 13, for the premiere of "Thames." The picture goes into the Paramount there and the studio plans to give them a Hollywood opening.

"U" Holds Murray Roth

Hollywood, Sept. 10.—Murray Roth, who recently directed "Million Dollar Ransom," has had his option renewed for another picture at Universal.

Prices on Big Board Show Drop

Columbus Pictures, etc.

High Low Close Change Sales
Consolidated Film Industries 15 51 14 50
Eastman Kodak 55 95 95 15 50
Loew's, Inc. 47 27 25 24 50
Pathe Exchange, A 12 12 12 0 50
Warner Bros. 45 45 44 1 50

Trans Lux Up 1/8 on Curb

Technicolor

High Low Close Change Sales
2 1/4 1 1 1/4 125

G. T. E. Bonds Rise 1/4

High Low Close Change Sales
15 13 13 1 225

General Theatre Equipment 6% 90

High Low Close Change Sales
6 6 6 0 125

Paramount Publics 5% 30

High Low Close Change Sales
4 1/2 4 1/2 4 1/2 4 1/2 4 1/2

Pathe 1937, etc. 50 50 50 0 125

Warner Bros. 60 60 60 0 125

MOTION PICTURE DAILY

(Continued from page 1)

picture is being advertised by a barrage of throwaways that have flooded the press.

This is the first case of the paper having turned thumbs down since its founding many years ago. On that occasion, they did not carry any pictures considered objectionable according to the standards set up by the board of censors.

However, both advertising and readers have been on "Sadie McKee," "Life of Vergealoters" and "Riptide" since the paper announced its policy.

Hill-Noonan to Top First Ampa Program

(Continued from page 1)

guests of honor. Others, who will be present are: James Barton and Maude Odell of the cast of "Tobacco Road," Leon Janney, Lila Lee and Jacqueline Leonard of the cast of "Robinson and Lorraine" and Don Calvin, the instrumentalist.

Tracy Will Pay Fox

For Loss from Delay

(Continued from page 1)

salary of $2,500 a week for the next 17 weeks, to compensate the studio for the loss said to have been sustained by it after a result of having held up work on "Marie Gallant" four days. The company resumed production on the film today with Tracy on the job.

Two RKO Boards Meet

Meetings of the boards of RKO Radio Pictures and Western Vaudeville Exchange, an RKO subsidiary, were held today at the companies' headquarters. Both boards are described by officials of the companies as of a routine nature.

Batcheler Starts List

Hollywood, Sept. 10.—George R. Batcheler has started the new season's program of 18 Chesterfield and Lavine pictures with "The Curtain Falls," a Chesterfield starring Henrietta Crosman.

Gershwin Talks

MONTREAL, Sept. 10.—A Canadian composer, George Gershwin, arrived here from New York yesterday. He will remain for a few weeks to prepare the score for "The Royal Chair." In the meantime, he is expected to go on to Europe, where he will be among the notable composers who have been invited to the Congress of American Composers in London next month.

Personal

LUCIEN HUBBARD, M-G-M producer, who has been abroad about two months, returned yesterday via New York, accompanied by wife and two daughters. He will leave for the coast after a short sojourn.

EDDIE SUTHERLAND has joined MONTE BRICE at the Warwick. He flew in from the coast over the weekend.

WALLACE SMITH has been signed by Fox to pen the screen version of VINA D'ELMA'S "The Day Never Comes."

SAMUEL HOPKINS ADAMS has gone into the screen rights of his novel, "In Person," to Radio.

M. H. HOFFMAN, president of Liberty Pictures, arrived in town yesterday by plane from the coast.

MAJOR EDWARD BOWES will be interviewed on the air by NELLY REICHER today afternoon over WJZ.

MILTON H. FIELD made a quick trip to Kansas City last Tuesday and was married to SHIRLEY VOGEL.

BOB CROSBY returns to the stage to complete command of program.

JOHN FLINN was left without an office staff at Code Authority yesterday as a result of the holiday.

H. G. LUFFT has sold his star "Kaster Houser" to Columbia.

JANE SHEA is on her way here by Hollywood for a train for a vacation. She is expected to be in town on the Thursday from Columbus, Miss.

DALE PAFREYMAN is experimenting with cold remedies.

Hart of Plainfield Wins Quigley Award

(Continued from page 1)

HERALD managers' Round Tab Club contest.

The judges were Al Lichtman United Artists' vice-president to general entertainment, William Ferguson of M-G-M, and Eddie Alperson Fox West Coast.

First mention went to William L. Delmar, manager of the Ritzy, San Bernardino, Calif. Homemade mentals were given the following: Don Alexander, South St. Polis; Hal Botwick, State, Portland, Me.; Frank Boucher, Maryland, Hagerstown, Md; Harry Brown, Jr., Paramount, Binghampton, N.Y.; W. H. Cartwright, city manager Harlem, Halifax Theatres, Dayton, Beat Fm.; Charles W. Curran, Stran Fm.; George Norton, Columbus, Ohio; F. P. Linstead, Bridgeport; Sonny Sheehy, Mayfair, Miami; J. J. Stallman, Grotto, Philadelphia; William Ferguson, State, Hollywood, Tex and Alfred Weiss, Jr., Olympia, Miami.
2 MORE UNIVERSALS FOR BROADWAY!

THERE'S ALWAYS TOMORROW
Booked for the RKO MUSIC HALL

MILLION DOLLAR RANSOM
Booked for the RIALTO
Excerpts from Reviews of World

“Four ★★★★ stars. Recommended without reservation to every member of the family... Bound to give pleasure to everybody.”

New York Daily News

“One of the few films I would like to see second time. Greater praise hath no dramatic critic. From now on, Grace Moore one of the great ladies of the screen. Thrilling! Applause such as is seldom heard in places devoted to talking film greets Grace Moore.”

New York World-Telegram

“Grace Moore becomes definitely one of the foremost figures of filmdom. One of the season’s most distinctive and distinguished cinema... rarely equalled.”

New York American

“Surrender to the charm of ONE NIGHT OF LOVE—a definitely outstanding photoplay. It is not only attractive but a distinctive motion picture.”

New York Herald-Tribune
OS ANGELES — SAN FRANCISCO
premiere at Radio City Music Hall

What a picture! What a voice! A picture you can't afford to miss; rates every superlative. A triumph for the star and everyone concerned in its fashioning.” New York Evening Journal

★

It should go down as one of the outstanding pictures of the year. Grace Moore's exquisite voice is enough in itself to make ONE NIGHT OF LOVE a memorable picture.” New York Evening Post

★

Worthy of the charm and talent of its stellar performer, it is indeed a joyous ref to listen to the delightful melodies in the film.” New York Times

★

One of the new season's most welcome pictures, essentially a joyful picture!” New York Sun

★

Superlative entertainment... it has charm, mor, glamour, romance and above these, has Grace Moore, a dazzling acquisition for the movies.” New York Daily Mirror

TULLIO CARMINATI • LYLE TALBOT
MONA BARRIE

Story by DOROTHY SPEARE and CHARLES BEAHAN
Screen play by S. K. LAUREN
James Gow and Edmund North
Directed by VICTOR SCHERTZINGER

ONE NIGHT of Love
TRIUMPH
Milwaukee Operator Scale Up in Talks

MILWAUKEE, Sept. 10.—Meetings are being held here between a committee of 11 exhibitors representing all the theatres in Milwaukee County and representatives of operators' local 164 in an effort to iron out a contract for the coming season.

The operators ask a 25 per cent increase, while most exhibitors contend this is impossible. The last contract expired in June.

After the committee has disposed of the wage controversy, it is slated to reach the subject of and new higher scheduling rules in an effort to put through a plan which will end the present price war and stabilize feature policy.


**Studios Speed Up; 37 Features Going**

(Continued from page 1)

work two preparing and eight cutting: M-G-M, three, and six; RKO, six, three, and two; Paramount, six, three, and four; M-G-M, three, and two; Universal, three, and three; Columbia, two, two, and two; United Artists, zero, zero and two; while the independents registered five, eight and nine.

In the short subject division, Columbia had one in work, none preparing and two editing; M-G-M, zero, three and five; Roach, zero, zero and one; RKO, one, one and six; while independents reported five, six and nine.

New Code Men Chosen

Hollywood, Sept. 10.—Three successors to the various studio code committees have been announced by Major O. G. Duvalov, here; they are Ben Piazza, succeeding Fred Schuessler on the extras’ standing committee; William Schreck and a company succeed Sam Briskin, alternate on the producer-actor committee, while Daniel O’Shea succeeds Samuel Goldwyn as alternate on the producer-writer committee.

To Speak on Music Tax

CHARLOTTE, Sept. 10.—Ed Kyken- dall, president of the M. T. O. of North and South Carolina on the American Society of Composers', Authors' and Publishers' proposed music tax increase at a special meeting at the Chamber of Commerce here on Sept. 10. Mr. Kyken dall warned the members of the meeting the exhibitor group speaks of the contemplated tax rate as “this most serious evil.”

“Chained" Cincy Smash

CINCINNATI, Sept. 10.—"Chained," at the RKO Albee, sent last week’s gross soaring toward the stratosphere, the picture, according to the theater’s booking office, has grossed an estimated $18,500, which is the biggest take this house has had in many months. The picture holds over, moving to the RKO Lyric for its second downtown week.

“Secret of the Chateau” (Universal)

Hollywood, Sept. 10.—Mystery fans, particularly those willing to overlook certain liberties essayed to accentuate the motivating mystery quality, should be pleased with this one. It’s a little picture, the kind destined to function in the secondary and smaller houses, to give their patrons the kind of entertainment they apparently like.

On the whole, remembering that hokum mystery is continually stressed, it is well acted and directed. While it takes in comedy, drama, suspense, excitement, melodrama and thrill, a book, an original Gutenberg Bible, is the star. All that happens, happens because of it.

After an opening that establishes story and plot character, action moves into a chateau outside Paris. As DeWitt Jennings guards the tome, everyone wants it, but it's impossible to tell which of them want it legitimately and which would steal it. It precipitates comedy which gives Alice White a few shining moments; it makes possible romance for Claire Dodd and Clark Williams. A murder and theft casts suspicion on everyone, particularly Jack LaRue, George E. Stone, Osgood Perkins, and Lila Lee. The secret is withheld until the last moment when William Faversham is revealed as the criminal.


“Badge of Honor” (Mayera)

Hollywood, Sept. 10.—This is typical "melodrammer" of ye good old days, but not meant for comedy. Audiences hissed the villain and cheered the hero a la the old knock-em-down-drag-out of films of old.

Buster Crabbe rescues Ruth Hall from a runaway horse. She turns out to be a daughter of a local publisher. If a reporter without a job. She gets Crabbe a position on her father's paper; then follows a series of miraculous feats performed by Crabbe in supplying her sheet with exclusive stories on "suspicious characters," including his expose of the crime managing editor of his paper.

Unauthentic atmosphere of this one makes it too ludicrous for audiences, no matter how easy to please. It is unfair to judge the cast with such material.

Spencer Gordon Bennett directed with James Brown, Jr., photographing. Running time, 62 minutes. (No certificate number.)

Looking 'Em Over

“King Kelly of the U. S. A.” (Monogram)

An amusing effort in which Guy Robertson of the legitimate field makes his debut. He does creditable work and his singing gets over well. He is ably supported by Irene Ware, Franklin Pangborn, Edgar Kennedy, Joyce Compton, Otto Harlan and Ferdinand Gottschalk. Leonard Fields directed. There is one tune which is very catchy.

The story concerns Robertson, singer and producer of "Kelly’s Affairs of 1934," who meets Miss Ware, traveling incognito, on a boat, falls in love and later finds by breaking the mythical kingdom of Belgardia out of bankruptcy before he can marry her.

Robertson ballyhoos the King’s palace as a sightseeing venture and, although partially successful in his mission, has to put over mops, the king’s professional product of the kingdom. As a radio crooner, he succeeds and wins over the deficit.

It is an exaggerated story, but entertaining. Running time, 66 minutes.

Agrees on Family Shows

NEW ORLEANS, Sept. 10.—Following an address by L. M. Ash, manager of the Liberty, before the Better Films Committee he agreed to put on family programs Fridays. This is a start of a move by the committee to introduce family nights into all neighborhood houses.

Holiday Halts Film Suits

Hearings of motions in the Paramount Publix action against 12 de- pendants who were brought by the Better Films Committee was post- posed to Sept. 20 for the same reason.

Compliance Sought In Cleveland Case

CLEVELAND, Sept. 10.—The first case charging failure on the part of an exhibitor to comply with a decision of the local grievance board has resulted in turning the case over to the State Compliance Board Ex- ecutive Division. This is the case of Eddie Ramsay who was ordered by the Cleveland board on July 7 to cease and desist from showing "Creedon," the order with attendant fine for violations involves all exchanges serv- ing the respondent as well as the res- pondent himself.

The only other case now filed with the grievance board is that of B. O’Connell, Toledo, against the Savoy Theatre, Toledo, charging dis- tribution of free passes.

“The Tango” Games Stir Ire of Kansas City

(Continued from page 1)

Two pretentious "tango" establishments have been opened here by a Los Angeles syndicate. The Better Busi- ness Bureau describes them as high class gambling places.

Vic Gauntlett Promoted

SEATTLE, Sept. 10.—Vic Gauntlett has been named managing director of the Fifth Avenue House in the Evergreen circuit, by Frank L. New- man, circuit head. Gauntlett for the last four years has been advertising and publicity director for the Fifth Avenue, Paramount and Coliseum here, and has also been active in Seattle show business for four years. He will continue to supervise the adver- tising of the theatre which he now will direct.

Harrington, former assistant manager of the Fifth Avenue, becomes house manager.

Uptown Holding “Andy”

KANSAS CITY, Sept. 10.—The Pro Uptown is holding "Handy Andy"; second week, business the first stanzat having been the biggest in weeks, de- spite a price boost from 25 cents to 40 cents top.

The Uptown has started running continuous patrons all day Tuesday in an effort to raise of one matinee performance as previously. The new Saturday schedule will hold for big pictures and may be come permanent.

Parker Branches Out

CHARLOTTE, Sept. 10.—W. L. Park- er of Amity Exchange has extended his activities, licensing his brand distributors in Atlanta and New Orleans. This places him in a position to deal with producers for distribution rights in the entire South.

Fined for Sunday Show

MEMPHIS, Sept. 10.—Mike Clanc- ielo’s Rosemary, the first suburban to open here on Sunday, accepted a fine of $25 in City Court here today along with five downtown houses.
Grosses Leap Up to May Level in August Revival

(Continued from page 1)

New York for the week ending Aug.

<table>
<thead>
<tr>
<th>Week Ending</th>
<th>Gross</th>
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<tbody>
<tr>
<td>Aug. 23-24</td>
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Comparative grosses for the latest available periods:

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</table>

“Loves Me” Is $25,200 Smash In Washington

WASHINGTON, Sept. 10.—Combination of the inauguration of the new movie season, Labor Day visitors, and returning vacationists pushed grosses week over week to a total of $60,600, but $2,600 under the average.

Top honors went to the Earle for a near record take of $2,500 for “West of the Divide,” and a stage show headed by Chavers and Fox. So heavy was the patronage that the house ran but 3 days.

The Metropolitan, with “The Dragon Murder Case,” took $5,400 for the biggest gross since last Christ- mas. The production inaugurated a policy of smoking in the balcony, appreciably upping the trade in the 40-cent seats without diminishing the 50-cent.

Loew’s Fox held its own with a good $15,200 for “You Belong to Me.” “Chained” did only $10,400, but sufficient to send the Gable-Crawford opus into a second week. A return engagement of “Houdini” took $3,300 at Loew’s Columbia.

Estimated takings, exclusive of tax, for the week ending Sept. 6: $12,122,113.

“SHE LOVES ME NOT” (Para.) EEARLE—(2,200), $25,200, 7 days (pass inspection for $10,000), Starring: Davis, Glenn, and Edward Fox, Carr Brothers & Betty, Charles sweet stories.

“Into the Blue,” starring Carole Lombard, is reduce, $10,000, but sufficient to send the Gable-Crawford opus into a second week. A return engagement of “Houdini” took $3,300 at Loew’s Columbia.

Estimated takings, exclusive of tax, for the week ending Sept. 6: $12,122,113.

“HIDEOUT” (M-G-M) LOEW’S COLUMBIA—(250), $18,200, 7 days (return engagement). Gross: $1,000. (Average: $150.)

“MIDNIGHT PRIEST” (M-G-M) LOEW’S FOX—(1,000), $5,400, 7 days. Starring: Leni Anderson, Mady Christians, Allen and Kent. Four some, Joe Morrison, Ben Blue, Raye, and Magee. Gross: $1,000. (Average: $250.)

“CHAINED” (M-G-M) LOEW’S PALACE—(2,500), $1,500, 7 days. Gross: $2,400. (Average: $300.)

“THE MURDERS IN THE RUE MORGUE” (F. N.) METROPOLITAN—(1,000), $2,000, 7 days. Gross: $2,000. (Average: $283.)

“DOWN TO THEIR LAST YACHT” (RKO) RKO-KEITHS—(2,500), $25,200, 5 days. Gross: $10,000. (Average: $2,000.)

“Desirable” Leads In Oklahoma City

OKLAHOMA CITY, Sept. 10.—Two strong new entries dominated the first run situation here last week. “Desirable” went $3,000 over average week, while $2,000 gross at the Criterion. “Now and Forever” was $2,500 up at $6,500 in the Midwest.

Total first run business was $18,800. Average was $750.

Estimated takings for the week ending Sept. 6.

At the Criterion.

“Desirable” (Warners) CRITERION—(500), $1,250, 7 days. (Girls in Celluloid) (on stage) Gross: $1,250. (Average: $175.)

“Now and Forever” (Para) 26-28 MIDGET—(2,000), $2,500, 7 days. Gross: $6,500. (Average: $925.)

“Loves Me” (Para) 26-28 MIDGET—(2,000), $2,500, 7 days. Gross: $6,500. (Average: $925.)

“Desirable” (M-G-M) 26-28 MIDGET—(2,000), $2,500, 7 days. Gross: $6,500. (Average: $925.)

“MURDER CASE” (F. N.) METROPOLITAN—(1,000), $2,000, 7 days. Gross: $2,000. (Average: $285.)
Economical

HIGH INTENSITY ILLUMINATION FOR 
THE SMALLER THEATRES

HIGH Intensity A. C. projection gives the smaller theatres the patronage drawing power of immediate comfortable vision. It also provides the same snow white screen illumination found in the largest theatres. The added cost of operation is negligible.

ONE NEW PATRON PER DAY PAYS FOR IT

NATIONAL CARBON COMPANY, INC., 
Carbon Sales Division, Cleveland, Ohio
Unit of United Carbon Company
Branch Sales Offices:
New York - Pittsburgh - Chicago - San Francisco

DODGING CODE
Board Orders Hit by Campi

KANSAS CITY, Sept. 10.—Distributors have no right to alter the minimum admission stipulated in contracts once a cease and desist order has been issued against an offending exhibitor for failure of reducing the admission price to the minimum set in the Code. The Code Authority has established this principle in a ruling to the Kansas City grievance board which involves a complaint by C. B. McAlister, Orpheum, Parsons, Kan., that A. G. Smith, manager of Dickinson's Uptown, same city, continued to charge 15 cents at 10 cents beyond the board's order to observe the contract minimum, which was established as 15 cents.

Called for an explanation, Smith presented written authorization from two distributors permitting him to lower the contract minimum on all certain pictures. Authorization was given him after the board's cease and desist order was signed.

Code Authority stresses that contract price stipulations cannot be altered subsequent to a cease and desist order by the local board, on the ground the competitor's contracts are predicated on the price charged by the opponent and to make revisions subsequently is unfair to the competing exhibitor.

Smith has been asked to appear before the local board Sept. 15 at which time he will either comply with the original order to abide by contract provisions or show cause why his film service should not be stopped.

K. C. Board Disposes Of Five Grievances

KANSAS CITY, Sept. 10.—Resuming hearings after a recess of two weeks, the local grievance board has handed down the following decisions:


Fox Midwest Theatres for Mainstreet, Lexington, Mo., vs. Eagle, same city; reduced admission by admitting children for 15 cents. Respondent ordered to cease and desist by Oct. 5.

Mrs. A. Balzer, Lindbergh, Kansas City, Mo., vs. Wwink, same city; dualling out of spot. Respondent ordered to cease and desist immediately.

Ritz, Chillicothe, Mo., vs. Dickinson, same city; reduced admission by dualling at five and 10 cents, less than contract minimum. Respondent ordered to cease and desist by Sept. 20.

Fox Midwest vs. J. W. Cotter, Bijou, Kansas City; violating existing protection by playing a Warner picture at 29 cents day and date with Fox with the same picture for 25 cents. Board found no violation, case dismissed.

Rothacker Is Coming


New Plan on Code
Cost Is Completed

(Continued from page 1)

Fear General
Attack Upon
NRA Control

(Continued from page 1)

Dembow Quits
Para. to Join Nat'l Screen

(Continued from page 1)

Upon the recommendation of the clearance and zoning committee on complaints against schedules which have been found to justify appeals, hearings before Campi.

Campi Rules
Code Zonings
Void Contract

(Continued from page 1)

contains in the schedule the writing of new contracts. The 37 schedules which have been drawn are awaiting approval, and the defendants, Grauman's Hearings on the entire number may be concluded within the next month, it is thought. Only two cities, Miami and Jacksonville, have clearance schedules in effect now which were drawn by local boards.

Hearings on the remainder of the 37 schedules brought to Campi on appeal are expected to be concluded rapidly. Under the planned appeal procedure, Campi will examine the schedules only from the two basic questions involved: is a theatre's zoned territory too large? and, is its clearance too great?

Some legal minds question Campi's legal right to upset a contract by a resolution of its own, as might be the effect in many cases. The resolution even affects contracts drawn prior to the making of decisions by a local board and clearance and zoning board. Campi officials, however, point out that the same principle is involved in the case wherein the authority given a grievance board to order theatres found guilty of overcharging to give up a portion of their product under contract. Both boards, therefore, are defended as being in the best interests of the industry as a whole and in the spirit of the National Industrial Recovery Act.

Pittsburgh Scales
Are Ordered Raised

PITTSBURGH, Sept. 10.—A complaint of reduced admissions filed against the Center-Vue Amusement Co., here by E. J. Golden was sustained by the local grievance board following a hearing. The defendant company was ordered to restore the admission prices stipulated originally in the house contracts.

A similar complaint by Golden against the Roosevelt Amusement Corp. and distributors was dismissed.

Objects to Bank Night

KANSAS CITY, Sept. 10.—The first bank night complaint from out in the territory has been filed by the local grievance board by Tom Steele, manager of the Fox Midland, Pittsburgh, Kan., against J. A. Linski, Cozy, same city. Steele charged Linski awarded $50 in cash one night recently and allowed reduced admissions.
Monogram Head Reports Gains After Tour

Monogram's sales this season are per cent. greater than they were this time last year, W. Ray Johnston, Monogram president, said today on his return from a 6 months' tour of the company's exchanges. In addition, the company's profits this year are considerably higher than those of $458,000 for the year. The total payroll of the film theatres is reported as $451,000 and that of the other houses as $37,000. The largest city, reported film theatres with gross receipts of $50,000 and three film and vaudeville houses with an intake of $49,000.

Three More Theatres Building in Canada

Toronto, Sept. 11.—Famous Player-Canadian Corp. has returned to the construction era in its Dominion-wide program. The building of three theatres is now under way, two in the west and one in Ontario. The cities where the houses will be opened shortly are Victoria and Penticton in British Columbia and Guelph, Ontario.

Workers Gain in 8 Ohio Keys; Theatres Benefit

COLUMBUS, Sept. 11.—Eight Ohio key cities showed an increase in industrial employment in August of this year compared with 1933, according to a survey just released by the Bureau of Business Research of the Ohio State University.

The largest gain was at Dayton, which registered 25.3 per cent. Columbus next with 14.3 per cent. Other percentages were: Cincinnati, 13.9; Cleveland, 13.5; Toledo, 11.2 and Akron 6.4. Comparisons with July 1934 were favorable to four of the major keys, as follows: Canton, 4.7 per cent; Youngstown, 1 per cent; Cleveland, 0.3, and Columbus, 0.5.

Slight decreases were shown in Akron, Cincinnati, Dayton and Toledo. Theatre business in the larger situations has experienced a sizable upturn, especially in the major houses. This is particularly true where story material and name values are outstanding, although absence of outdoor competition, longer evenings and cooler weather are considered contributing factors to a more or less extent. Exhibitors report that the cleanup campaign has not appreciably affected attendance.

The reverse angle, however, exists at the neighborhood and subsequent (Continued on page 6)

NRA Revision

To Copy Setup Of U. S. Gov't

HYDE PARK, N. Y., Sept. 11.—A revised NRA model, after the Federal government was not given in form here today after a series of conferences between the President and Administr- ation Hugh S. Johnson, at the Roosevelt home here. The new set-up has been set down on paper to be acted upon by Congress at its next session.

An important feature of the reorgan- ization scheme is that it removes the NRA from commission of a single individual. This is taken to mean that Johnson will relinquish the supreme position he sits present holds in American business. However, it is understood that he will go on playing an important part in the Recovery Administration. Just as in the Federal government, there will be three main branches to

Pathe Plan Delayed

For Later Session

The plan of financial reorganiza- tion for Pathe Exchanges, Inc., may be submitted to the extraordinary meeting of stockholders for approval as a result of a representation of less than the amount of stock required by statute to act on the plan at the special meeting of Pathe stockholders called for yesterday.

A resolution authorizing Pathe to apply for permission to call the extraordinary session to act on the plan was voted at yesterday's meeting. The application for the session will be made within the next few days, according to Pathe officials.

General Manager of N. S. Dembrow Post

SAM DEMBROW, who resigned as vice-president of Famous Theatres Corp., Paramount subsidiary, on Monday, will become general manager of

MacCulloch Is Head

Of Central Casting

HOLLYWOOD, Sept. 11—Jack WARNER, vice-president of the M. P. Producers' Ass'n, now acting as president, today made public the appointment of Campbell MacCulloch as general
MOTION PICTURE DAILY
(Registered U. S. Patent Office)
Vol. 36
September 12, 1934
No. 61

Sales Up 25%
For the Year,
Says Johnston

"Letter" Ban Stirs Protest by Darmour

K. ARTHUR MACDONALD, Warner division manager for Latin America, returned yesterday from an eight-week business trip in South America. He visited Santa Barbara, Rio de Janeiro, Buenos Aires and points in Peru and Panama.

John A. Lewis, managing director of Paramount in Italy, reaches New York aboard the Rex tomorrow. He will be here several weeks, confirming negotiations for the future under- Kantant of Paramount International, on a new season product.

HAYS CONFER WITH
FAN MAGAZINE GROUP

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P. P. D. A. officials, yesterday, and adjourned at 6 o'clock until the next Monday. Hays outlined industry problems and the relations of fan magazines to them, and a general discussion followed, but no decisions were reached.

Bright to Tour 20 Keys

Hollywood, Sept. 11—Tom Baily, Paramount publicist head, leaves on a tour of 20 key cities today in contact with drama editors, theatre and exchange men. Baily's chief objective is to find out from the newspapers what type of press material and art is wanted.

F. & M. SEEKING DEAL

Hollywood, Sept. 11—Fanchon & Marco are asking for national distribution of 10-minute pictures to be produced under a new partnership. The first film will be a musical extravaganza.

Cantor Going Abroad

Hollywood, Sept. 11—Eddie Cantor will leave next week for England, it is understood, to play in the London Palladium.

Eastman Pfd. Up 4 1/2% on Big Board

National Screen service as seen if affairs at Paramount can be wound up quickly. The Screen was a newly created company, there being no sign of the company up to now. Morton Van Prazz is general sales manager.

General Manager of N. S. S. Dembrow Post

Great theater business opportunities and the relations of fan magazines to them, and a general discussion followed, but no decisions were reached.

Transforming those "banned" pictures, once a problem as an historical work and educators have long believed the work to be the most complete picture of Puritan life.

The letter continues: "If this popular historical and educational work is to be condemned, it is time to ask the audience what the limitations are to be in judging pictures. If the campaign is to be won for decency is based on its logical end, why, then, there are no attempts made to bar the book from schools and public libraries?

Editor's note—The Legion of Decency, under the direction of the Bishop's Committee, headed by Arch- bishop McNicholas, has issued no lists of either recommended or condemned pictures. Such lists have been issued by local efforts, conducted in several localities.

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"Motion Picture Daily?..... Warner Bros. speaking.....Reserve page 3 for the most important ad you've run in weeks! We've got big news for the trade about BRITISH AGENT. Just got a wire from Washington on the first key date and we want to tell the world it's got another Warner Bros. hit! Boy! — They had 'em swimming to the Earle in that drenching downpour last Friday! It's topping 'Navy', 'Sweethearts', and.....But wait — this thing's too big for a single page. You'll have to give us PAGE 5 too.....
Looking 'Em Over

(Continued from page 1)

"Unfinished Symphony"
(Gaumont-British)

LONDON, Sept. 11.—This adaptation of the Cine Alliance production, directed by Willy Forst, has successfully fitted English speech to an outstanding Continental achievement, making it acceptable to the American market without sacrificing anything of its original artistry in presentation and acting. Anthony Asquith, responsible for the British production, has done an excellent piece of work, supported by the technical resources of the Gaumont-British studio.

It's another Schubert life story, a romantic story of the composer's loves being followed through on which he hung many finely staged scenes of the Vienna of tradition and sentimental leged. Outstanding is the excellent use made of the opportunity to reproduce many of Schubert's love songs, while the famous B Minor symphony is a motif running through the whole piece.

The story is that Schubert, loved by a pawnbroker's daughter who has helped him in his poverty, is also loved by Caroline, daughter of the Count Esterhazy, who schemes to have him appointed her music teacher. She makes love by singing to him his own songs, and tells her father that she intends to marry the musician, but the nobleman sends the poverty-stricken Schubert about his business. Caroline marries a Hungarian noble and Schubert leaves unfinished the symphony with which his memories of her are associated.

Marta Eggerth gives an outstanding performance as Caroline and Hans Jaray looks like Schubert while giving a very sensitive picture of the wonderful musician. The musical feature, which is a big selling feature, is magnificently handled. The Vienna Philharmonic Orchestra, the Wiener Saengerknaben, the Vienna State Opera chorus and the "Gyula Horrow" gypsy band are introduced.

BRUCE ALLAN.

"Petersburg Nights"
(Ankino)

This Soyusfilm production, adapted from the Dostoevsky novel, "White Nights," cannot be of more than limited appeal to American audiences. That it is thoroughly morbid and solen is handicap enough in its quest for American support. But on top of that it runs interminably.

After a while the film's heavy dramatic quality becomes tiresome and a little strained.

The picture is a veiled attack against the commercialization of art under the Russian aristocracy and the supression of pure genius. The theme is illustrated by the struggle of a violinist to attain success without sacrificing his integrity as an artist. It is a hopeless task, and he turns out a pitiful failure, while a rival, willing to make concessions for the sake of his financial wellbeing, becomes a popular idol. In his bitterness the thwarted genius turns to the cause of the Russian workers.

In the end he finds some joy in the realization that the song of the laboring classes was a composition written by him in his younger days.

There are plenty of English titles. The acting is highly dramatic. The cast includes B. Dobron Ravov, A. Gorunov, K. Tarasovna and A. Fenin. Direction is credited to Gregory Roshal and V. Stroyeva. Running time, 97 minutes.

"Moonstone"
(Monogram)

Done in the conventional manner, but minus the usual hokum, this mystery thriller affords good entertainment.

The direction of Reginald Barker builds up to a satisfyingly novel climax and Robert Flanck's photography is better than average. The cast, well chosen and competent, includes Triangle Films in a variety of capacities. He is well known here as an authority on studio problems.

Approves Sum to Saga

Special Master John E. Joyce yesterday approved the recommendation of the trustees in the reorganization of Paramount Pictures that $25,000 be assigned to the Saga Theatre Corp., which is controlled by the trustees, in settlement of claims against the theatre subsidiary.

New Operating Pact for Fox Met in Offing

(Continued from page 1)

and was unable to say, as a result whether the new contracts, which had been awaited for by Rand force as operators of the circuit, would come into effect. It is known, however, that the committee has made repeated attempts in the last few weeks to negotiate a new clause for the present operating contracts with Shouras and Rand force which would permit the committee to dispose of the circuit after one year. Attempts were also made by the committee to obtain an authorization to cancel the existing agreements.

Archibal Palmer, attorney to minority bondholders, charged the committee with "common greediness" at yesterday's hearing and asserted that Shouras and Rand force operating contracts by that group, Judge Mack continued the hearing until today. Also scheduled for hearing before Judge Mack today is a motion to make permanent the temporary order admitting Fox Met to reorganization of the new bank. Indecisions are that the hearing will be postponed and that the application may be opposed on the grounds of returning the circuit to its former equity receiver status.

"Forever" $6,500

Indianapolis Lead

INDIANAPOLIS, Sept. 11.—With re-opening of the Indiana and inauguration of stag shows at the Lyric, the theatre outlook took on a brighter last week. "Now and Forever" the gross parade with $6,500, or average of $542 per night.

Both "The Cat's Paw" and "The Affairs of Cellini" were strong at tro and Apollo, and Palace, respectively. The total first run business was $28,000, in excess of the Indiana and Lyric's $11,000. Estimated takings for the week end

"THE CATS PAW" (Fox) APOLLO—$1,170, 25c-40c, 7 days. Gross $3,000, Average $428.00
"NOW AND FOREVER" (Para) CIRCLE—$2,680, 25c-40c, 7 days. Gross $6,500, (Average, $928.57)
"SHE LOVES ME NOT" (Para) INDIANA—$1,183, 25c-40c, 7 days. Gross $1,100, (Average, $157.14)
"THEIR BIG Moment" (Radio) LYRIC—$2,680, 25c-40c, 7 days. Stage show Gross $1,300. (Average, $185)
"THE AFFAIRS OF CELLINI" (U.A.) PALACE—$2,431, 25c-40c, 7 days. Gross $5,500. (Average, $786)

Seating Firm Cuts Loss

The American Seating Co. reports a net loss for the second quarter of the year. This compares with a loss of $90,400 for the same quarter of last year, and with a loss of $81,000 for the first three months of the year.

Switch Football Title

Hollywood, Sept. 11.—A tid-bit at Radio has "The Football Fool" as the final release title of "Kickoff."
".....so we can show the folks that Washington wire word for word. Listen!.....'Despite terrific downpour lasting all day BRITISH AGENT drew tremendous crowds giving us bigger opening day than "Twenty Million Sweethearts";"Here Comes The Navy"or "__ ____ __ __"(that stands for the strongest opposition show of recent weeks). Patrons came in droves in cars and cabs making this gala day for parking garages and taxi drivers. Last performance started with hundreds standing necessitating use of every available bit of space. Warner Bros. have stirring dramatic hit in British Agent drawing applause at conclusion of every showing'. ..... You can hear that coin jingling all the way up here, can't you sweetheart? But that's not all. We'll have to have PAGE 7 too.....
Looking 'Em Over

“Bride of the Lake”
(Amer-Anglo Prod.)

One of the better foreign productions, it should appeal to the Irish-American trade, as well as general audiences. The film is based on the play, “Colleen Bawn,” by Dion Boucicault, and is filmed on Irish backgrounds with native ballads.

The story is that of a love affair between Sir Patrick Creggan and a peasant maid, Eileen. He is blocked at every angle in his attempts to marry her, especially by his many debts. When on the verge of losing his ancestral home by his refusal to marry a wealthy girl, Sir Patrick extricates himself from his difficulties by winning a steeplechase from Lord to be a technical member of the Board of Trade.

The cast includes Gino Malo, Stan Halloway, John Garrick and Stanley Perrins. Maurice Elvey directed this Julius Hagen production with charm and finesse. Running time, 65 minutes.

“You Belong to Me,” last night's preview at the Rio, was reviewed by wire from Hollywood on Aug. 10.

“Chances in London,” last night's preview at the Mayfair, was reviewed on Sept. 5.

Great entertainment.

“The Old Pioneer”
(M-G-M)

Hollywood, Sept. 11.—A “Happy Harumians” cartoon in color.

An “old timer” relates his experiences with the Indians during the rush of '49 to a newsboy. Entire short seems to have been designed with the action of the drawings particularly smooth. Outstanding is the sequence of the Indian war dance with shadows playing on the tepees.

“Nosed Out”
(Roach-M-G-M)

Hollywood, Sept. 11.—An acceptable comedy starring the famed Irving S. Cobb.

Comedy deals with Captain Cobb, a river boat captain elected mayor through a fluke. Many situations are amusing but a few might prove too strong for those tired of vegetable-slinging type of comedy. Cobb deserves better material.

Code seal 144. Running time, 18 mins.

“Mike Fright”
(Roach-M-G-M)

Hollywood, Sept. 11.—Director Gus Meins got the little tots to give their best to this one.

Comedy shows the trials of “our gang” with their first appearance over the radio with the best comedy performance of the “short” season contributed by five-year-old Spanky McFarlane.

Proection seal No. 33. Running time, 18 mins.

“Good Luck-Best Wishes”
(Edutational)

Radio fans should go for this one in a big way for it features the well known Pickens Sisters and Perce Gober orchestra. The story is negligible for it only serves as a means of letting the girls sing to the tune of Gober’s music. Sally Ward, cast as Pati Pickens’ love interest, handles two songs nicely. Running time, 18 mins.

“Taking Care of Baby”
(M-G-M)

Hollywood, Sept. 11.—A comedy headed right down the alley of every mother in the audience with the footage given over entirely to closeups of beautiful babies and their care. Here is a short with appeal. Explanatory remarks by Pete Smith good.

Code seal 98. Running time, 9 mins.

“Tulip Time”
(Hollywood, Sept. 11)—A FitzPatrick travel-talk in color.

A breath-taking pictorial of Holland, its quaint streets, fishermen, and

British Film Imports Slip

66% in Canada

(Continued from page 1)

United States was 29.1 per cent and for the United Kingdom, 30.6 per cent.

French film imports into Canada are not classified, according to the report, but during the fiscal year ended March 31, 1934, French film imports from France, Canada amounted to 748,249 feet, valued at $35,533, as compared with 806,255 feet valued at $10,932, in the previous 12-month period.

Summer business was only fair, Peterson’s report goes on, with double bills prevailing generally, but fall improvement is expected with a decrease of competition from outdoor sports.

A technical achievement of General has tended to concentrate attention on late evening shows, says the report.

Three in Nebraska Shift; Three Close

Omaha, Sept. 11.—Mrs. Charlotte Riggs has taken over the Owl at Bancroft, Neb., has renamed it the Bancroft and is now operating the house. P. W. Anderson is now operating the Orleans at Omaha, Neb. H. E. Eumenie was the former owner.

The Dean at York, Neb., has been taken over by Ross Lobart.

The Uptown in Omaha has been transferred to the Avon Theatre Corp., by R. D. Goldberg.

Nebraska bookings have closed. They are: Crystal at Peru, Community at Campbell and Star at Brainerd.

Columbia Will Take Elliptic China Film

Hollywood, Sept. 11.—Clyde Elliptic has closed a deal with Columbia for release of the contemplated China adventure story titled “China Roars.” Elliptic will be financed by Erpi. He will leave here Oct. 15 and probably will be away eight months. The script has been approved by the Chinese consul here.

Fire in Denver Oriental

Denver, Sept. 11.—Fire, thought to have been caused by defective wiring, did $15,000 damage to the Oriental, one of the Civic group owned by Joe Dekler and A. P. Archer. Archer noticed the blaze, and threw on the house lights and asked the audience to march out quietly, which they did, but not until several were burned, ‘some several enough to be taken to hospitals.

Charles G. Doty, publicity director, received second degree burns when he attempted to fight the flames with extinguishers. The backstage sound equipment and the organ were destroyed.

The sound equipment was replaced and the theatre was opened the next day, Sunday, for matinee.

Para. Re-Signs Karns

Hollywood, Sept. 11.—Paramount has written a new long-term contract, with a tilt in salary, for Roscoe Karns. His last picture for Paramount was “Shoot the Works.”

Workers Gain In Eight Big Ohio Centers

(Continued from page 1)

spots, according to exhibitor report business is not comparable with the same season last year, and it is felt that the story is not fully responsible for this, since residents of the smaller communities are in close contact with the church. On the other hand, exhibitors anticipate a pick-up in business as soon as they are in position to play the new season products, the buying of which has been postponed in certain situations pending definite settlement of the clearance schedules now on appeal to Court. Other situations, where new product has been bought to be played “to the nose” in accordance with protection schedules, are counting on a return proportionately comparable with the first run taken.

Wisconsin Factories Busier; Payroll U1

(Continued from page 1)

announces. Factory payrolls in June were higher than in any month since June, 1931, the commission said.

Compared with June of last year the number of workers in Wisconsin factories increased 21 per cent and the total payroll was 36.8 per cent greater.

From May 15 to June 15, both employment and payroll totals increased in Madison, Beloit, Chippewa Falls, La Crosse, Plymouth, Rhinelander Watertown and Wausau.

Exhibitors anticipate the additional money in circulation will reflect itself at the box-office.

Donaldsville to Open

DONALDSVILLE, La., Sept. 11.—The remodeled Grand will open here this month under management of Har and DeLa.

The house will be wired.

hundreds of fields of vari-color tulips. Sher beauty of this one should capture any audience.

“Treasure Island”
(Hollywood, Sept. 11)—A pet cat escapes from his cage, encounters many amusing dangers in the big, bad wood, and is rescued from a cul-de-sac is glad to return to his barred home.

Color and facial expression of the jungle folk particularly good. Entertainment value high. Running time, 70 mins.

“Strikes and Spares”
(M-G-M)

Hollywood, Sept. 11.—Here’s one for the bowler, and the one who doesn’t do much bowling, for Pete Smith shows the audience that the professional bowler has as many tricks up his sleeve as the professional car shark or the professional billiar.

Code seal No. 96. Running time, 60 mins.

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.....so we can remind the boys that **BRITISH AGENT** is the show that has both Kay Francis and Leslie Howard in the 20-star cast directed by Michael Curtiz, and that it was inspired by a best-seller that was talked and written about all over the world! And then we'll want to get in something to the effect that 'Dames' and 'Here Comes the Navy' are doing very nicely too, thank you.....and that a dozen more big shows, like Stanwyck in 'A Lost Lady', and Joe E. Brown in '6-Day Bike Rider', and Kibbee and MacMahon in 'Big Hearted Herbert', and Dick Powell and Josephine Hutchinson in 'Happiness Ahead', Franchot Tone and Jean Muir in 'Gentlemen Are Born', and Jimmy Cagney in 'A Perfect Week-End', are coming all in a bunch from WARNER BROS.
Take 'em on these 3 Great Laugh Cruises

WILL MAHONEY

"She's My Lilly"

Produced by AL CHRISTIE

"GOOD LUCK BEST WISHES"

The PICKENS SISTERS and SOLLY WARD

What if vacation is over! Here's all the fun of another 7-day pleasure cruise, all wrapped up in two reels. Will Mahoney at his best, plus a big surprise hit in the singing of the Five Spirits of Harmony. It will be one of your biggest comedy hits of the season.

Distributed in U. S. A. by FOX Film Corporation

with TOM PATRICOLA and BUSTER WEST

"Lively and snappy comedy... The dancing put on by the boys is a great stepping exhibition... fast and well gagged."

Film Daily
Sisk Is Made McDonald's Studio Aide

S. Barrett McCormick in Publicity, Ad Post

Robert F. Sisk has been named assistant to J. R. McDonald, president of RKO Radio Pictures, and will resign as RKO advertising director to assume his new post within the next few days.

S. Barrett McCormick will be in charge of Radio Pictures' advertising and John A. Davol will handle theatre advertising. McCormick went to RKO with Sisk three years ago.

Heyl, Photophone, Quits as Manager

E. O. Heyl, general manager of RCA Photophone, resigned that post yesterday immediately.

Heyl will be succeeded by J. E. Francis, formerly in charge of Photophone's recording division which

Changes Slated for N. Y., Allied Heads

ALBANY, Sept. 12—Changes in the executive setup of Allied of New York loom at the annual elections on Sept. 26. The meeting is set for the DeWitt Clinton Hotel. Some of the officers claim they cannot devote their time to the organization and want to be relieved of their posts.

Because of the annual conclave, the eastern session of Allied units is being held up.

Southern California ITO Roster Gaining

Hollywood, Sept. 12—New members are being added daily to the I. T. O. of Southern California.

Financing of the organization is planned to be launched this month to be given at Pantages Sept. 22, with a program of film, stage and radio personalities and a studio preview.

Theatre Suit OnASCAP Tax Frowned Upon

Exhibitors Told Federal Action Covers Needs

WASHINGTON, Sept. 12—Exhibitor representatives were advised here today that the Federal anti-trust action recently filed against the American Society of Composers, Authors and Publishers and other music licensing groups fully covers theatre owners' interests and that nothing would be gained through the filing of a separate action by exhibitors, or consolidating an action with that of the government.

The exhibitor representatives, led by George Z. Medalie, former U. S. District Attorney at New York, who was retained recently by the exhibitor emergency committee to conduct their

Cutting Most Vital In Films—Hubbard

Cutting is the most important job in production. Lucien Hubbard, M-G-M producer, stated yesterday on his return from an eight-week vacation in Europe. Casting, he opines, is the easiest part of the work. While abroad Hubbard, his wife and two children visited England, France, Italy, Germany and Switzerland. He had a brief conference with Louis B. Mayer, Sam Edelman and Andy Lawrene. Hubbard did not enter the interviews, Hubbard says.

He left for the coast last night and will stop off at Fort Thomas, Ky., to visit his mother. He plans to be back in Hollywood on Tuesday for an assignment.

Detroit Operators' Scales Are Raised

DETROIT, Sept. 12—Roger Kennedy, business agent of the J. A. T. S. E., after months of negotiation with exhibitors, has settled the operator wage scale for the next two years.

Independent theatre operators will receive an increase of 14 per cent and

Denies 4 Members Out of Penn MPTO

Declaring that four theatres recently listed asará as the E. P. A. are full-fledged members of the M. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware.

Two Columnists On

Loew's goes into opposition with itself starting the week of Sept. 21 as far as the State and Capitol are concerned. Paul Yawitz, Broadway columnist of the Sunday American, is planning a trip to New York for that period and Ed Sullivan, columnist of the Daily News, is scheduled to open at the Capitol the same day.

Court Orders New Fox Met Plan Nov. 12

Creditor groups in Texas Metropolitans Playhouses were directed by Federal Judge Julian W. Mack at a hearing in U. S. District Court yesterday to have a plan of reorganization for the company ready for submission by Nov. 12.

It was indicated at the hearing that the bondholders' committee in the two cases would begin work on a plan at once to comply with the court's instructions. If objections to the plan are made on its submission, opposing creditors may move at this time to have the reorganization proceedings set aside and

Fox Met in Red, But Cash Is $2,171,928

Despite cash on hand of $2,171,928 as of yesterday, Fox Metropolitans Playhouses is still "in the red." Walter Littlefield, Irving Trust representative in Fox Met, told Federal Judge Julian W. Mack yesterday.

Cash in the hands of the trustee for the company, as of yesterday, amounted to $1,925,744, of which $1,510,984 was described as "mortgaged cash" and $414,760 as "free cash." Littlefield estimated that Fox Met

Loew Seeks Listing For 200,000 Shares

Loew's, Inc., yesterday applied to the New York Stock Exchange for permission to list an additional 200,000 shares of the company's common stock.

This move was made to clear the options given Irving Thalberg, M-G-M producer, and Louis B. Mayer, vice-president in charge of production at M-G-M, a year ago last September. The options are redeemable after the first of the year.

RKO May Get Half of "U" And Columbia

This, as Well as Fox, In Loew Peace Plan

Half of Universal and Columbia product, in addition to all of Fox, will be switched to RKO by Loew's in Greater New York provided negotiations under way materialize within the next week.

Consanginities of all objects going on for shifting of product by Loew's is contingent on RKO dropping 11 independent theatres recently acquired in the local area.

Ratification of the deals by R. K. Kent of Fox, James R. Cranston of Universal and Jack Cohn of Columbia is expected. While R. K. Kent is understood to have been approached on the Fox angle, Granger and Cohn have not, as of yet, as it could be learned yesterday.

In executive quarters the deals are looked upon as certain. In this event, RKO would have splits with Loew's.

Denver Seeks Code Change on Prizes

DENVER, Sept. 12—Theatre owners here have filed petitions to amend or add restrictions on premiums, gifts, awards, chance etc. They contend these should be left to local autonomy.

This city has been a hotbed of giveaways, the practice reaching the point

Rosenblatt Denies He Will Leave NRA

WASHINGTON, Sept. 12.—Flatly denying any intention of leaving the National Recovery Administration, Division Administrator Sol A. Rosenblatt today branded as mere rumors reports from the coast that he would resign at the end of this month.

Campi Resumes Its Clearance Hearings

Appeal hearings on clearance and zoning schedules were resumed yesterday by Campi. Four protests were heard by a committee comprising George J. Schaefer, chairman; E. C. Grainger and Leon Rosenblatt.

Because an appeal on a decision of
Court Orders New Fox Met Plan Nov. 12

(Continued from page 1)

the equity receivership status of Fox Met restored, the court indicated.

Fox Theatres Corp. owns all of the common stock of Fox Met and may intervene in the reorganization proceedings to approve or oppose a plan when one is submitted. Central Hanover Bank & Trust Co. is trustee under the Met $13,000,000 gold note issue and the bankruptcy petition to intervene was granted yesterday by Judge Mack. A similar petition to intervene made by counsel for Fox Met stockholders was denied on the grounds that stockholders of Fox Theatres are not creditors of the corporation.

Irving Trust Co. was made permanent trustee for Fox Met in an order signed by Judge Mack yesterday.

$435,000 Claim Reverted

It was revealed at the hearing that Fox Theatres' claim of $435,000 against Fox Met had previously agreed to settle for $100,000, has again been thrown into the open and the voting of Judge Martin Martin's order authorizing Fox Theatres to effect the settlement. Judge Mack had made no similar authorization to Fox Met receivers to participate in the settlement, and the claim, therefore, may be pressed anew. Irving Trust Co. is trustee in bankruptcy of Fox Met.

Milton C. Weisman, trustee of Fox Theatres with William E. Atkinson, stated that David Burton, an accountant retained recently by Fox Theatres, would examine the books of Fox Met in the event a settlement is reached. Burton also stated that Fox Theatres would bring in its own reorganization plan for Fox Met if there was unnecessary delay on the part of the bondholders' committee.

Judge Mack is expected to make a stay yesterday to prevent Central Hanover from bringing foreclosure actions against Fox Met properties in an attempt to end the receivership and the submission of a plan.

In the meantime, Skouras and Randolfce continue as operators of Fox Met, but how they will be affected by the reorganization plan is a question. The bondholders' committee has made several attempts to modify the operating contract, and stated to Judge Mack yesterday that new contracts would be drawn soon and submitted to Fox Met creditors for approval.

In reply to a question yesterday, Walter Littlefield, Irving Trust represenative, stated that the Fox Film franchise is held by Skouras and Randolfce, not Fox Met.

Fox Met in Red, But Cash Is $2,171,928

(Continued from page 1)

was "in the red" in the 1st quarter, but the deficit was less than $250,000 on operations for the summer, adding that earnings are off at season's beginning and improved during the winter.

Asked whether operations were showing a profit, Littlefield said that the trustee "had no way of knowing," He added that Skouras and Randolfce had both paid rents, computed after operating costs, to the trustee and that he believed there was some cash in the Randolfce treasury. Skouras, however, had declared the dividend due in October.

Hoffman May Jump Liberty to Twelve

M. H. Hoffman is now mulling over possibilities of increasing the current Liberty program of eight to 12. A decision may be reached within the next 48 hours, he states.

Tentative plans for next season call for a picture, a special, and two super specials. He returns to the coast in about 10 days.

"Don Juan" Print Here

The first print of "The Private Life of Don Juan" arrived in America yesterday on board the Olympic. Louis B. Mayer, president of United Artists, handling the release in this country.

Closes Circuit Deals

United Artists has signed two more circuits for the company's 1934-35 product line, a lightweight, vice-president in charge of sales, with the closing of the deals with Randolfce circuit and the Fox Rocky Mountain Theatre Co.

Eastman Up One on Big Board

Consolidated Film Industries, p.d.,
Eastman Kodak
Fox
Loew's, Inc.
Paramount Publics, etc.
Pathe
REO
Warners Bros.

High Low Close Change Sales

12% 12% 12% .50 .00
96% 90% 90% .80 .00
11% 9% 9% .60 .00
10% 7% 7% .60 .00
34% 32% 32% .40 .00
10% 7% 7% .60 .00
2% 2% 2% .60 .00
2% 2% 2% .60 .00

No Change in Curb Stocks

Sentry Safety Control
Trans Lux

High Low Close Change Sales

14% 14% 14% .00 .00
14% 14% 14% .00 .00

Paramount Bonds Off One

General Theatrical Equipment 6 1/2
Home Entertainment Equipment 3 1/2
Loew's 6 1/2, no deb rights
Paramount Broadway Stats 5
Paramount P. F. 6 1/2
Paramount Publics Stats 5
Pathe 7 1/2, 8, 11
Warners Bros. 6 3/4, 7, 8, 8 3/4

High Low Close Change Sales

9% 9% 9% .50 .00
10% 10% 10% .50 .00
10% 10% 10% .50 .00
10% 10% 10% .50 .00
7% 7% 7% .90 .00
46% 46% 46% .40 .00
44% 44% 44% .40 .00
40% 40% 40% .40 .00
9% 9% 9% .90 .00
51% 51% 51% .50 .00

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A GIRL OF THE LIMBERLOST
WINS MEDAL FOR THE BEST PICTURE OF THE MONTH
based on GENE STRATTON-PORTER'S great novel

WITH
LOUISE DRESSER
MARIAN MARSH
RALPH MORGAN

DIRECTED BY CHRISTY CABANNE
A WM. T. LACKEY Production
SCREEN PLAY BY ADELE COMANDINI

W. RAY JOHNSTON President
TREM CARR vice-president in charge of production
Wages Absorb 18% of Gross For Theatres

Wages absorb an average of 18 per cent of gross receipts, Motion Picture Herald will reveal tonight, stating the results of a study made by it of reports on the first 17 states to be canvassed by the M. S. Census Bureau in its canvass of the nation's film theatres financed by funds provided by the Public Works Administration.

The reports are based on information obtained from 1,586 theatres in the following states: Alabama, Arizona, Arkansas, Delaware, Iowa, Kentucky, Louisiana, Maine, Mississippi, Nevada, New Hampshire, New Mexico, North Carolina, Rhode Island, South Dakota and Vermont.

Total Gross $33,233,000
Total box-office receipts last year for theatres in these states were $33,233,000. Of this sum approximately $6,171,000 went to wages, or one-half a percentage of gross receipts applied to wages ranging from 15 per cent in New Mexico to 22 per cent in Rhode Island. In the large cities the average was 21 per cent, ranging from 15 per cent in Mobile, Ala., to 27 per cent in Portland, Ore.

"The average theatre," according to the publication, "spent $3,899 per year for wages, or 21 per cent of gross receipts. In the large cities the average was $12,307 for the year and $237 per week."

The Herald figures also disclose that "average gross receipts per theatre for 1933 were $20,900 and $59,312 per theatre in the large cities, while average weekly receipts per theatre amounted to $1,141, the average for all 17 states."

"The policy," the Herald declares, "of the Census Bureau survey represents "the first wholesale accumulation of accurate data in relation to wages and salaries paid in exhibition undertaken on a scientific basis by the government's economic investigators."

Detroit Operators' Scales Are Raised
(Continued from page 1)

a circuit will receive a seven and one-half cent per raise. The reason for the difference is that the circuits granted a 14 per cent raise last September while the in-dies did not raise. The operators wanted a flat 20 per cent boost with overtime starting at 11 P.M. The new arrangement calls for pay for overtime after 11:30 P.M.

With the double feature situation here as it is, it is almost impossible for a neighborhood house to run two complete shows, double features and short subjects without going into overtime every night. Most houses are already running one reel with the rough off run only and as near 9 P.M. as possible.

With this present schedule, most houses close the box-offices shortly after 9 P.M. to avoid kicks.

Books "Scarlet Letter" Majestic has booked "The Scarlet Letter" into the Strand, Brooklyn, starting tomorrow.

Denver Seeks Code Change on Prizes
(Continued from page 1)

some time ago where automobiles were among the prizes. Resolutions passed by the Rocky Mountain Theatre Owners' Ass'n. are said to have been forwarded, involving a commissioner Sol Rosenblatt and Campi, in them the association asks that where 75 per cent of exhibitors in any territory agree to refuse to give prizes and awards the practice be permitted.

First New Season's Overbuying Case Up
First overbuying complaint on 1934-35 product is before the New York grievance board. Slated to come up yesterday, the case was postponed until the next meeting, date of which has not been set.

The complaint, filled by Frank Socraroli of the Royal, Port Jervis, N. Y., charges Harry Shiffman with buying too much product for the Strand and Ritz in that city. Socraroli claims that he has suffered sufficient first run films he will have to close. He says he has been forced to close the Strand for several months. He reopened last January.

Shiffman, however, contends that according to present deals he has insufficient product to keep both his units operating as first runs.

Clearance and zones resuming in local terms, and Monday the Hastings, Hastings-on-the-Hudson, appears before the New York board on a complaint for a reclassification now obtained by the Strand, Yonkers, an RKO house.

Campi Resumes Its Clearance Hearings
(Continued from page 1)

the Pittsfield board, including the Fern Rock against the Logan, Lindley and Benn, took three hours, while another adjourned the session until 8:15 P.M. Schaeter was accompanied to the hearing by E. J. Sparks, prior to the latter's departure for Florida last night and had to leave by airplane. I. Levinson represented Warners, respondents and attorneys, while George P. Aarons represented Herbert J. Elliott of the Fern Rock.

Cases heard in the evening were the Orphenium, Sangerties, N. Y., against Broadway and Kingston, Kingston, N. Y.; Ambassador, Philadelphia, against the Benn; Astor, Atlantic City, against Colonial, same city.

3 New Kodak Officers

ROCHESTER, Sept. 12.—Albert F. Sulzer has been named general manager of Eastman Kodak in charge of Kodak Park, the company's largest centre of sales, it was announced by Dr. C. E. Kenneth Mes has been advanced from director of research and development to vice-president in charge of that division.

C. Sievers, formerly general sales manager, is now vice-president in charge of sales and as successor to the late Lewis B. Jones.

Joe Verdi Langholtz Resigns
Joe Verdi Langholtz resigns as branch manager of Majestic's New York exchange.

G-B Sets Deal for Fox to Handle Lit Contracts calling for physical distribution of Gaumont British titles through Fox exchanges have been signed. Branch managers and salesmen will be stationed in the Fox exchange office in New York.

"Cin Chin Chow" will open at the Roxy Sept. 21 and "Power" will open at the Music Hall Oct. 4; deals were handled before signing the Fox agreement.

Negotiations under way bring over a number of G-B stars and personal appearances at the Roxy.

RKO May Get Half of "I" And Columbia
(Continued from page 1)

on Paramount, Warners, Columbia and United Artists, there is no guarantee that the circuit does not want any of the them, leaving position of them to RKO. Selen-

[Continued from page 1]

Heliotype, Photophone, Quits as Manager
(Continued from page 1)

concurrently with his advancement will be combined with the reproduction division. Francis, therefore, will be in charge of both recording and producing divisions.

Sisk Is Made Aide To J. R. McDonough
(Continued from page 1)

Dowd has been with the company the past 14 years. Sisk's headquarters will be in Hollywood. He leaves with his family shortly. Prior to his RKO associa-
tion, Sisk was general press repre-
sentative for the New York Theat-}

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(Continued from page 1)

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New Regional Labor Setups Due Sept. 22

Boards for Country, Director for Each

KANSAS CITY, Sept. 13.—Reorganization of the 20 regional labor boards throughout the country will become effective Sept. 22 at which time members of the regional boards go out of office and new machinery will be established under the national labor relations board, Motion Picture Industry is informed by Richard L. union, executive secretary of the national board here.

The national labor relations board successor to the Wagner labor board, which was named by the President immediately after the inauguration of the National Industrial Recovery Act.

The regional boards consisting of members of the local boards and Board of Governors, the latter being named by the President.

Meyer & Schneider Stand

Loew-RKO Deal Hangs On

Meyer & Schneider, independent circuit operators, hold the key to a shift of Fox, Universal and Columbia product by Loew's to RKO.

Efforts are being made by RKO to settle one-year leases on the Apollo and Hollywood, taken over about a month ago by the major circuit. M. & S. is understood to be asking in the neighborhood of $100,000 for cancellation of the leases, but RKO is said to have offered $100,000 less. Conferences between the two circuits are being held daily.

In taking over the Apollo and Hollywood, RKO struck a vulnerable theatre situation dominated by Loew's, which has the Delancey, Avenue B, Canal and Commodore. The Apollo (Continued on page 6)

New Orleans Men to Fight Tax in Court

NEW ORLEANS, Sept. 13.—A court fight is planned here on the assessment tax enacted at the special session of the legislature and levied here by direction of Mayor Walmsley.

The tax will be levied against theatres up to 10 per cent on night clubs, circuses and other forms of amusement.

Under the terms of the law, it is claimed, the proceeds will be turned into the state treasury for relief purposes in conjunction with Federal funds.

Mayor Walmsley began the collection. He then turned the proceeds into the city treasury for use by local relief agencies.

A few days ago a few exhibitors called on the Mayor and suggested (Continued on page 6)

I-G-M to Delay Its English Production

M-G-M production in England will go under way for some time, conditions abroad not being ripe at the present time, it is held in executive quarters.

Los B. Mayer, now in Europe, is interested about making films in England (Continued on page 6)

Out on Sunday

Kansas City, Sept. 13.—As a concession to something or other, the Kansas City Journal-Post, running a serialized feature by Mae West, entitled “Me and My Past,” omitted the story on Sunday and carried the installment on Monday instead. An editor’s note said the arrangement was requested by La West.

“One Night” Grabs $104,120 for Week

CHALING up the biggest gross in 42 weeks, “One Night of Love” garnered $104,120 for the first seven days at the Music Hall. The last picture to

Stage Appearances Due for Rush Here

Broadway will break out in a rash of personal appearances by film players starting Sept. 21.

With Ed Sullivan, Daily News

(Continued on page 6)

Defeat Is Expected

ST. LOUIS, Sept. 13.—Defeat of the proposed city sales tax in the Board of Aldermen seems certain. In order to make up the city’s deficit of $4,253,000 for bond issue sinking fund and other shortages it is expected the board will return to a plan for a city income tax and special taxes of various kinds.

Whether this will include admission levies is worrying exhibitors.

GSTA to Aid Fight On ASCAP Tax Move

NEW ORLEANS, Sept. 13.—The Gulf States Theatre Owners Ass’n will swing into action against the American Society of Composers, Authors and Publishers this winter when Congress meets. President Henry McLeod, stating that no action would be taken now, declared his association would fight any move to saddle the exhibitor with increased and unjust costs.

Revamping of Para. Nears; Bank Deal On

COURT to Get Pact On Bond Sutt Sept. 25

The possibility of an early reorganization of Paramount Pictures is brought to the fore again with the disclosure yesterday that a settlement bringing 12 Paramount bank creditors has been virtually agreed upon.

Disclosure of the imminent agreement came with the appearance of representatives of the principal Paramount reorganization groups at a hearing before Federal Judge Alfred C. Coxe in chambers. At the request of Samuel S. Isakson, counsel for the Paramount trustees, Judge Coxe postponed the hearing to Sept. 25 to permit the winding up of negotiations for a settlement. Isakson requested an adjournment of only six days, but Judge Coxe said he would be unable to hear the case next week and set the later date.

Morton G. Bogue, counsel for (Continued on page 6)

Big Electric Suits On September List

WILMINGTON, Sept. 13.—Suits involving General Talking Pictures Corp., Warners, Erpi, Western Electric, A. T. & T., RCA, Duvoac Radio and others are listed on the (Continued on page 6)

Campi Adopts 12 New Clearance Principles

After spending the greater part of the afternoon amending and redrafting a set of rules promulgated by a special committee of sales executives, Campi yesterday adopted a plan of 12 principles to govern new clearance and zoning schedules. Loew and Warner are said to have argued considerably on the committee’s report before it was changed and accepted. The financial committee did not sub (Continued on page 6)

End 15-Year Run

After playing vaudeville for 15 consecutive years, Loew’s Gates in Brooklyn goes to straight picture programs within the next two weeks.
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Friday, September 14, 1934

Purely Personal

JOHN C. HACKETT’S book based on the murder of Dot King has been purchased by Grace Pictures. The picture will be made at Irvington-on-the-Hudson. 

S. M. IRVINE, Columbia district manager in Atlanta, and Jerome Sapiro, west coast district manager, were returned to their offices.

Joseph N. Weber, president of the American Federation of Musicians, and Mrs. Weber return tomorrow on the Paris from a trip through Europe.

SPYKE SKOUROS and C. A. ATWELL yesterday held a producer conference with AL LITMAN. That is that Fox West Coast deal.

ALICE MACMAHON will arrive in town early next week for a vacation. She has just finished work in Warners’ “Babbitt.”

JAMES M. BECK, M.P.P.D.A. representative in London, is due here the end of this month on his annual American visit.

M. H. HOFFMAN has moved from Essex to the Park Central, his usual stopping place when he is in New York.

Glenn Anders has completed his first assignment for M.P.M-G.M. and is flying east to go into a Guild picture.

GREGORY RAPOPORT returns from abroad about Oct. 1, having been in England since April working in pictures.

DAMON RUYXON has sold another of his short stories, this time to M-G-M. It is called “Three Wise Guys.”

WILLIAM WISTER Haines’ “Slim” has now been acquired by Warners.

JAMES CAEGNEY may be starred.

BYRON MORGAN and J. ROBERT BERN have sold their football story, “Backfield,” to M-P-M.

PETE SMITH, M-G-M humorist, arrives in town Monday from the coast by boat for a short vacation.

LUCIEN HUBBAR left yesterday for the coast. He’s going by way of his home in Kentucky.

N. L. NATHANSON is scheduled to arrive in Hollywood today from a European vacation.

JAMES DUNN and JOHN BRADFORD, who have just completed work in “365 Nights in Hollywood” for Fox, arrived yesterday morning. They intend to take in the Ross-McLarin fight.

JAMES ROOSEVELT and MARK OSTER were luncheon guests of Howard S. WELLMAN yesterday.

ARTHUR LOEFFER’S dog “Tide” has given birth to six pups. “Rip,” mate of “Tide,” recently died.

LEWIS PELLER, former of the Vendee and Penell vaseville act, is the bartender at the M. P. Club.

R. M. HATFIELD, Esri representative in London, is due here the early part of October.

STUART ERWIN and MRS. ERWIN (JUNE COLLYER) are stopping at the Warwick.

E. D. DEAN SULLIVAN’S original, “Bad Penny,” has been bought by Select.

RICHARD MACAULEY’S “Women Are Burn Newspapermen” has been bought by Warners.

DAVE CHATKIN arrived in town yesterday for a brief business visit.

Skouras Reports 27% FWC Increase in L.A.

LOS ANGELES, Sept. 12.—Charles Skouras in his annual reports yesterday cleared that attendance at all Fox West Coast houses in this sector in the past year has increased 27% per cent. He said that managers, asked to discover the reason for such a sharp increase, have reported that patrons have forced many new faces to attract them and have commended in almost every instance the higher-grade and more sophisticated entertainment now being offered.

Hendricks Wins Award

William Hendricks, manager of the theatre at Memphis, has just received the first prize in the company’s national exploitation contest on “The Circus Clown.” Thirteen other awards were given out in the competition, with Paramount having the highest total. 

Loew’s Takes Boston Rko

Loew’s will take over operation of the Boston Rko, from Harry Seigel on Oct. 1. This house repl

Revalping of Para. Nears: Bank Deal Or

(Continued from page 1)

the defendant banks, told the court that the plan proposed by the defendant banks had been agreed to by Art A. Ballantine, of Root, Clark, Baker & Ballantine, counsel for the latter parties. Presumably, only with the assistance of the Paramount trustees, the only at the court failed to see, was the attitude that the settlement had not been made by the adjourned hearing date or the expectation of examination of the operators of the defendant banks to proceed, and that is understood the proposal of the defendant banks is not an agreement on part of the banks to surrender any lien on $9,000,000 of the trust agreement to 23 Paramount negations was transferred to Film Productions Corp., a pledge to the banks as security for the payment of the banks and 90% of the total $9,000,000 of the amounts represented to Paramount in more than one year prior to the company’s bankruptcy, yes placed at the preference position as a result of Film Prod. transaction, which is a matter of bankruptcy. In agreeing to surrender the alleged preference to Paramount it is held that the court will consent to accepting some form of new paper from Paramount.

Implication Paramount reorganization factors represented at the court action referred by the trustees in the face of Paramount’s reorganization factors who, several weeks later, believed the company could be reorganized by Oct. 1 if the litigation could be avoided. The indicated intention, if it materializes, again is possible a reorganized Paramount will be in a matter of weeks. Only one of the major obstacle to reorganization it remaining would be that of Paramount-Broadway Corp., the subsidiary owning title to the Paramount building and theatre in Times Square, plan for this subsidiary is now being before the courts.

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Keith Bonds Drop 1/2

Trans Lux Up 1/3 on Curb

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Keith Bonds Drop 1/2
HANDY ANDY’ WAS PRETTY GOOD
BUT WAIT TILL YOU SEE ‘JUDGE PRIEST’"

—says Washington Evening Star*
A revel of gorgeousness to make the

AN ERIK CHARELL PRODUCTION
FOX lavished a fortune to make "Caravan"... to make a fortune for you. Mammoth settings of astounding beauty... peopled with a colorful multitude of 3,000... led by a throng of outstanding names. Swirling masses of happy crowds... wooing to melody... rejoicing to rhythm. Not in all your life have you seen such splendor spread across the screen!... or heard such melody thrilling an audience!
New Regional Labor Setups Due Sept. 22
(Continued from page 1)
of a neutral chairman with six representatives of labor and an equal number for industry, all voluntary members, may be superseded by an equal direct election of a board of industry, labor and the public. The new organization’s plans include a full-time director. In each large city in the region and, in those cities having two or more, a city, two men will be named to the new labor relations board. Those two representatives may be citizens not connected with industry or labor, or may be chosen from those divisions.

In the event of labor disputes, the director becomes chairman of the board and meets with the two board members in the city where the dispute develops. The director and the two members constitute the board, with full authority to act.

Blume has been advised from Washington that a branch of the territory will be established in St. Louis, where a full-time director will be in charge of the area comprising Missouri, Kansas, Eastern Illinois and Southern Iowa. It has not been determined whether there will be a deputy or assistant, but Kansas City and other large cities in the region will be considered.

Pending final reorganization of the local arbitration group, Frank Bowen, Federal labor examiner, has been assigned to Kansas City to take charge and will remain here until Lloyd K. Garrison, chairman of the national labor board, names the new regional director. Inasmuch as the district office will be established in St. Louis, it is expected the regional director will be chosen from that city.

Cotter Adopts 12 New Clearance Principles
(Continued from page 1)
mit a report on a new assessment plan for the city in that section, the city's controller, J. Harry Cotter, is expected to draft a bill by the next meeting.

Decisions on about 15 appeal cases were handed down and several changes were made in code board setups in a number of cities, one of them being Seattle.

Division Administrator Sol A. Rosenthal returned to Washington after the session and will probably be absent at the general meeting of code authorities at St. Louis held later.

Administrator Hugh S. Johnson will discuss the future of the NRA at the meeting.

Some Camo members, as late as yesterday, had not been officially advised of the meeting.

Two to Open in N. O.

NEW ORLEANS, Sept. 13—Two reopenings are scheduled for the city. The Wonderland will resume Sept. 15, according to Harry L. Loomis, owner, and the Crescent, formerly a Saenger house, is scheduled to start Sept. 20 with a combination of tab shows and acts.

Petitjohn in Chicago

Loew-RKO Deal Hangs On
Meyer & Schneider Stand
(Continued from page 1)
newly elected, the Delaney and Canal, while the Hollywood compe- titor with the other two Loew houses, Skouras and Randolfce will in all probability remain with the Loew group. At the time they received the nine remaining houses RKO must drop before Loew approves the transfer of all Fox product and half of Universal and Columbia. Until Loew is expected to take over the Emb- bassy, Port Chester, the four Lee theaters, the Loew-Alwyn, Randolfce will get the Utica, Brook- lyn.

Stage Appearances
Due for Rush Here
(Continued from page 1)
columnist, and George Jessel already signed. Loew’s is dickering for Jackie Cooper to reopen the same bill with “Death on the Diamond,” beginning next Friday. Cooper is said to be the only one to propose a proposition. Loew’s has offered, but the deal is expected to go through in a day or so.

The Associated Press says Anna May Wong in person with “Fan Chan Chow,” starring next Friday. Miss Wong, who appears in the Gaumont Broadcast, is now on the coast and is expected in town early next week.

Noya Pilbeam, star of “Little Me,” is starting on her European tour and will visit this country on her way to the United States. The première date at the Roxy will be the last week of June. Miss Pilbeam’s tour will cover the United States, Canada, South America, and Europe. The actress is expected to accept the offer. Jack Jortel and several other English stars may follow Miss Pilbeam.

Jim Dunn made the last personal appearance of the show on the Roxy stage with “Bad Girl.”

Ampa Seeking Jobs
For All of Members
(Continued from page 1)
That plans are being laid by the Ampa to obtain employment for every one of its idle members was revealed yesterday at the organization’s first meeting of the new season at the M. P. C. Building. The meeting was made by Treasurer Marvin Kirsch, who held the list. William R. Royse, president and Leon Janey, acting as master of ceremonies.

Among the guests were Tom Noonan, known on the air as “the bishop of Chintatown”; Maude Ollie of the cast of “Tobacco Road”; Lila Lee and Joe Howard, songwriter.

Marcus Gets Four Series
Gene Marcus, head of Majestic Pictures, Salt Lake City, has just closed deals with Stage & Screen Prod., Inc., for a series of six North west Mounted films and six police dog pictures. Marcus also has closed Superior Talking Pictures for six of the Rough Rider series and six of the Range Rider group.

Edward Klein Returns
Edward Klein, who is handling independent production in London, arrived with his wife yesterday on the La- fayette and will remain in New York for several weeks before returning to London.

New Orleans Men to Fight Tax in Court
(Continued from page 1)
that instead of a percentage tax he (Walsmsley) would receive $40,000 a year for two years to be placed in the public treasury and the amount to be apportioned equitably. The matter is now in abeyance.

As long as the new stands, only a few exhibitors have paid the tax, it is said. In New Orleans, theaters, night clubs and restaurants are not paying, as they consider the tax unconstitutional.

Mexican Group Will Make History Films
MEXICO CITY, Sept. 13—Mexican theatrical producers, who have as yet no distribution centers, will be the basis for a series of films, de- picting highlights of this land’s progress from the Spanish conquest in 1521 to the present, to be produced in the near future by a cooperative group of native directors, scenic artists and actors.

Saavedra, a lawyer, is the moving spirit of the enterprise, which will seek world distribution.

Saavedra says that he and his associates were inspired to start making historical pictures along lines they deem to be correct, by viewing “Juarez y Maximilian” (“Juarez and Maximilian”), a Columbia release, made in Mexico. The company is arranging to make as its first picture a production which will present what it considers to be the true Mexican history.

Reopen at Lawrence
LAWRENCE, Kans., Sept. 13—Re- opening Saturday night after being closed for remodeling, the Dickinson here will stage a special 10 P. M. Mat- inot and a presentation, hinging the tariff to 50 cents for the one per- formance. Bar prices will prob- ably be 35 cents. A pipe organ has been installed, one of the few in operation in this territory.

Suzanne Wood Is Dead
Hollywood, Sept. 13—Suzanne Wood, veteran actress and authoress, died yesterday at her home after a long illness, She had devoted her efforts to screen acting the past two years. Surviving is a sister, Kay Wood of Chicago. Miss Wood was 70.

Farrel Quits L.A. Today
Hollywood, Sept. 12—Lynn Farrel leaves for New York tomorrow. After the premiere of Eddie Cantor’s “Kid Millions” there, he will sail for England where he left for the east within a week.

Leave Hollywood Sept. 18
IT AIN'T NO SIN
NOW TO SEE...
MAE WEST
IN
"BELLE OF THE
NINETIES"

with ROGER PRYOR, John Mack Brown and Duke Ellington's Orchestra. Directed by Leo McCarey
Big Electric Suits
On September List

(Continued from page 1)
September calendar of the U. S. District Courts here.

The following are listed for trials:

- General Talking Pictures, represented by Hugh M. Morris, William-
ton, vs. A. T. & T. Western Electric and Erpi, represented by Marvel,
Morford, Ward & Logan, Wilmington.
- Harry Klopfer, represented by Rich-
ards, Layton and Finger, Wilmington, vs. Warners, represented by Hugh M.
Morris.
- Kovac Radio Corp., represented by Hugh M. Morris, vs. A. T. & T.,
Western Electric and Erpi, represented by Marvel, Morford, Ward &
Logan.
- Max Goldberg, Salem, Mass., represented by Haring & Morris, Wil-
mitton vs. Warners, and Harry M. Warner, et al., represented by Hugh M.
Morris.
- International Research Corp., represented by E. E. Berl, Wilmington,
vs. U. S. Radio and Television Corp., represented by Morford, Ward &
Logan.
- Radio Patents Corp., represented by Hugh M. Morris, against West-
house Electric Supply Co., represented by E. E. Berl.
- Westinghouse Electric & Mfg. Co., represented by Hugh M. Morris
against Harlow & Co., represented by E. E. Berl.

The following are listed for argu-
ments:
- News Progress Corp., represented by Ward & Gray, Wilmington,
against Trans Lux Daylight Picture Screen Corp., represented by John Biggs,
Jr., Wilmington.

The survey showed a total of 24 theatres of all kinds in the district,
there being no breakdown showing the number of receipts of the motion
picture houses.

Para. Claims Increased
The period for filing claims against
Paramount Publishers as a debtor corpo-
ration under Section 77-B of the bank-
ruptcy law expires tomorrow. Nu-
erous additional claims not filed
against the company in its bankruptcy
proceedings have been listed by cred-
itors since June 16, the date on which it
was made a debtor corporation for reorganization under the new bank-
ruptcy law.

Sidney Adds Duties
Louis K. Sidney has added duties
of supervisor of sound projection in
all Loew theatres in addition to his
other work. Up to the present time,
Charles C. Moskowitz has been han-
dling this, but since he has taken over
some of E. A. Schiller’s duties, he has
had to be relieved of a portion of the
work.

MOTION PICTURE DAILY’s
HOLLYWOOD PREVIEW

“Dude Ranger” (Sol Lesser-John Zauti-Fox)
Hollywood, Sept. 13.—Where westerns go this will go, as it con-
tains the ingredients of that popular star, George O’Brien, plus Zane
Grey’s name, together with matchless natural scenery captured in
panoramas of breath-taking beauty.

The story is not unusual. It brings George west as the owner, in-
ocognito, of a ranch left by his uncle. He finds it losing money and the
accounts doctored and the stock deplanted. Irene Hervey, the young
doctor’s daughter of the ranch manager, high-hats George, who gives her
measure for measure. Piqued, she requests her dad to give George a
cowboy’s job. Suspected as an intruder and arome, opposing forces
compire to get him out of the way. George uncovers cattle rustling
and pins the guilt on the heavy (Leroy Mason), who is Irene’s suitor.
After gunplay, fast riding and romantic misunderstandings George and
Irene get together.

Barry Barringer wrote the screen play and dialogue. Eddie Cline,
responsible for “Peck’s Bad Boy,” directed, Frank Good’s photography
was given to George M. Hill, II. Review promises. Sid Saylor’s comedy stands out.
The production has a genuine western flavor.

For neighborhood houses and young folks’ matinees this should reg-
sister as acceptable entertainment.
No code seal. Running time, 65 minutes.

Looking ‘Em Over

“Gay Love” (British Lion)
London, Sept. 13.—Again a British producing company has made a picture
which possesses what America wants in screen entertainment, a simple
story and tunefulness. It’s another feather in the cap of Leslie Hiscott, one of the very best, though not the most
loudly boosted, of British directors.

With two very big box-office values in Sophie Tucker and Florence
Desmond, Hiscott has used them like a artist and a showman. Sophie
just comes in to do her stuff, but her appearance does no violence to the
plot; she is a fellow artiste of the heroine (Miss Desmond) and it’s in
order that she should rehearse and appear on the same stage with her.
And, good as Sophie is, she takes second place to Miss Desmond. Famous
as an impersonator, the latter acts charmingly. There is a very clever
stage setting, a boat, and very effective play of lights, which makes her, in
the role of Mae West, to an unsuspecting hero.

Quite a strong story, turning on the willingness of the impetuous and
lovable Gloria Fellows, stage star, to sacrifice herself for an unworthy
gold-digging sister. Engaged, because he can’t escape her, to the man
who really is the sinner, he finally grabs a better offer and leaves
the way clear for the happy, and whimsically clever, ending. In
the currination of the entanglement, there is a wealth of back stage stuff,
very well done, the straight variety acts already mentioned, and an
amusing characterization of an old dresser by Sydney Fairbrother.

BRUCE ALLAN

“The Scarlet Empress,” this morning’s opener at the Capitol, was re-
nominated by Miss Hervey, on April 18.

“Desirable,” last night’s preview at the Strand, was reviewed from Holly-
wood by wire on Aug. 11.

“The Human Side,” last night’s preview at the Roxy, was reviewed from
Hollywood by wire on Aug. 8.

Murray on GFTA Board
Atlanta, Ga., Sept. 13.—W. T.
Murray, manager of the Rialto, has
been elected to the board of directors
of the Georgia Theatre owners, to succeed J. C. H.
Wink, resigned.

Now “Part Time Lady”
Hollywood, Sept. 13.—Hollywood
has changed the title of “Orchids and
Onions,” aka “Part Time Lady.”
Carole Lombard and May Robson
are co-starred.

Warners Hold Astor
Hollywood, Sept. 13.—Warners
have signed Mary Astor to a new long
term contract with a tilt in salary.
Now appearing in “I Am a Thief,” opposite Ricardo
Cortez.

New Vicksburg Theatre
Vicksburg, Miss., Sept. 13.—The
new Vicksburg Theatre, which has
opened here under the managment of Jimmie
Adams and Independent Theatres, Inc.

Short Subjects

“Pathé Review” (Radio, Mk. 5)
An interesting number of the new series that has an imaginary day in
the life of a rabbit, with real animals playing the parts, as a beginning,
then a cocoon, then a Carson Robbins, and his Buckaroos, shots of tulip
time in Holland and a very interesting new number of a scientific illustration of
the moon’s formation. Running time, 19 mins.

“Can You Take It?” (Paramount)
A very amusing cartoon in which
Popeye, the Sailor, undergoes an
initiation into the Brushers’ Club after
a morning’s work. Popeye is subject
for a weakening. Popeye is subjected to all sorts of tests and winds up by
wrecking the clubhouse and appointing himself president of the organiza-
tion. Running time, 6 mins.

“Mild Cargo” (Radio)
A hilarious burlesque on Frank
Buck’s “Wild Cargo” that should
make any audience roar. Cobbie, the
teddy bear, impersonates Buck and enters the jungle to bring back live
specimens. His ingenious methods of capturing the animals and the final shot
where all his captives march off
together as members of a circus
should be a real joy. Running time, 7½ mins.

“Going Places No. 2” (Universal)
With explanatory dialogue by
Lowell Thomas, this short is very in-
teresting. Paris, baby animals in vari-
ous zoos, the modern Russian woman,
old Mexico and dances throughout the
world are all included in the tour.
Running time, 10 mins.

“The Big Idea” (M-G-M)
With Ted Healy, his stooges, and
Muriel Evans, this one should tickle
the ribs of any audience. There is
a semblance of a story in that Healy
is an “idea getter” hard at work un-
til interrupted by the continual, hi-
larious antics of the stooges. A pro-
jection room audience howled at this
one. Running time, 20 mins.

“In Far Mandalay” (Fox)
One of the “Magic Carpet” series
pictures life in Burma. Interesting,
photography beautifully photographed, it is worth booking. The straits of
“Mandalay” run through the
film to provide a different musical
background. Code seal No. 053. Running
time, 9 mins.

“Super-Stupid” (Educational)
With Vince Barnett and Billy Gil-
eted, this comedy is little bet-
ter than mild. The humor of the
obvious sort but is good for a number of
laughs. The film has to do with two
dumb street salesmen who are
constantly getting themselves into
trouble. Running time, 19 mins.
SYMBOL

OF A

NOTABLE

ACHIEVEMENT

Nightly over Los Angeles and Hollywood this symbol of the service and utility of the three Quigley motion picture publications cuts through the darkness.

Swiftly *MOTION PICTURE DAILY* gathers the news from all corners of the world and speeds it to key executives everywhere—itself a key factor where plans are made and action evolved.

The all-embracing *MOTION PICTURE HERALD* publishes and interprets the great news-happenings of the week for more than 15,000 showmen throughout the world.

And each year *MOTION PICTURE ALMANAC* reviews, compiles and analyzes the facts and figures for the twelve-month past, offering an historical perspective and a basis for the season to come.

**QUIGLEY PUBLICATIONS**

**OFFICES IN**

- NEW YORK
- CHICAGO
- HOLLYWOOD
**“Chained” at Capitol Gets Good $61,700**

Broadway grosses were strong in a number of spots during the opening week of September, with “Chained” taking important new bookings at the Capitol. Phil Spathal’s and his revue were on the stage.

The two holdovers, “Cleopatra,” in its third week at the Paramount, and “Dames,” in its third at the Strand, were still pulling well. The former to the Mayfair, and the latter to the Roxy.

“Crime Without Passion” grabbed $24,000 in 12 days at the Rialto, and “The Fountain” ran up to $97,000 at the Music Hall.

Estimated takings:
- **Week Ending Sept. 4:** “BULLDOG DRUMMOND STANDS BACK” (U. A.) $7,500.
- **Week Ending Sept. 5:** “THE FOUR FOUNTAIN” (Radio City Music Hall) $5,000.
- **Week Ending Sept. 6:** “M-G-M” (Capitol) $10,000.
- **Week Ending Sept. 11:** “THEIR MAD MOMENT” (Radio City Music Hall) $6,500.
- **Week Ending Sept. 12:** “MISS PLEASANT” (Paramount) $5,000.
- **Week Ending Sept. 19:** “THE CAT’S PAW” (Fox) $7,000.

### Dames Tobs Huge Upturn In Pittsburgh

**PITTSBURGH, Sept. 13.—**In a general uptrend in business that sent grosses back to the 1930 levels “Dames” (“The Night Is Young,” starring Norma Shearer and William Powell) opened at the Six and grossed $25,000.

### Canton House Drops Double Bill Policy

CANTON, Sept. 13.—George A. Delta, division manager for the A. G. Constant circuit, which includes the Canton area, has dropped double programs in favor of single features. Instead of two changes weekly, features are to be held on a week-by-week basis.

### St. Louis Opera Has Second Best Season

ST. LOUIS, Sept. 13.—Second best in 16 years was the past season of the St. Louis Opera Company, which closed over 700,000 admissions for the 82 performances given, with averages of 6,652 for the final week. The opera made a profit and will not be learned until a complete audit is made, but the guarantors will not be called upon to make good on their pledges. Last year the opera had a surplus of $5,540.

### New Broadcasting Slant

HOLLYWOOD, Sept. 13.—Paramount’s “College Rhythm” unit will go on the air with the Maxwell House “Showboat” broadcast with Sammy Ross and Director Norman Taurog doing the chief earring from the Los Angeles College where the company is working.

This is reported to be the first time a motion picture company has been on the air while actually working.

### “Tiptoes” Title Shifted

HOLLYWOOD, Sept. 13.—Tilt of the Fox’s “Tiptoes” (Warner Bros.) picture at M-G-M has been changed to “Tiptoes” to “The Night Is Young,” Dudley Murphy will direct.

### “One Night,” Frisco, Gets Big $16,000

SAN FRANCISCO, Sept. 13.—“One Night,” starring Will Rogers, got off to a flying start at the Orpheum, running up a gross of $16,000 that topped by $7,500.

“Treasure Island” was an outstanding draw at the St. Francis, pulling $10,000, and “Bulldog Drummond Strikes Back” went over the line with a $7,500 gross.

Total first run business was $93,500. Average was $85,000.

Estimated takings:
- **Week Ending Sept. 4:** “DOWN TO THE ISLAND YACHT” (Radio) $10,000.
- **Week Ending Sept. 5:** “HIDE OUT” (Radio) $11,000.
- **Week Ending Sept. 6:** “NOBODY LIVES” (Radio) $12,000.
- **Week Ending Sept. 7:** “BULLDOG DRUMMOND STANDS BACK” (U. A.) $7,000.

### “Chained” Is $17,500 Wow In Cleveland

Cleveland, Sept. 13.—“Chained” (Warner Bros.) picture, taking the average by $2,750 with a gross of $17,500 in the face of heavy opposition from the annual air races that drew approximately 250,000 attendance over Labor Day week-end at “Dames” at Warners’ Hippodrome was another another one with $15,000 gross in an $8,000 average house. It is being held a second week. A stage show with “Midnight Alibi” at admission prices at the Palace was not hit.

Total first run business was $50,700. Average is $4,500.

Estimated takings for the week ending Sept. 7:
- **“DAMES” (Warner Bros.)** $10,000.
- **“ALIBI” (Radio)** $4,000.
- **“ONE NIGHT” (Radio)** $7,500.
- **“BULLDOG DRUMMOND STANDS BACK” (U. A.)** $7,000.
“Cat’s Paw” Hits Detroit
For $26,500

DETOIT, Sept. 13.—The “Cat’s Paw” knocked all predictions flatter than a pancake and left the Fox cashiers gasping for air. The $25,500 take was $13,500 beyond the take of the $12,000 that had been expected here and at the Michigan had been tilted to 65 cents, and that helped.

Jackie Foote.Forever was the Michigan attraction, with the Gertrude Hoffman girls on the stage. The take was a fine $23,000. “Dames” will be run for $4,700 in its second weekend at the Fisher.

A holiday spirit prevailed with State Fair visitors and the Red Arrow convention here. The weather was cool. The Broadway-Capitol reopened after having been dark since 1931. George W. Tredell is operating.

First run grosses for the week were $64,400. Average is $65,000.

Estimated takings for the week ending Sept. 6:
“SCARLET EMPRESS” (Para) Boston, Mass., 7 days. Gross: $3,500. (Average, $500.)
“AFFAIRS OF CELTIN” (U. A.) United Artists—250, 26c-5c. Joint: $6,400. (Average, $1,060.)

Sonotone to Issue 100,000 New Shares
Sonotone Corp., organized three years ago to manufacture and sell hearing aid devices, is issuing 100,000 new shares of common stock at market prices for the financing of an expansion program and to provide new working capital, Hugo Lieber, president, said because of his refusal to accede to the demands of union operators and that she perpetrated a series of acts to shift the blame for her terorization to the unions.

Mrs. Ellis Found Dead
KANSAS CITY, Sept. 13.—After admitting to a Federal agent that she had failed a kidnapped and attempted to make good on a ransom paid for her release, Mrs. Laura Ellis Vaughan, Kansas City, Kan., theater owner and civic leader, Mrs. Laura Ellis Vaughan, of the Art Theatre. According to the investigators, Mrs. Ellis confessed she feared harm would come to Vaughan, owner of the Art Theatre, if she were to refuse to cooperate.

KANSAS CITY GROSSES SHOW BIG INCREASE
KANSAS CITY, Sept. 13.—The outstanding feature as local showshops swung into the new season’s stride was the aggregate of the five first runs, soaring above previous averages by $18,400 to top all totals in many moons.

“Clue” opened in all theatres. Countering rainy weather and the opening of school, Labor Day’s holiday mood extended to the boxoffice. “Clue” gave the Newman’s gross to $9,200. At $8,500, “Handy Andy” delivered sensitively at the Uptown, which upped its price from 25 to 40 cents.

The Mainstreet also joined the price-boosting parade and at a top of 45 cents, plus tax, pulled $19,000 with “Hat, Coat and Glove” and “Now and Forever Scandals” on the stage. “Wild Gold” and stage show registered $7,500 at the Tower, above par by $1,000.

Total first run business was $52,500.

Lewis to Build in L. A.
Hollywood, Sept. 13.—Herman Lewis, veteran theatre executive of Southern California, will invade this city by building a new house on the corner of Vermont and Russell Ave.

The structure will cost approximately $40,000 and seat 750 patrons. Construction will start early next month and the house will be ready for occupancy Christmas Day.

Charles Ryan Heads Warners in Chicago
CHICAGO, Sept. 13.—A shakeup in the Warner theatre offices here places Charles Ryan, who has been district manager in charge of all Warner houses directly under James E. Coon, manager. Harry Turrell, who has been manager of the Capitol, has been appointed a district manager exercising also his management of the Capitol.

Turrell succeeds L. F. Grant, who has been office manager and district manager and who has resigned to operate his own theatres in Wisconsin.

Larry Stotz, in charge of advertising and publicity has taken over a district management including Hammond, Ind., in addition to his present duties.

Denver Outing Sept. 18
DENVER, Sept. 13.—The first annual exhibitors’ and distributors’ outing will be held at the Lakewood Country Club Sept. 18. All exchange, theatre and equipment men in the territory probably will attend. There will be golf and bridge tournaments, a baseball game, banquet and dancing.

There has been nothing of this sort pulled here since the M. P. O. quit its annual meetings in the summer.

Droper’s Prices in St. Louis
ST. LOUIS, Sept. 13.—F. & M. to-morrow institute reductions in admissions at the Ambassador, Missouri and Fox.

The new scales will be 40 cents for evenings and 25 cents for matinees.
Gross Business of the Week Just Finished at RADIO CITY MUSIC HALL

With

GRACE MOORE

In

ONE NIGHT OF LOVE

Amounted To

$104,120

This Is The Largest Week’s Gross of An Impressive Array of Important Pictures—With The Exception of One—in The History of THE RADIO CITY MUSIC HALL

Held for 2nd week, Radio City Music Hall, New York.
Broke the all time record at the Paramount Theatre, Los Angeles. Now in 2nd week.
Held for 3rd week, Orpheum Theatre, San Francisco.
Held for 3rd week, Garrick Theatre, Winnipeg, Canada.
Held for 2nd week, Orpheum Theatre, Salt Lake City.

a COLUMBIA PICTURE
President to Decide Upon NRA Future

By WILLIAM ORNSTEIN

Reorganization of the NRA along lines modeled after the Federal government, dividing it into three branches, has been under President Roosevelt himself handling the details, highlighted Administrator Hugh S. Johnson's talk last night at Carnegie Hall. Representatives of more than 400 cafes attended.

In his thundering manner, Johnson hit the investigators of the textile strike, but, after discussing this topic at length, declared that "I cannot say much for the NRA because it is in its formative stage."

"It will be divided into three divisions patterned after the government."

Blank-Publix Sign Deal on 26 Houses

A. H. Blank, acting as president and general manager of Tri-States Theatres, Inc., yesterday signed a contract with Paramount Public for partnership operation of 26 theatres in Iowa, Nebraska and Illinois. He will control 50 per cent of the corporation's securities.

The deal brings to an end the temporary arrangement under which Blank has been operating the homes since shortly after the start of the Paramount receivership.

Under the terms of the agreement

London Writ Issued On Fight Pictures

BY BRUCE ALLAN

LONDON, Sept. 14 (By Cable)—Jeff Dickson, fight promoter, has obtained a writ against Pathe, Paramount British Pictorial Prods., the Plaza Theatre and A. B. C. Circuit to prevent them from using pirated shots of the Paterson-Gains bout. Exclusive rights are held by Gaumont British and Movietone.

Huffman's New Unit In Denver Orpheum

DENVER, Sept. 14—The Centennial Theatre Corp., formed by Harry Huffman a few weeks ago to operate the Orpheum for the receiver, has bought the house for $500,000. The theatre was sold at sheriff's sale to the U. S. National Bank, trustees for the bondholders, for $410,000. RKO

Code Signing Time Limit to Be Ended

Reopening of code atssents for all time has been approved by Campi in an amendment to the code. The resolution has been forwarded to the NRA for official ratification.

Board in Des Moines Voids Theatre Lease

DES MOINES, Sept. 14—Voiding of a lease on the Iowa at Mason City has been ordered by the grievance board. Interference with negotiations was charged.

Mr. and Mrs. W. B. Krouse charged that W. E. Miller, owner, had leased the house to L. L. Kaplan of Waterloo without notice to them while they were still operating it. The board ordered that the Krouses were entitled to the new lease on the terms granted to Kaplan. The order becomes effective Oct. 1.
Aaron's Clears Statement
Clarifying a recent statement at-
tracted to the effect that the the-
Parkway, Stone Harbor; Rosy,
Northampton; Carmen, Philadelphia;
and Casino, South Langhorng, Pa.,
which are all, with the exception of
Eastern Pennsylvania, Southern
New Jersey and Delaware, George P.
Aarons says that owners of these
houses recently informed him that
they were not members of the I.
E. P. A., never paid dues and pub-
liscation of their names as members
of that organization was without
authorization.
Aarons adds that he did not state
these houses were members of the M.
T. O. unit.

Von Stroheim Due Today
Erich von Stroheim is due today
from Hollywood today by plane for a
role in "Crime of Dr. Crespi," which
John A. Garfield is in production in-
clusion at the Biograph studios on
Tuesday.
The role originally was intended for
James Cagney, who fell ill through
Lou Goldberg and Ed Olmstead wrote
the script.

Warner Club Heads Here
Presidents of all Warner Clubs
throughout the country will con-
Code Signing Time
Limit to Be Ended

(Continued from page 1)
DAILY: A strongly representing move to reopen code antes individually was under way and that Code Authority’s legal committee was working
on a comprehensive statement.

The resolution adds that exhibitors who have not signed the code antes can present to
the hearing at the next session. It is figured that there are not more than 1,200 theaters in competitive
zones, and it is not a significant number of commissions received to date numbers around 8,700.

Fox Widens Control
Of Milwaukee Spots

(Continued from page 1)
run owned by the Uihlein Realty
Corp., the circuit takes almost
complete control of the downtown
situation with Farners as its only
tenant.

Fox now operates the Wisconsin and Allamaba and has an agreement with L. K. Brin, manager of the<br>
Palace, formerly managed by Leo Sallin, now booking the Wisconsin and Allamaba’s flesh, has
been dark since early in August and has been closed since September.

Warners still retain their lease on the Strand, 1,400-seat downtown house for the past several months, which was slated for opening in September, but is still dark. The
new setup gives Fox control over four of the seven downtown houses.

Justice Inquiry on
Cost Stirs Queries

(Continued from page 1)
more or less a routine matter of no special importance. Efforts to learn more from department officials in competitive areas or other parts of the country did not<br>
be fruitful. The inquiry did not elicit a final refusal to discuss it at all. This led to considerable specula-
tion as to what they might be planning some action.

Redign Photophone Men

All district sales representatives of RCA Photophone have been detac-
hed from their salesmen, Sales
territories at the same time have been realigned by the company. Bernard
Schultz will operate in northern New Jersey, Staten Island, Connecticut and eastern New York in addition to New York City, while M. S. England has been assigned to central and western New York, J. B. Dungate to Georgia, Florida, Alabama and part of Tennessee, and C. W. Saw to the entire New England territory, excepting
Connecticut.

Laemmle in from Europe

Curl Laemmle arrived here late yesterday afternoon aboard the Leviathan after a three months’ visit in Europe. He was accompanied by Joseph Weil, his personal secretary.

Garrison Expands Line

Garrison Film Distributors, Inc., has decided to take on distribution of sound projectors for 16mm film for use in homes, schools, clubs and churches.

President to Decide Upon
NRA Future

(Continued from page 1)
ment. I believe this plan to be right,” he asserted.

It is understood that Johnson discussed
this plan with President Roosevelt at Hyde Park earlier in the week.

“The NRA is too big to be right,” he said. “I believe the reorganization is to come will be worked out by the President and no one else. I have too much power invested in me and the
NRA as a political entity. Let someone else stop these dead cats.”

Johnson referred to a part of a speech made by Mayor LaGuardia earlier in the evening in which the mayor said he believed all industries, large and small, wanted to see the NRA extended.

Mayor Calls for Cooperation

LaGuardia, in a dynamic and un-
prepped talk, stated that the coopera-
tion of all city officials is necessary in order to make the program work.

He stated industries in New York are ready to live up to the codes, but can-
not do sounless competitors in other parts of the country do likewise. He hit child labor.

The Mayor, after being applauded long and loud, held that the NRA be extended in January and that the government should not wait until the end of the month, when it is said that if its plan is not accepted there will be a lot of cut-throat com-
petition by those anticipating the end of the NRA.

“it’s either the code or chaos,”
the man who cheats on the NRA will cheat his whole program, he said.

“We must be willing to team along
and anything short of that will bring on a crash.”

LaGuardia asked Johnson for a uni-
formity of production costs through-
out the country. He also stated that
relief costs for New York would be reduced in half if all industries lived up to their codes.

In introducing Johnson, LaGuardia said he would withdraw the keys and turn over the town clock at City Hall. Grover Whalen later reminded the Mayor that the hands had been removed recently.

Matthew Woll, vice-president of the National Labor Relations Board, talked on labor’s part in trying to
make the NRA a success, holding that labor was not entirely satisfied. Nathan Straus, Jr., stated the NRA is here to stay and its principles are deep-rooted in American life. He said he was proud of its performance and success, declaring that the NRA in its essentials is successful.

He named four permanent prin-
ciples:

1—Permanent machinery to keep the NRA functioning.
2—Outlawing unfair competition.
3—Elimination of unfair practices and limitation of hours.
4—Establishment of a fair minimum wage.

Council on Labor Policy Proposes
A New Dimension to NRA

In a report presented to the President at the White House on Tuesday, the
Council on Labor Policy, a joint
board of the NRA, presented several
proposals with a view to giving
the NRA a new direction. These
include:

1. A new chapter on labor policy to be
enacted into the code; this would
be a permanent part of the code
and would have the force of law.

2. The creation of a new labor board
with the power to make rules and
regulations for the conduct of
businesses in the code.

3. The establishment of a new labor
court with the power to enforce
the rules and regulations made by
the labor board.

4. The creation of a new labor
unions and employers.

5. The establishment of a new labor
union certification procedure.

6. The creation of a new labor
decisional board with the power
to hear and decide labor cases.

7. The creation of a new labor
conciliation board with the power
to bring about settlement of labor
cases.

8. The creation of a new labor
commission with the power to
make final decisions on labor
cases.

The Council on Labor Policy is
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Secretary of Commerce and the
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Mill Strikes Hit Theatres In Many Spots

“Happiness Ahead”

Radio Speeding Up With Six Underway

Amity Adds Exchanges

Banks Asked for Delay

Variety Club Chatter

Cincinnati

Blank-Public Sign Deal on 26 Houses

DuWorld to Greiter

Von Sternberg in ASC

Postpone ‘Merry Widow’

Sennett Hurt in London

Wood to Coast Tomorrow

Mill Strikes Hit Theatres In Many Spots

(Continued from page 1)

other textile centers, not only as a result of the closed weaving looms but also of the smaller population that remains indoors after dark.

Locals and RKO here report little or no drop in attendance in New England theatres. Both have theatres in Providence, R.I., and RKO has theatres in Lowell, Mass., but neither city has been materially affected by the strike. Paramount's New England unit is a large one, and it is estimated that the complete business loss was available at the home office yesterday. Washington reported New Jersey theatres unaffected.

On the other hand, scores of independent operators in the strike areas report it as a business with complete shutdowns in a number of instances.

Providence, Sept. 14.—All theatres in Woosneck have been closed because of strike rioting there. Picketing and local disturbances have also cut down attendance at Pawtucket and Central Falls theatres. Providence houses have not felt the effects of the strike to any great extent as yet.

Atlanta, Sept. 14.—The textile strike has materially affected box-office business in all the smaller cities throughout this section and many theatres are either closing or curtailing operation to one and two days a week. Atlanta exchange managers estimate that in the cities that are almost wholly dependent on textile operations, film business has decreased from 25 to 50 per cent.

Theatres in Trion, Porterdale, La Grange, and Milstead in Georgia; Fort Payne, Decatur, and Gadsden, and many other places in Alabama; High Point, Fayetteville and Gastonia, North Carolina, are reported to be closed or operating on Saturdays only. If the strike continues another week or two, it is estimated that at least 50 theatres in textile centers will close for the duration of the strike.

Bos ton, Sept. 14.—The textile strike has resulted in a drop in attendance of more than 20 per cent at New Bedford theatres and of approximately 30 per cent at Fall River.

Lowell, Lawrence and Worcester report grosses virtually unchanged. Attendance in Boston has not been affected at all. Salem reports an increase in attendance, and all the grosses are up since the beginning of the strike.

Charlotte, Sept. 14.—Theatre attendance at the Bijou and Carolinas has been reduced 50 per cent as a result of the textile strike, reports from widely separated strike centers reveal. Charlotte is the center of the textile industry in the South, and while the larger theatres in this city have not suffered heavily yet, some in mill communities where the United Textile Workers are strongly organized and mills closed, have been reduced to the extent of having to close their doors. This is true of the Mount Holly mill town, where spindles and looms have been idle since the beginning of the nationwide strike.

Real poverty is being felt in such textile cities as Spartanburg and Greenville, S. C., and theatres there have been harder hit as a result than in North Carolina. When the contents of the last pay envelope have been exhausted within the next few days, theatres in the Carolinas are expected to feel the effects of the strike 75 per cent generally, and unless the strike is concluded before then forces will be needed to close, it is believed.

Memphis, Sept. 14.—Estimates place the number of textile workers out on strike in this territory at 6,000, out of a total of 33,000 workers. Cities primarily affected include Dyersburg and Bemis in Tennessee; Meridian, Kosciusko, Starkville and Tupelo in Mississippi and others in Arkansas. The strikes in the cities named are hard hit by the strike, according to reports received here, but other centers are unaware that a strike is on.

This city is unique so far as most of the mills are outside the Memphis film zone.

Cooper Set for Capitol

Jackie Cooper has been signed for a personal appearance at the Capitol starting Sept. 21. On the same bill will be Ted Sullivan, crane editor of the Los Angeles Daily News. George Jessel may appear on the same bill.

Lima Lyric Has Fire

LIMA, O. Sept. 14.—Fire in the projection room of the Lyric did several thousand dollars worth of damage yesterday. For some time James Ritzler got the audience out quietly.

Radio Speeding Up With Six Underway

HOLLYWOOD, Sept. 14.—The wheels are humming at Radio with six features introduced in five minutes, cutting rooms and five in preparation.

Before the cameras are “The Little Ministry” ("By Your Leave"), “Aone of Gable’s”, “Gridiron Flash”, “The Silver Streak” and “The Sea Girl”. “The Gay Divorcee”, “Dangerous Corner”, “Kentucky Kernels” and “Wednesday’s Child” are the quartet being edited.

Amity Adds Exchanges

Amity Pictures has added two more exchanges, St. Louis and Des Moines, bringing its total to 30, according to John M. Crinnin, executive vice-president.

The new St. Louis exchange, Superior Pictures, Inc., is operated by Mr. Stovall, who also manager of the Chicago exchange.

Amity Pictures will be handled by S. H. Stern, head of the Capitol exchange in Omaha.

W. L. Parker, Charlotte manager, has taken over the Atlanta territory formerly handled by M. C. Howard. He will operate both spots.

Banks Asked for Delay

Motion for the adjournment of the Paramount Public trusteed action against 12 bank creditors at the hearing before Federal Judge Coxe on Thursday was made by Morton G. Bobge, of counsel for the banks, and not by Samuel Isacks, of counsel for the trustees, as reported in Motion Picture Daily yesterday.

Daughter to Mrs. Goetz

HOLLYWOOD, Sept. 14.—William Goetz, vice-president of 20th Century-Fox, and today became the father of a six-pound girl. Mother and child were reported doing well and being transferred to Cedars of Lebanon Hospital.

Variety Club Chatter

CINCINNATI, Sept. 14.—Weekly meetings were resumed tonight. Chairman W. A. O. Thomas extended a hearty welcome to the officers of the club and extended their sympathies to Charles Weigel, whose sister passed away recently.

J. REAL NETH, banker of Tent No. 6, was appointed by the better financial institutions to present the week-end with Paul Krieger and his family here.

It has been announced, has returned from a trip east in which he combined business and pleasure.

MARTIN SOLOMON of the Indianapolis tent gave the local quarters the O.O. last week.

Cleveland

CLEVELAND, Sept. 14.—Variety Club resumes its Monday luncheon schedule at the Statler on Sept. 17. Mische Speciale, orchestra leader, and Jack Shulman, Painlesse exhibitor, will be kings.

The clambake arranged by a committee headed by Nat Lehoff will be held today at the Brethren Country Club.

The first annual ball is scheduled for Nov. 3, at the Statler.

Blank-Public Sign Deal on 26 Houses

Tri-States gets a 10-year Paramount picture franchise and $800,000 worth of debentures will be issued to cover financing costs. Austin Kough, Paramount general counsel, will act as co-trustee for the debentures. Paramount retains the right to repurchase Blank’s interest.

Samuel Spring acted a counsel for Blank and the office of Root, Clark Buckner & Ballantine represented Paramount. The contract became effective with the signing.

DuWorld to Greiter


Von Sternberg in ASC

HOLLYWOOD, Sept. 14.—Josef von Sternberg was admitted to the American Society of Cinematographers today.

Postpone ‘Merry Widow’

M-G-M has postponed opening of “The Merry Widow” to sometime in October. It was slated to open this month.

Sennett Hurt in London

London, Sept. 14.—In a car in which he was riding crashed into another car. He was treated at his home.

Wood to Coast Tomorrow

Sam Wood, M-G-M director, leaves today to return from a vacation abroad.
NEW YORK, TUESDAY, SEPTEMBER 18, 1934

MAIL BOX

MOTION PICTURE DAILY

The Leading
Daily
Newspaper
of
the
Motion
Picture
Industry

VOL. 36, NO. 66

TEN CENTS

Old Directors
Seek Quashing Of Para. Suit
Also Want Costs Paid in $13,800,000 Bond Case

Disposal of the complaint filed against Paramount by Charles H. Hilles, Eugene W. Leake and Charles E. Richardson, creditors of France, is asked by the defendants, together with the action in the N. Y. Supreme Court here. The Paramount trustees are seeking to recover up to $13,800,000 allegedly to have been authorized by the trustee in exchange for Paramount stock at guaranteed redemption prices the acquisition of theatres from 1930 to 1932. In the answer filed by Cravath, de Dersor, Swaine & Wood and Samuels, (Continued on page 8)

Lieber Sues Para.
For $460,000 Rent
A future rent claim of $460,000 was laid against Paramount Publich by annual Spring, attorney for Robert Lieber of Indianapolis, and is believed to be the largest single rent claim laid against the company in its reorganization proceedings under Section 77-B of the new bankruptcy laws. Lieber's claim alleges that Paramount Publich was guarantor on leases (Continued on page 8)

Columbus Faces New City Theatre Taxes

COLUMBUS, Sept. 17.—Exhibitors, ready assessed a 10 per cent state amusement tax, now are confronted with the possibility of the imposition of a city tax, due to a financial crisis. The municipal treasury needs approximately $50,000 to function until Jan. 1.

The Motion Picture Daily has it on authority that a theatre tax, (Continued on page 7)

Reciprocal Treaty
With Spain Coming

WASHINGTON, Sept. 17.—Intention of the government to negotiate a reciprocal trade agreement with Spain as announced yesterday by the State Department. Although the value of our exports to Spain declined from $82,000,000 in

Expect New Para. Plan
To Be Ready in 3 Weeks

Prospects of completing a reorganization plan for Paramount Publich within the next three weeks increased yesterday with the accompanying possibility of a rehabilitated Paramount within a few additional weeks after the submission of a plan.

Indications yesterday were that a settlement of the Paramount trustees' action against 12 creditor banks to set aside the $13,200,000 Film Production Fund transaction of 1932, would be formally closed within the next few days. The suit, attacking an alleged preferential position of the banks, is regarded as the final obstacle in the way of completion of a Paramount reorganization plan.

Adolph Zukor, Paramount president, (Continued on page 8)

B. & K. Picks
Five for 25c Minimum Rate

CHICAGO, Sept. 17.—B. & K. has tentatively set five pictures from three different companies for which minimum admissions of 25 cents will be charged.

According to present indications, the circuit plans to have at least three pictures from every major distributor on this basis. Present admissions are 20 cents and the increase of five cents follows an agreement reached recently between the circuit and Al Lichtman Pictures tentatively set as "Cardinal Richelieu" with George Arliss; (Continued on page 7)

Campi Moves to End Chicago Buying Jam

Initial moves to end the buying stalemate in Chicago got under way yesterday when a Campi committee, consisting of R. H. Cochrane, chairman; Cresson L. Smith and Julius (Continued on page 7)

Sign Writers Seek
10 Per Cent Raise

New York Sign Writers' Union, Local 230, has presented a demand for 10 per cent increase in wage schedules to contractors for theatre sign work, and negotiations on the demand (Continued on page 7)

Ludington, Fiske Secure Stock of First Division

Nicholas S. Ludington, well known aviation enthusiast, and William M. Fiske, 3rd, member of a banking family, have bought all the outstanding stock of First Division except that owned by Harry H. Thomas, president.

An expansion program is planned. At present the company covers about 60 per cent of the United States. Exchanges are to be opened immediately in the south and southwest, according to the company's announcement, and the expansion is to be carried into foreign fields.

Fiske has lived for long periods in Paris and has traveled extensively. He also has done some producing. Ludington has had no previous connection with the industry.

Thomas will remain as president of the company. J. A. Curtis negotiated the deal. Under the reorganization plans he will be a stockholder.

RKO Units Get Tax
Refund, $315,466

WASHINGTON, Sept. 17.—Income taxes, $315,466, have been refunded to RKO and subsidiary organizations, it was stated today by the Bureau of Internal Revenue. The larger part of it is as a result of decisions of the U. S. Board of Tax Appeals.

The action of the bureau returns to RKO and the B. F. Keith Corp., $244,158, while the Orpheum Circuit, Inc., receives $86,816.

Fan Magazine Group
Talks to Hays Again

Representatives of fan magazines held a second meeting yesterday with Will H. Hays, J. J. McCarthy and Anthony Muto on a discussion of co-operative policies in the presentation of editorial and photographic material in the fan publications. Additional meetings will be held from time to time, it was stated at the close of yesterday's session.

Kandel to Take 100
From English Studio

M. J. Kandel, president of Olympic Pictures, has completed a deal whereby he will take over for distribution

(Continued on page 7)
**MOTION PICTURE DAILY**

**Good Asia Outlook Seen by Liebeschid**

"The prospects for American pictures are excellent and always will be, because the films that are being produced alone turn out films with a universal appeal," Nat Liebeschid, Warner-First National representative, who returned to this country Friday after three years in that part of the world, said yesterday.

The visitors, he asserted, prefer Hollywood pictures to the product of their own studios. What attracts them in American films is their lavishness and lavish appeal, he said, remarking, adding this explains why in the Far East musicals and comedies are seen in all other types of Hollywood films.

Liebeschid said it makes little difference to the people whether or not they understand what the characters are saying, a fact which explains why, with the exception of Java, superimposed titles are not carried by pictures.

Liebeschid announced that Jules Nayfach had been placed in charge of the Singapore office, while J. Lambert, who had been made head of the Batavia (Java) branch, both of these branches were opened by him during his stay in the Far East. He is now awaiting a new assignment.

**Academy Groups to Meet**

Hollywood, Sept. 17.—Technical subcommittees of the Academy will meet this week, according to the schedule of Gordon S. Mitchell, manager of the Academy Research Council. The committees are meeting as follows:

Subcommittee on perfect print quality: screen illumination subcommittee: sound dubbing supervisors; technicians' branch papers and programs committee; and the silent camera committee.

**Bartie at Club Lunch**

Cleveland, Sept. 17.—Ben Bartie, MGM executive on the Eastern road here this week, was guest of honor at the first Variety Club luncheon of the season today.

**Eastman Off 2½ on Big Board**

- Consolidated Film Industries, 37; 37, 37, 37, 37
- Fox Film "A," 37; 37, 37, 37, 37
- Warner Bros., 37; 37, 37, 37, 37

**Curb Issues Show Gains**

Yom Kippur Tomorrow

Sundown tonight ushered in Yom Kippur, day of atonement for the Jewish race. The holiday ends tomorrow at sundown and is characterized by fasting.
To:

JOS. BERNHARD
N. L. NATHANSON
CLAYTON BOND
W. G. VAN SCHMUS
E. A. ALPERSON
JOHN O'CONNOR
M. A. SHEA
ARTHUR LUCAS
F. J. SPARKS
E. M. LOEW
PHIL SMITH
ED FAY
NAT YAMINS
CHARLES HAYMAN
H. F. KINCEY
IKE LIBSON
M. A. LIGHTMAN
E. V. RICHARDS
DAVID LOEW
M. B. COMERFORD
FRANK H. DURKEE
J. H. HARRIS
J. J. FITZGIBBONS
HARRY ARTHUR
SPYROS SKOURAS
JOHN BALABAN
MEYER SCHINE
MAX HOFFMAN
JAMES N. COSTON
HAROLD ROBB
TOM CLEMMONS
SOL GORDON
BOB O'DONNELL
HARRY E. HUFFMAN
R. E. GRIFFITH
A. H. BLANK
ED BEATTY
RAY MOON
FRED DOLLE
GLEN W. DICKINSON
ED DUBINSKY
ELMER RHODEN
LOU METZGER
H. J. FITZGERALD
JOHN FRIEDL
SAM RINZLER
S. D. COCALIS
JOS. VOGEL
ALEXANDER PANTAGES
J. J. SULLIVAN
RALPH TALBOT
ED ROWLEY
MIKE NAIFY
JOHN HAMRICK
AL FINKELSTEIN
JENSEN & VON HERBERG
ROBERT McNEIL
J. L. SCHANBERGER
NASSER BROS.
GEORGE MANN
MORGAN WALSH
JOE BLUMENFELD
GASTON DUREAU
NATE BLUMBERG
JULES RUBENS
A. H. SCHWARTZ
JOE SEIDER
R. H. WILBY
SAM BENDHEIM

There's information of special value to you and all other exhibitors on the next three pages---
Carl Laemmle presents

GIFT OF

EDMUND LOWE - RUTH ETTING - GIN
ETHEL WATERS - PAUL LUKAS - CH
DOUGLASS MONTGOMERY - BINN
ROGER PRYOR - JUNE KNIGHT - VIO
HUGH O'CONNELL - WINI SHAW - ALI
GENE AUSTIN - CANDY AND COCO
BEALE STREET

ANOTHER UNIVERSAL BULLS-EYE

The 30 Sta
GAB

Directed by
KARL FREUND
Associate Producer
RIAN JAMES
Produced by
CARL LAEMMLE, JR.

"Universal is Setting the Pace"....
UNIVERSAL'S 'GIFT OF Gab'
KNOCK-OUT MUSICAL COMEDY

Everything That Spells Box-Office

"GIFT OF GAB"
(Universal)

Universal shot the works on "Gift of Gab," and even if it were a poor picture—which it is NOT—no exhibitor anywhere need ponder for a moment over it. The cast reads like the Universal lot, with plenty of radio stars thrown in for good measure.

Good music; swell dialogue; insatiably amusing sequences; an appealing, if not original, story, and grand performances throughout make this picture one of the big bets of the season. Edmund Lowe and Gloria Stuart carry the bulk of the plot, but it isn't as important, from an entertainment standpoint, as the gags, music and comedy scenes.

Lowe plays the part of a fast-talking roustabout, who finally becomes the greatest reporter and announcer on the air. He pulls an awful boner—giving a false interview with a famous flier who was killed twenty minutes before the broadcast—and then tries to drown his shame in many bottles. But Gloria Stuart arranges for his comeback, and they live happily ever afterwards.

That's the story. But the trimmings are something grand. Songs by Ethel Waters and Ruth Etting and the Downey Sisters and the Beale Street Boys; glimpses of Tom Hanlon, Graham McNamee and Alexander Woolcott; music by Gus Arnheim and his orchestra; one of the funniest farce scenes ever seen with Paul McNamee, Keye Luke, Karloff, Roger Pryor and Chester Morris; a screamingly amusing scene in a doctor's office with Helen Vinson, Hugh O'Connell and Phil Baker; and very, very swell performances all around. Lowe in the role of the announcer provides the opportunity for the radio acts.

Lowe plays swiftly and with telling effect. Miss Stuart is charming. Hugh O'Connell is consistently amusing; Sterling Holloway has a swell chance and takes it as the sound effect man in the radio studio; Alice White, Binnie Barnes, Marian Byron, Andy Devine, are seen briefly, and Hymie Fink, the demon photographer, is supposed to be in the picture. But he went through too fast for these old eyes to catch him.

One of the funniest characterizations is given by Victor Moore as Colonel Trivers, head of the Trivers Chopped Chicken Livers Company.

"Designed to extract a consistent flow of laughter from any audience, no matter how cynical...should appeal to all classes, especially the radio listeners, who hear but never see their favorites."

—Motion Picture Daily

Hollywood Variety

Gift of Gab

Lavishly studded with ace entertainment values and a wealth of music, the new release of Gene Austin's television hits, "Gift of Gab," needs only intelligent, showmanlike re-cutting from its long previous assembly to make it an important box-office candidate.

Shape, a revue form, with a cast of radio stars and the radio world's catchiest, most interesting songs, makes its debut effort and promises to be a hilarious hit. Every number has its own special appeal, and the acting is first-rate. Miss Arnez, as Miss Arnez, has a role of her own in this splendid show. The audience will be in for a treat with this one. A new high in musical comedy.

Henry Armetta has a grand bit, and Edwin Maxwell is the president of the radio station.

The picture is a lot of fun, and with such a cast, with the music and with its good direction, it's a cinch. Karl Freund directed; Jerry Wald and Philip G. Epstein wrote the original story, and the screen play is a tribute to Rian James' sense of humor. George Robinson photographed more than well, and the music and lyrics—all good—are by Con Conrad, Albert Von Tilzer, Charles Tobias, John Meskell, Herb Magidson, George Whiting and Murray Mencher.

The picture is big and worthwhile a lot of ballyhoo. Don't worry about it. It'll get along anywhere.


**ASCAP Action Depends Upon Federal Speed**

(Continued from page 3)

**Seek Chicago Raise**

While at the ASCAP office in New York yesterday it was announced that the Chicago Newspaper Guild, under the leadership of John C. Kandel, has served a notice on the Chicago newspapers that it has the right to call a strike upon the expiration of the current contract on the 17th inst. The Guild has made it clear that the renewal of the current contract is not in the interest of the membership. The Guild has also announced that it will not call a strike unless the newspapers agree to the terms of the new contract.

The newspapers have indicated that they will consider the Guild's request, but they have not yet made a formal offer. The Guild has stated that it will not accept any offer that does not meet the demands of the membership. The Guild has also stated that it will not call a strike unless the newspapers agree to the terms of the new contract.

**New Men Are Named For 3 Code Boards**

Changes in the personnel of the Denver, Boston and Seattle code boards were made yesterday by Camp. Frank Culp of the Los Angeles board has been succeeded by Bill Kripp. The new board has been appointed by Camp and has been given the task of enforcing the code for the next six months.

**Stop Detroit Giveaways**

DETROIT, Sept. 17—Sol Krim, operator of the Sun, has ordered stop giveaways and two-for-one deals in Detroit. John Derzin of United Artists has replaced Tim Teague as operator. The new operator, who will have the Sun box office in place of L. N. Walton of Columbia.

**Four Cases Up in Cincy**

CINCINNATI, Sept. 17—After a few hooligans in the activities of the local grievance board, there are now five cases on the dockets. The committee in charge of the grievance board is scheduled to hear the next case, according to local reports.

**ASCAP Action Depends Upon Federal Speed**

P.T.O.—A. The ASCAP is a fight between all theatre owners and the music organization," he said. "Numerous complaints and suits have been brought by theatre owners who claim that ASCAP is not representing their interests.

**Sign Writers Seek 10 Per Cent Raise**

(Continued from page 3)

are expected to be opened within the next week. The increase sought would boost the present wage scale of $13.20 for a seven-hour day to $14.70 for the same period. The increase will be effective at the expiration of the current contract on the 17th inst. The increase is the result of a union drive to improve working conditions.

**Reciprocal Treaty With Spain Coming**

(Continued from page 3)

The Treaty of Reciprocity with Spain, to be concluded in the next few days, will provide for the free entry of goods between the two countries. The treaty will also provide for the reciprocal treatment of citizens of the two countries in matters of taxation and the like.

**Kandel to Take 100 From English Studio**

(Continued from page 3)

The deal covered a period of five years, 20 features every 12 months. Kandel has made several deals for distribution through major channels, but these have been closed with state right exchanges.

**Spokane Hit by Strike**

SPokane, Sept. 17—Now going into the fourth week, the street car company has been unable to obtain service due to a strike of the employees. The company has been unable to substitute new operators and the service has been severely curtailed.

**Fox Holds Joe May**

HOLLYWOOD, Sept. 17—As a result of his directorial work on "Music in the Air," Fox has signed Joe May, former director for U.P.A., for two pictures. The first production will be "A Woman Lies," now being adapted from the Hungarian play by motion picture writer, coming out soon with a name star. Both will be produced by Erich Pommer.

**Myrick Buys Iowa House**

SPIKE LAKE, Ia., Sept. 17—The State at Lake Park has been purchased by A. C. Myrick of Spirit Lake. He has opened the house with new sound equipment and a new stage.
Expect New Para. Plan
To Be Ready in 3 Weeks

(Continued from page 1)

The banks are admittedly creditors for $13,200,000, and as such are among the three prime movers in the reorganization work. The others are the bondholders and stockholders, whose general creditors' interests thrown in with the majority bondholders. The settlement of the suit would involve, according to reports, a surrender by the banks of an alleged preference on $9,600,000 of their claim, the amount said to represent Paramount's old or renewed credit at the time of the Film Productions transaction. The $3,600,000 balance, said to represent new credit accorded Paramount in the transaction, would continue in its present status.

Paramount bonds, which include Paramount Publicix and Paramount Broadway issues, always sensitive to reorganization progress, closed up to more than three points higher than Standard on the day when similar gains were also recorded.

Referee John E. Joyce is scheduled to hear the petition of the Paramount bondholders and stockholders for the creditors' meeting. 

"Redhead"

(Monograph)

With a little cutting, this picture should have no trouble pleasing audiences in small towns and neighborhood houses. The theme is that of the redemption of a ne'er do well son of a wealthy father by the love of a poor, misunderstood, but honest girl. Bruce Cabot and Grace Bradley handle the leads effectively. Melville Brown's direction is smooth and Ira Morgan's photography good.

Miss Bradley, an artist's model, is cleared of a murder charge brought against her when the man for whom she is posing is killed by a fall. Unable to erase the stigma of the charge and unable to secure work, she agrees to marry Cabot to blackmail his father, who has just cut him off. To their surprise the father refuses to pay and offers Miss Bradley $10,000 if she can straighten out his son. She agrees, and they leave in Cabot's expensive roadster, which they later trade for a traveling lunch wagon. After failing for each other against their better judgment, Cabot gets a job in a factory and invents a safety device, which he is unable to sell until Miss Bradley hits upon a clever ruse, with the help of a newspaper reporter, which brings about a happy ending.

The cast also includes Regis Toomey, Berton Churchill, George Hum- ber, Ed Brady and Bess Stafford. Previewed without production code seal. Running time, 76 minutes.

"Fountain" Leader

In Omaha, $5,300

Omaha, Sept. 17.—The "Fountain" and "The Defense Rests" on a dull bill at the Brandonis topped the town with $5,300, over the line by $1,300. The other two first runs, both with dub- bles, also pulled well. "Stretch Is the Way" and "Ladies Should Listen" were strong at $3,000 in the World, and "This Cat's Paw" and "Here Comes the Groom" topped the line at the Orpheum with $8,800.

Total first run business was $18,000. Average was $15,500.

Estimated takings:

**Week End ing Sept. 12:**

"STRETCH IS THE WAY" (M-G) 
"LADIES SHOULD LISTEN" (Para.)
- 5 days. Gross: $5,100. (Average, $1,020)

"THE DEFENSE RESTS" (Col) 
- 5 days. Gross: $3,300. (Average, $660)

"THE CAT'S PAW" (Fox) 
- 11 days. Gross: $7,500. (Average, $681)

"HERE COMES THE GROOM" (Para.)
- 7 days. Gross: $8,800. (Average, $1,257)
**Variety Club Chatter**

**Cincinnati**

CINCINNATI, Sept. 17.—An evening luncheon and general get-together meeting has been held as the initial phase of the fall and winter activities. Regular Monday noonday meetings will be inaugurated in the 800 block of the Netherland Plaza instead of the club rooms, as hereforeto. Luncheon will be followed by the presentation of club activities, provided by the Kings for a day, whom Chief Barker M. J. Shaver entertained.

In his address, Arthur Frudenberg was named first assistant chief Barker and cordon-master at a meeting of the cordon-master. He succeeds the late W. R. Miller, who recently moved to Indianapolis.

The first ladies' night, which proved so popular last year, has been set for Sept. 29. These affairs are given on Saturday nights.

Announcement of the banquet of Tent No. 3 will be held Nov. 24, in one of the swanky quarters of the Netherland Plaza, according to present plans. The committee representing International President F. J. H. Gelman will supervise the entertaining during this period.

J. S. J. Sainty, member of Tent No. 6, was a visitor at local headquarters last week.

For his 4th year in the Cats, F. J. Gelman is back in town after a honeymoon trip to New York.

**CINCINNATI**

**Radio**

**SPORTS**

**Fortune** stocks editor of the Post, is spending an enforced vacation in the hospital recovering from serious injuries sustained when his automobile struck a pole while he was driving about the city.

**HARRY SACHS**

Barker of the Clevel-

dam, was recent visitor at the local club.

Chief Barker Duke Clark has been made a Kentucky colonel.

**Pittsburgh**

PITTSBURGH, Sept. 17.—Plenty of interest in the Variety Club banquet in honor of Harry Kalmene and Harry Goldstein. This will be the sixth annual banquet and the date is set for Sunday, Oct. 14, the day following the big football game between Pittsburgh and Illinois.

**Pittsburgh**

**Music**

**DAMES** (Warners)

BLUE MOON—(Para.) 25c-40c-55c, 7 days. Gross: $1,700. (Average: $250.)

**NOW AND FOREVER** (Para.)

FIFTH AVENUE—(Para.) 45c, 40c-55c, 7 days. Gross: $2,500. (Average: $357.)

**GUN JUSTICE** (Univ.)

SUNRISE—(Univ.) 7 days. Gross: $3,400. (Average: $486.)

**ROMANCE IN THE RAIN** (Univ.)

MUSIC BOX—(Para.) 55c-65c, 7 days. Gross: $1,900. (Average: $271.)

**THE FOUNTAIN** (RKO)

MUSIC BOX—(Para.) 55c-65c. 7 days. Gross: $1,900. (Average: $271.)

Mascot Pictures Opens

Mascot's "Young and Beautiful" had its premiere performance at the Civic yesterday at the Carnegie. At last night's performance an orchestra of artists and radio stars were present in tribute to Ted Flo-Rico. The feature was reviewed by Motion Picture Daily on April 7.

**"You Belong"**

**Forever Up To $7,400 in Seattle Lull**

SEATTLE, Sept. 17.—“Now and Forever” was the strongest attraction here during a dull week. It went over par for the week on a $7,400 take at the Fifth Avenue. Second honors went to “Dames,” which grossed $3,700 on an expansion run from the Music Hall at the Blue Mouse.

All other houses were below average, with total takings reported as $2,770. Average is $3,100.

Estimated takings for the week ending Sept. 17.

**DAMES** (Warners)

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Shakespeare Play Opens

Hollywood, Sept. 17.—Max Reinhardt’s production of “A Midsummer Night’s Dream” opened tonight in the Hollywood Bowl, a large stadium that Shakespeare would have marveled at. The seating capacity was limited to 14,000. The California Festival Ass’n, which is sponsoring the show, announced the bowl had been sold out for the remainder of the four performances to follow. The massed rubber shoulders with picture notables and the social elite of Los Angeles at the opening.

Youngclauss Sells Two

COLUMBUS, Neb., Sept. 17.—W. N. Youngclauss has sold his interest in the Pawnee and Swann to Central States, the controlling company of Harry Weinberg of Des Moines, who now controls 11 houses in the Omaha territory. Two weeks ago Youngclauss filed a complaint against Weinberg with the Omaha grievance board charging overbuying.

L.A. Criterion Reopening

Los Angeles, Sept. 17.—Under a joint arrangement between Fanchon & Marco and T. L. Talley the Criterion, dark five weeks, will reopen Thursday under a policy of continued first run overbuying from the Paramount. This makes three houses in the downtown district where P. & M. is directly and cooperatively operating.

Affair Held by ASC

Hollywood, Sept. 17.—The American Society of Cinematographers will stage its traditional Fall opening affair at the Uptifiers’ Club with studio executives among the guests. Studios stopped production where possible to enable camerman to attend.
UNITED ARTISTS proudly announces a Charles
APLIN PRODUCTION for early 1935 release
Kuykendall to Talk To Units in South

Discussion of ASCAP's proposed national Legion of Decency, product, labor and theatre operation will be the topics Ed Kuykendall, president of the M.P.T.O.A., will talk about at the general meeting of the M.P.T.O. of North and South Carolina tomorrow in Charlotte. Kuykendall leaves tonight for the south.

Following this session, the M.P.T.O.A. head will discuss the same subjects at a two-day meeting of the Tri-State Theatre Owners in Memphis, starting Oct. 7.

In discussing theatre operation, Kuykendall states that exhibitors to try to increase prices in a small way. He believes, also, there are a number of pictures to be released soon which have considerable exploitation value and that exhibitors should take advantage of the opportunity.

Kuykendall states that admissions in certain parts of the country are too low and where possible will advocate a small boost. He will also interpret certain sections of the code at both meetings, familiarizing exhibitors with the 12 new principles adopted last week by Camp in setting up clearance and zoning schedules.

Philadelphia Feels Few Strike Effects

Philadelphia, Sept. 17—The textile strike situation here is not yet grave enough to affect theatre business drastically. A report of the Textile Workers' Union issued last week that seven mills have acceded to the workers' demands has softened the situation locally. Suburban districts, such as Norristown, Delaware County and Manayunk are harder hit.

Paterson, Sept. 17—Little effect of the silk strike has been felt here so far, despite the fact that the silk industry has practically left the city, making the dyers the sole important link remaining in the textile field here.

An indication of the situation is afforded by Warners' reopening of the Regent last week as a second run, double feature house, and their uninterrupted plans for renovating the Garden for reopening as a first run within the next 10 days.

Thousands of non-unionized textile workers in Paterson are not yet out, but attempts will be made to close the mills within the next few days, according to reports.

Flashes Daily Reviews

Kansas City, Sept. 17—Lawrence Lehman, manager of the RKO Mainstreet, is using enlarged reviews from Motion Picture Daily and Motion Picture Herald as major features of his campaign on "British Agent," the Mainstreet's current showing. After displaying the fliers in the lobby a week in advance, he has planted them prominently out in front where they will remain until the end of the run.

Benas Talks to ITOA

John Benas, buyer for the Leon Rosenblatt circuit, yesterday talked to members of the I.T.O.A. at the Astor on new product from all companies.

Today Benas will talk to members of the Allied unit in Boston.

U.A. Sets Western Deal

United Artists, according to Al Lichtman, vice-president and general manager in charge of distribution, has closed a deal with the Minnesota Amusement Co., Mid-west circuit with houses in Minnesota, North and South Dakota and Wisconsin, for the company's entire 1934-35 output.

Picker Joins Exchange

Sidney Picker has joined the executive staff of Hollywood Film Exchange, the distributing organization for Liberty Pictures.

Selects Bartholomew

Hollywood, Sept. 17—M-G-M has picked Freddie Bartholomew for the role of "David Copperfield" as a boy. Tests have been going on for weeks.

Pierson Made Collector

H. Wayne Pierson, formerly with Columbia and General Outdoor Advertising Co., was sworn in yesterday as general deputy collector of internal revenue. His headquarters will be in New York.

Goldwyn Recalls Vidor

Hollywood, Sept. 17—King Vidor has been recalled by Samuel Goldwyn from England to direct Anna Sten and Gary Cooper in "Broken Soil." Vidor is expected in New York shortly. He will fly here.

Ad Schulberg in Town

Ad Schulberg, Hollywood agent, is in town for a three-week rest. She may go to Europe before heading west again.

Mt. Morris License Back; House Opens

Commissioner of Licenses Paul Moss has restored the license to the Mount Morris, following settlement between the theatre and Local 306 of backs salaries due to operators. The house was closed last Monday when the theatre management refused to pay on a judgment received by the union, holding that a new company was in charge of the house. The union proved that the management was the same despite change in corporation name.

Roach on a Fast Trip

Hal Roach left at 5 A.M. this morning for the coast by plane and expects to arrive in Hollywood sometime tonight.

Must They Bring Cushions Along?

- Theatre goers are comfort lovers. If they drive to your theatre in automobile comfort, will they sit contentedly on hard, lumpy, worn-out chairs?

ASK US,

"How can I reseat my theatre economically?"

American Seating Company

Makers of Dependable Seating for Theatres and Auditoriums

General Offices: Grand Rapids, Michigan

Branches in All Principal Cities
Expect Return Of Three Zone Plans to K. C.

Dual Penalties Included In Schedules on File

KANSAS CITY, Sept. 18.—While members of the local clearance and zoning board refused comment until they had an opportunity to digest the new set of principles governing clearance adopted by Campi, it is strongly felt here that schedules for Kansas City, Wichita, Kan., and St. Joseph, Mo., will be returned for revision. All three are before Campi appeals.

The major discrepancy between the adopted schedules and the new instructions lies in the penalties for double billing. The Kansas City plan

(Continued on page 8)

Willentz Takes His Newark Case to NRA

Having lost three decisions, the Ewood, Newark, N. J., an Allied member, has taken its clearance and zoning complaint against Warner's Regional, Artwork, and Capitol, to the NRA in Washington.

David T. Willentz, attorney general of New York, represented the complaining exhibitor. The case was first heard by the New Jersey advisory committee, which decided against him. The recommendation was then passed

(Continued on page 8)

Zoning Discussed by Sam Morros in K. C.

KANSAS CITY, Sept. 18.—Sam Morros, assistant to John C. Film, met today with the grievance board here on his tour of survey of local boards. Clearance problems and the 12 zoning principles adopted last week by Campi were discussed. Morros will attend Thursday's hearing of the board.

Mercury's Down

Cincinnati, Sept. 18.—Management of the RKO Palace is being commended on its frankness in advertising. In a large display frame announcing coming attractions, with a permanent line at the bottom, the new appears:

"Belle of the Nineties"
Carefully Cooled.

RKO to Keep Five Houses in New Deal

Loew's Agrees as Lease Problems Develop

Although Loew's originally insisted that RKO drop all of the 11 independent theatres acquired in Greater New York before it talked peace terms, circuit officials are relenting on this stand and as a result will permit RKO to continue to operate at least five houses.

RKO has been experiencing some difficulty settling leases on some of the houses recently taken over, particularly the Apollo and Hollywood on the lower east side. As a result, Loew's has agreed that these houses can stay in the RKO fold, but at the same time these theatres will not benefit by the price switch.

(Continued on page 8)

Kuykendall to Talk With U. S. Officials

Ed Kuykendall, president of the M.P.T.O.A., will be in Washington tomorrow, presumably to confer with government officials on the anti-trust suit against A.S.C.A.P. Last night the M.P.T.O.A. held a meeting for Charles to speak before North and South Carolina exhibitors today on proposed tax increases by the music society. From Charlotte he goes to Washington to return to New York Friday. Meanwhile, the exhibitor emergency committee is going ahead with plans

(Continued on page 8)

Northern Mine Boom Big Help in Ontario

TORONTO, Sept. 18.—The mining boom is helping theatre business in the North Country. The Grand at Sudbury, managed by Dick Main, formerly of Toronto, registered a record day's patronage for a day this month and daily attendance since Labor Day have been close to the peak. An addition is being built.

Canadian Auditors On Loew's, Toronto

TORONTO, Sept. 18.—A financial statement is now being prepared for Marcus Loew's theatres in Toronto, for the 20 months from Jan. 5, 1933, and this will be checked by a Canadian firm of auditors for presentation at a general meeting of shareholders in October as a result of an

(Continued on page 6)

1st Division Plans 12 with Pathe Backing

With the entrance of Nicholas S. Ludington and William M. L. Fisher, 3rd, into the company, First Division plans to start production on a broad scale simultaneously with the expansion of its exchange system.

The company now has 11 branches in the east, New England and south, representing 60 per cent of the United States, and intends to complete the 100 per cent representation by the end of the year. Plans for entering the

(Continued on page 8)

Montana, Oklahoma Grosses $3,945,000

WASHINGTON, Sept. 18.—Data on theatre operations in Montana and Oklahoma during 1933 today was made public by the U. S. Census Bureau.

Returns from Montana showed that 72 houses in operation last year, with total receipts of $780,000 and payroll payments of $137,000. In addition, there were 10 twin and multiplex theatres, with receipts of $750,000 and

(Continued on page 6)

Operators in Cincy Sign for Two Years

CINCINNATI, Sept. 18.—After negotiations covering several weeks, an agreement has been reached between subsequent runs and Operators' Local 327. A new contract has been signed, effective Aug. 31, 1936.

Scale for first year is virtually the same as in the previous contract, $45 to $62.50 per week, graduated according to seating capacity, and based on

(Continued on page 6)

New Group to Open Southern Theatres

ATLANTA, Sept. 18.—Co-operative Theatres, Inc., has been formed here to take over and operate theatres now closed in the southeast. Charles S. Mion of Atlanta, partner in operation

(Continued on page 6)

Turns Author

Erich von Stroheim, in New York from the coast, revealed he has been spending the last year or so writing a book, soon to be published.

Para. 6-Month Net Is Put at $3,883,856

Earnings Disclosed at Allowance Hearing

Paramount showed a net profit of $1,282,000 for the second quarter of the current year. Net profit for the first half of 1934 of $3,883,856, it was disclosed yesterday at a hearing before Special Master John E. Joyce. Net profit for 1933 was $5,092,252.

The disclosure of Paramount's second quarter earnings was made in response to inquiries by creditors in connection with a hearing on a petition for interim allowances and special fees and expenses aggregating more than $700,000, submitted by the Paramount Public trustees, their counsel and special counsel and accountants, on services rendered during the Paramount bankruptcy, from April 19, 1933, to June 16, 1934. On the latter date Paramount became a debtor corporation for reorganization under Section 77B of the Bankruptcy laws.

The petition of the Paramount

(Continued on page 6)

New Fox Met Talks Will Start Today

New efforts to develop a new Fox Metropolitan operating contract as a basis for a plan of reorganization for the circuit will be initiated today with the beginning of a series of conferences between Shubas and Randforce, the operator, and the Fox Met bondholders' committee, it was learned yesterday.

The committee has endeavored to revise the Shubas and Randforce 18-year agreements in order to make possible a sale of the circuit after one year following reorganization. Indications are that the renewed negotiations will aim at the same objective but with new alternatives being offered the present operators.

Not for Children

Kansas City, Sept. 18.—In harmony with the trend in film advertising is a note in the Newman's newspaper copy on "The Sacred Empress" declaring: "We believe this picture will not entertain children."
Laurel Injury Guns Hal Roach Schedule

HOLLYWOOD, Sept. 18.—The inability of Stan Laurel to return to work on "Babes in Toyland" because of a recent leg injury has caused a serious problem at the Hal Roach studios. Work cannot be started on any new production because of the lack of space caused by the size of the "Babes in Toyland" sets and the resultant crowding of the studio.

Doctors claim that Laurel will be unable to return to work for two or three weeks. In the meantime, Roach's short subject schedule will be upset and his last picture may force him to rent space at another studio.

Close 16mm Deal in West

W. A. Harju and Garrison Film Distributors have closed a deal for 16mm educational films among farm groups in North and South Dakota and Wisconsin, Minnesota and Michigan. Projectors will be supplied with the films to be shown in small villages, churches and on farms.

"U" Sells 18 to Roxy

Universal has sold 18 pictures to the Roxy and Rialto on a joint booking contract for the next 30 days. "Ransum," first on the deal, opened at the Rialto yesterday and will be followed by "Gift of Gab" at the same house.

New Toronto Theatre

Toroesso, Sept. 18.—Samuel Strasburg of Toronto has purchased a house at Pape and Floyd Avenues in the East End of the city, to be known as the Cameo. The house, which is expected to open in November, will cost $45,000.

"Belle" Sets Shore Mark

Ariston, Sept. 18.—"Belle of the Nineties," which broke all records for the first two days' gross at the Paramount, chalked up $4,400. For the second week the picture grossed $1,100. Walter Reade intends to hold the Mae West picture for two weeks.

"Servants" to Mayfair


Australia's Pictures Drawing Well There

Production in Australia, where two Sydney studios are in work, is more extensive, but the pictures are fairly successful in their own country, according to the United Artists in charge of foreign distribution. Kelly's reports conditions in the Antipodes recently reached the home office here. Most of the pictures, Kelly continues, are centered around Australian atmosphere, with Australian back country characters. The studios, he finds, are not well-equipped in comparison with Hollywood, however.

Fox May Do 'Uncle Tom'

HOLLYWOOD, Sept. 18.—Fox is considering the production of "Uncle Tom's Cabin" with Shirley Temple in the role of Little Eva, according to reports. Some of the studio executives are doubtful, and the filing of the law suit does not appear to be a financial success.

Toepiltz Signs Lubitsch

LOVEUX, Sept. 18.—(By Cable) Ludovic Toepiltz, head of Toepiltz Prod., has signed Ernst Lubitsch to direct one picture. Lubitsch will submit the script to the plans for the termination of his present Paramount contract.

Delay Filling Hall Job

No successor to Mortmaid Hall, critic of the New York Times, will be appointed until after Christmas. The term of his five-year contract, assisting Hall up to the time of the latter's resignation, is pinch hitting until a successor is named.

Clifford Opens Studio

Sidney Clifford and Joseph Teich-ner have opened Eclipse Studios, renting scenery to Warners, RKO and International houses. Clifford for some time was associated with the production end of the film business.

Team Crawford-Powell

HOLLYWOOD, Sept. 18.—Jean Crawford and William Powell will be starred in a musical by M-G-M. The story is by Oliver Jeffries and directed by F. T. Wolfson and Joseph Mankiewicz, but no title has been picked.

Most Issues on Big Board Rise

Eastman Kodak        $90    94    94    97
Loew's, Inc.         103    103    103    103
Loew's, Inc. Public. 27    27    27    27
Loew's, Inc. Public. 27    27    27    27
Pathe Exchange        54    54    54    54
Pathe Exchange        54    54    54    54
Paramount Broadway 350 'B'
Pathe Exchange        54    54    54    54
Warner Bros.         164    164    164    164

Trans Lux Declines 1/8 on Curb

Technicolor         12    12    12    12
Trans Lux           154    154    154    154

Paramount Publicx Bonds Up 2/8

General Theatre Equipment 6s 40/40.  115  115  115  115
General Theatre Equipment 6s 40/40.  115  115  115  115
Loew's 6s 40, wb deb rights.  102  102  102  102
Loew's 6s 40, wb deb rights.  102  102  102  102
Paramount 6s 50, wb deb rights.  55  55  55  55
Paramount 6s 50, wb deb rights.  55  55  55  55
Paramount 6s 50, wb deb rights.  55  55  55  55
Warner Bros. 6s 40, wb.  115  115  115  115

Dine Mochrie in Phila.

PHILADELPHIA, Sept. 18.—Robert Mochrie of the Warner exchange here, who has been made assistant to A. W. Smith in New York, will give a dinner in his Pennsylvania Hotel last night. Among the 150 present were Joseph Bernhard, Smith, and S. Cyril Hawes, manager of the office.

Vide Leaves Tomorrow

King Vidor, who has just returned from month's vacation abroad, plans to leave for the coast tomorrow or Friday to start preparations on "Souls of Sin." Suspense director Michael Goldwyn will put into production Oct. 15, Anna Sten and Gary Cooper will top the cast.

Ross, Columbia Dicker

Nat Ross, independent producer, is understood to be negotiating with Columbia to make a series of features. Ross is trying to bring a new scenario to M-G-M for one of the pictures. He recently completed "Atlantic Crossing."

May Pick Helen Morgan

As a result of recent screen tests, Warners may pick Helen Morgan to appear in "Mee Wee Mel," "Sweet Music," which is scheduled to get under way on the coast the first of next month. Valley leaves for Hollywood next week.

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MOTION PICTURE DAILY
(Registered U. S. Patent Office)
Vol. 36 September 19, 1934 No. 67
E. J. CRON, Advertising Manager
That wise showman

ARTHUR MAYER

Managing Director of the

RIALTO THEATRE

"HOUSE OF HITS"

Proves again that he knows a big attraction when he sees it by booking for next week that MUSICOLOSSAL UNIVERSAL PICTURE—

GIFT OF GAB

with

30 BIG STARS
A CAST OF 3,000!

massed FOR MERRIMENT...

revelling FOR GAYETY...

gathered FOR RHYTHM!

NAMES to crowd your marquee...and pack your theatre with happy throngs whose eyes will glisten at "Caravan's" lavish splendors...whose ears will tingle to its lilting melodies...whose feet will dance with its rollicking thousands...while their pulses quicken to its impulsive romance!

JEAN PARKER

PHILLIPS. HOLMES

LOUISE FAZENDA
Para. 6-Month Net Is Put at $3,883,856

(Continued from page 1)

Paribsch trustee, Charles D. Hilles, Eugene W. Leake and Charles E. Richardson, for allowances of $100,000 each, and the attorney, Abram Ballantine, trustees’ counsel, for $350,000, drew the bulk of the fire from creditors registering objections at yesterday’s hearing.

While counsel for the Paramount bondholders’ protective committee, of which Frank A. Vincent is chairman, credited the trustees and their counsel with “significant accomplishment in a difficult situation,” he added that the $13,500,000 to be allowed on the corporation’s behalf on Monday. It is expected to make his report to the district court shortly thereafter.

The petition was argued by Arthur A. Ballantine and Samuel S. Iskows, both of the New York firm of Ballantine, who reviewed the work of both applicants and cited the financial gains made by Paramount during the bankruptcy in support of the application.

Allied Owners File Reorganization Plan

A reorganization plan was filed in Federal Court, Brooklyn, yesterday by ”Paramount Playhouse,” Inc., through its attorney, Robert P. Levis, who proposed the organization would be revamped before Christmas. The plan is in a four-part contract with Loew’s, which agrees to make total payments of $12,875,000. The contracts contain two options, and one by which funds have been set aside, urgent consideration of the fees sought, which he said he believed to be high.

Lauds Trustees’ Work

Stuart K. Bronson, attorney for bondholders, $1,500,000 of Paramount debentures, lauded the work of the trustees and counsel, declaring that the management of the company’s subsidiaries had been reorganized, would result in accumulated benefits not entirely realized.

He concluded the suit against Paramount directors by the trustees to recover up to $127,000,000 alleged to be benefited from the sale of the company’s stock at guaranteed prices for theatre acquisitions as “a most difficult procedure to undertake and one that will ultimately bring a large amount into the Paramount estate.”

Objections to the application were registered by Samuel Zirn and Saul E. Rogers, counsel for small bondholders, $1,500,000 of Paramount debentures, and, as counsel for Allied Owners, which has filed a claim against Paramount of more than $120,000,000. Rogers urged that the attorneys for the company’s stockholders as a class be given a larger share of the settlement.

Zukor On Way Tonight

Hollywood, Sept. 18 — Adolph Zukor, chairman of the giant United Artists, is in New York tonight, according to the Hays office, to review new production plans.

Addressed Heads Committee

Abe Leff, independent circuit operator, who has been appointed chairman of a film committee of 10 by the I. T. O. A, the organization meets again Sept. 20.

Hoffman West Sunday

M. H. Hoffman, president of Liberty, returns to Hollywood by plane on Sunday. He has been here confering with Budd Rogers on new production plans.

RKO to Keep Five Houses In New Deal

(Continued from page 1)

Loew’s, through counsel in the matter of Fox, half of Columbia and Universal to RKO where the latter’s takeovers do not apply.

RKO spent $20,000 remodeling and repairing the Apollo and Hollywood and attempts to settle one-year leases with Meyer & Schwartz, which have expired. M. & S. wanted in the neighborhood of $100,000 to settle while RKO’s offer of $100,000 less RKO will continue to operate until the leases expire, Sept. 1, 1935.

Original reports had it that Kuskow’s plan would take over the Embassy, Port Chester, and Alden, Jamaica, while Skouras would get the Fort-Way, Brooklyn. These deals are now off and RKO will continue operation.

Loew’s has taken the attitude it does not want to hurt RKO by initiating that these territories “are already under impossible conditions. But by the same token, RKO will not get any of Fox, Columbia or Universal product for these situations.

Meetings between Loew’s and RKO executives are expected to be continued at least one week. No contracts will be signed by either party, Loew’s turning over films of the other company at a later date when the two companies are working through the plan. The Daily Variety, which is virtually agreed upon, it is understood. On Universal and Continental pictures, Loew’s will have first selection.

Operators in Cincy Sign for Two Years

(Continued from page 1)

A 40-hour work week in the projection room will be in force within the next few days, according to the Projectionists Union of America, said to be sponsored by Cincinnati interests.

Montana, Oklahoma Grosses $5,945,000

(Continued from page 1)

profits of $176,000. All told, there were 84 houses, taking in $1,363,000 and paying wages of $312,000.

Film and vaudeville theatres in Oklahoma numbered 254, reporting receipts of $4,409,000 and payroll expenditures of $843,000. There were 15 film theatres in Oklahoma City which took in $653,000 and had a payroll of $123,000.

"Peeck’s Boy" for Roxy

"Peeck’s Bad Boy" will go into the Roxy either Sept. 28 or Oct. 5, depending on the end of "Chin Chin Chow" is held a second week.

Pateljohn Back Oct. 10

Charles V. Pateljohn of the Hays office returns from a trip to the coast and various key points on Oct. 10.
IN-TRA-DU-CING!
The Biggest Event in Show Business

THE VARIETY CLUB
6th ANNUAL BANQUET
(Our First National Banquet)

WM. PENN HOTEL . . . PITTSBURGH
SUNDAY NIGHT, OCT. 14 1934


PRESENTED IN HONOR OF RETIRING CHIEF BARKERS . . . HARRY GOLDSTEIN
OF PARAMOUNT, AND HARRY KALMINE
OF WARNERS AND ASSOCIATE OFFICERS!

Note: A Paramount and Warner feature on a DOUBLE BILL . . . either attraction worthy of a single booking . . . BUT NO TWO-FOR-ONES!

World's Greatest Show—40 Big Acts
VARIETY & VARIETY . . . COMBINED CIRCUS

WRITE FOR RESERVATIONS IMMEDIATELY
To Secretary Variety Club Banquet, Room 106 Wm. Penn Hotel, Pittsburgh, Pa. We will also make your football reservation for you . . . Banquet $10 per ticket; Football $4.95 down.

Make it a real week-end PITT vs. CALIFORNIA Football game Sat., Oct. 13th . . . and banquet the next night!
Expect Return Of Three Zone Plans to K. C.

(Motion Picture Daily, September 19, 1934)

Campi Rules Upon Seven Appeal Cases

Decisions in four grievance and three clearance appeals were made public yesterday by Campi Brothers, Inc., and included were as follows:


Rialto, Jacksonville, Tex., against Palace and Dorland's, same town, charging overbilling. Defendants upheld.

Cobrindo, Pasadena, Cal., against United West Coast Theatres Corp., United Artists Theatres and Fox West Coast, charging overbilling. Determination of the Los Angeles board in favor of the respondent reversed and case remanded for further proceedings.

Family and Ritz, LaGrange, Ga., against LaGrange, same town, charging overbilling. Complaint upheld.

Decisions were handed down in the following cases:

Ambassador, Philadelphia, against the Bennington, same town, charging non-paying. Philadelphia board ordered to re-zone territory affected.

Owen, Sauget, N. Y., against Walter Reade's Kingston and Broadway theatres, Kingston, N. Y., charging unreasonable clearance for Kingston over Sauget. Kingston given 14 days' clearance over Sauget. Owen provided first run exhibition in the former within 30 days after the general release date of the picture. Bennington board of the distributors serving the respective territories.

Astor, Atlantic City, N. J., against Colonial. Reduction of clearance from 14 to seven days affirmed.

Compliance Ordered By Milwaukee Board

Milwaukee, Sept. 18—Albert Nichols, operator of the Ace, has been given until Oct. 2 to comply with an order of the grievance board to stop admitting children for five cents.

Nichols defended his failure to comply with the order by pointing out that several other houses in his zone admit children for five cents. The case was heard in August and the original cease and desist order was issued Aug. 27. Atanasoff Brothers, operators of the World, were the complainants.

Willentz Takes His Newark Case to N.R.A.

(Continued from page 1)

upon the New York grievance board and the opinion of the committee was upheld.

The N.R.A. appeal committee then heard the protest and decided that the decisions of the local code board should be affirmed. Not satisfied with the rulings, Willentz has appealed to the N.R.A.

Willentz Takes His Newark Case to N.R.A.

MOTION PICTURE DAILY's
HOLLYWOOD PREVIEW

“Love Time” (First)

Hollywood, Sept. 18—Music lovers will find considerable enjoyment and interest in this page from Franz Schubert’s life. In a brief interlude between musical compositions, the renowned composer is seen as a passionate lover. However, during his love episode the picture finds him brooding to the extent that he does not write. The famous “Schubert Serenade” is heard several times and its beautiful strains are tuned to the action. Then there is “Who Is Sylvia?” an enchanting piece which is never finished.

Interpreting the role of Schubert is Nils Asther, who meets Pat Paterson at his chalet near Vienna. The acquaintance ripens into a love match, the tie of which is broken when the penniless musician leaves the place to get out of a bargain he has made to take Miss Paterson to Vienna. While hunger haunts Schubert, Miss Paterson is being haunted by the emperor’s guard, which has come to restore her to her father, Henry II of France.

The heroine escapes, meets Harry Green, Herbert Mundin and James Burke, three hobo musicians, on the road to Vienna and she joins the party. In Vienna she meets her composer-lover again by chance, nurses him through illness and ultimately brings him to the attention of royalty. During his efforts to thwart the marriage unsuccessful, Walthall finally gives in and the lovers are reunited.

Exhibitors have a plethora of exploitation ideas to work on to get “Love Time” over at the box-office.

Code seed No. 230. Running time, 74 minutes.

Looking 'Em Over

“Mass Struggle” (Kinoventrace)

Made by Ukrainfilm of Odessa, this production is too obsessed with its message of brotherhood and fair play to have any great worth as a popular diversion. It is a powerful and brutal tale of human oppression told with a holy zeal that deserves respect. Had the producers been more concerned with art and less with what they had to say, “Mass Struggle” would have come closer to being entertainment. While its story is sprawling and awkwardly developed, it possesses a certain excitement and considerable interest.

The film tells of the degradation of the serfs in the Ukraine of the 18th Century and their uprising against their masters. While the forces of oppression are victorious, they cannot kill in the peasants the hope that some day they shall win their struggle to free themselves.

The recording is poor in spots and the photograph harsh when the camera stays indoors. The outdoor scenes, however, are at times impressive. The parts are well taken, especially by Les Serdiuk, A. Antonovitch, D. Shkliarski, I. Marianenko and Paulina Piatko. Ivan Kavalciridze directed. Running time, 80 minutes.

Rosenblatt in Cincy Talk

Cincinnati, Sept. 18—Division Administrator Sol A. Rosenblatt addressed the National Ass’n of Broadcasters’ convention today on coordinating American amusement industries and radio advertising. J. Trueman Ward of WLAC, Nashville, was elected president, succeeding Albert McCosker of WOR, Newark.

Rosenblatt Due in Capital

Washington, Sept. 18—Division Administrator Sol A. Rosenblatt returns tomorrow from Cincinnati.

Plan Sisk Farewell

Radio associates of Robert F. Sisk are planning a farewell dinner for him to depart for the coast to become assistant to J. R. McDonough.

1st Division Plans 12 with Pathé Backing

(Motion Picture Daily, September 19, 1934)

foreign marketers and its own representatives are now being discussed.

Production plans for the near future call for four specials and eight features with Pathé financing; it is understood. Stories for a start of production in Hollywood are being discussed with a decision expected in the near future.

Ludington is head of the Ludington Air Lines, a stockholder in TWA and Curtis Publishing Co. He makes his home at Ardmore, Pa., and comes to New York for occasional visits. Fiske 2nd, who is in charge of the Paris office for Dillon, Read & Co., financial house. Ludington is 32 and Fiske is 28. Both are prominent in society circles.

About $500,000 is involved in the financing of the picture. Stockholders who sold their interests are understood to have been paid off yesterday. The amount was not disclosed.

Harry Thomas, who did not sell his stock, will continue as head of the company, and the international sales organization will be developed as rapidly as possible under his jurisdiction.

Fiske 2nd, who heads the division, will be held to his post at the Campbell Funeral Church.

Charles Bohny Passes

Los Angeles, Sept. 18—Charlie R. Bohny, father of Bill Bohny, died yesterday. Surviving him are his wife, Mrs. Bertha Bohny.

Eddy Funeral Today

Wesley Eddy, master of ceremonies, who killed himself Sunday, will be buried at Willock’s Cemetery, Stratford, Conn., today.

“Nell Gwyn” in London

London, Sept. 18—“Nell Gwyn,” which was shown privately in New York some time ago, had its London premiere today at the Leicester Square.

Mae West Film to Para

“Belle of the Nineties” opens at the Paramount on Friday, following “Sh. Loves Me Not,” which closes after two weeks.

Adler Forms Exchange

Lester W. Adler has organized an advance film exchange. E. Rosenbaum will be associated with him.
K. C. Houses In Row Over Ads, Critics

The Journal-Post Reviewer Is Barred by Two

Newest estimates anticipated are $150,000. (Continued on page 2)

No Assessment Looked for on B. & K. Set to Tip Scales on Para.'s Stock

Foreign Exchange Gains For Majors $8,350,000

The companies and the estimated amounts in which each was benefited are: Columbia, $500,000; Fox, $1,600,000; M-G-M, $2,100,000; Paramount, $1,500,000; United Artists, $870,000; Universal, $720,000; Warner, $1,000,000. (Continued on page 11)

GFTA Carries Board Row to Rosenblatt

Code Assents Extension to Force Change

Amendment Also Needed On Amateur Ruling

Washington, Sept. 19—Further extension of the assent period will require an amendment to the code, as will Division Administrator Sol A. Rosenblatt's recent interpretation with respect to paragraphs of amateur performers if it is to be effective, it was learned today at the National Recovery Administration. It is understood formal action of this nature is required with respect to assents because of limitations in the code, while it is necessary with regard to the amateur interpretation because one of the boards is understood to have refused to go on the ground that there was no mention of amateurs in the agreement.

Amendment will be purely a formal affair, says Rosenblatt, and will not require a hearing.

A public hearing on recommendations of the agency committee will probably be called next week, Rosenblatt states. No details of the recommendations have been made public as yet.

Pettijohn Is Honor Guest in Portland

Poe to Get Credit

Hollywood, Sept. 19.—After much discussion, Mike Simmons has agreed to let Edgar Allan Poe share screen credit with him in the adaptation of the former's "Raven," to be produced by Universal.
K. C. Houses
In Row Over Ads, Critics

(Continued from page 1)
screenings will not deter him from reviewing pictures, even an unjudged standpoint and the standpoint of the discriminating moviegoer.

The only first run feature that Lawrence is permitted to sit in at press showings is Loew's Midland. The Tower and Uptown are not Journal-Post ads, but Lawrence nonetheless reviewed them on the opening day, paying his way like any other patron.

Managers of the Newman and Main Street took the step following the appearance of what they considered damaging reviews and comment in the last two weeks. They say the dispute has its basis in a demand for lower ad rates.

Of several weeks' standing, the controversy was intensified recently when the three first runs using the Journal-Post local were cut off by the Newman.

Pettijohn Is Honor Guest in Portland
(Continued from page 1)
today. He gave closeups of the workings of the Hays organization and predicted greater harmony between various branches of the industry for the future.

Among the exhibitors were exchange managers, salesmen, exhibitors and representatives.

Floyd Maxwell and Mrs. Maxwell were hosts at an evening banquet in Pettijohn's honor.

Morgan in 'Sweet Music'
Hollywood, Sept. 19—Helen Morgan has definitely been chosen by Victor for the leading role opposite Rudy Vallee in "Sweet Music," which goes into production Oct. 1.

Omaha Film Men to Golf
Omaha, Sept. 19—Film exchange managers, exhibitors and salesmen hold a stag golf meet at the Happy Hollow Club here Friday.

Run West 23½ Hours
Kansas City, Sept. 19—Mae West's "Belles of the Nineties" will be introduced to Kansas City with a continuous showing of 23½ hours at the Publix Newman Theatre, starting midnight Thursday and running through to Friday night.

George Baker, manager of the Newman, said he tried the stunt about four years ago with "Cimmaron," and despite increased overhead it paid for itself and proved good publicity.

Zanuck Busy After
Four-Month Layoff
Hollywood, Sept. 19—Ending four months of idleness, Darryl Zanuck has launched the second year of 20th Century-Fox pictures with production beginning on "The Mighty Barnum," starring Wallace Beery with Walter Lang directing.

Other stories have also been set for production before the new year. They are: "Call of the Wild," starring Lash LaRue; "Swing Time," starring Rod Taylor; and "Red Cat," now being adapted by Bess Meredyth and Hal Long from the recent best-seller by Hans Adler and Rudolph Lothar; "Cardinal Richelieu," starring George Arliss.

Exploiting New Dance
Leon J. Bamberger, radio exploitation head, is trying to popularize the "Continenta," a dance featured in the Warner Bros. picture, just as he did the "Carona" in "Flying Down to Rio." As a first step he has sent letters, together with a description of the dance, to owners of public dance halls and members of the Dance Masters Assn. of America asking them to foster it.

Cantor, Goldwyn Delay
Hollywood, Sept. 19—Eddie Cantor and Samuel Goldwyn are marking time on "Off Broadway" until after "The Nineties," next week, before leaving for New York.

Their date to go on the other end has been definitely set for Oct. 7, which allows him little time for his planned European trip.

Warner Pfd. Off One on Big Board

High	Low	Close	Change	Sales
---
Columbia Pictures, Inc. $3.13 $3.11 $3.14 8 300
Consolidated Film Industries 12% 12 12 12 100
Eastman Kodak 81% 80 81 80 400
Fox Film "A" 11 11 11 11 600
Loew's, Inc. 27 26 27 26 3,300
Photoplay 94 93 95 93 700
Paramount Publicity 82 81 82 81 600
Paramount Exchange 18 17 18 17 700
Paramount "A" Exchange 41 40 41 40 200
RKO 27 26 27 26 500
Warner Bros. 16 16 16 16 100

Trans Lux Only Curb Stock

High	Low	Close	Change	Sales
---
General Theatre Equipment 64 60 64 60 100
Keith's, P. A. 52 50 52 50 120
Loew's 64 61 64 61 500
Paramount Broadway 50 48 50 48 100
Paramount F. L. 67 67 67 67 100
Paramount Public 55 55 55 55 100

Trans Lux Only Curb Stock

High	Low	Close	Change	Sales
---
G. T. E. Bonds Advance 14 1/2 Point
High	Low	Close	Change	Sales
---
General Theatre Equipment 64 60 64 60 100
Keith's, P. A. 52 50 52 50 120
Loew's 64 61 64 61 500
Paramount Broadway 50 48 50 48 100
Paramount F. L. 67 67 67 67 100
Paramount Public 55 55 55 55 100

Special Cars to Affair
PITTSBURGH, Sept. 19—Arranged meetings are being made by the local Variety Club for special cars to transport the New York delegation to its banquet on Oct. 14. More than 50 film and theatre executives are reported already to have accepted invitations.
An open letter to DAVID LOEW
of Loew’s Theatres, Inc., 1540 Broadway, New York City:

Universal appreciates sincerely your telephone message of Tuesday, September 16, to our Mr. J. R. Grainger, in which you expressed your high opinion of the box-office possibilities of our picture, "GIFT OF GAB." We intend to follow your suggestions in the matter of exploitation, and we are happy to learn that you have instructed your managers to get behind it. We feel, too, that "GIFT OF GAB" has every element of down-to-earth entertainment and, if properly exploited, will show exceptional box-office returns.
FROM COAST TO COAST

IN SEATTLE
Mopping up at Music Hall, topping previous week of a big opposition special.

IN PORTLAND
"British Agent" big... gaining b. o. altitude at the Broadway," chirps Variety.

IN OMAHA
"Wham biz! Looks like a cinch for another record week," raves trade press.

'I'M CLEANING UP WITH WARNER BROS.' DRAMATIC SUCCESS STAFF"
ICE SHOWMEN BOAST

IN BOSTON
"Aces at the Met!" first week-end beat first 3 days of 'Dames' by exactly $342.

IN CHICAGO
Variety figures show 'British Agent' topped the town at the Chicago Theatre.

IN CINCINNATI
"Kay Francis and Leslie Howard the biz bringers for fast gross at Keith's" — Variety.

IN NEW YORK
Opens this week for indefinite run at the Strand, following record campaign.

IN WASHINGTON
'British Agent' out-grossed 'Here Comes The Navy' in season's worst weather.

TH 'BRITISH AGENT'
ING KAY FRANCIS AND LESLIE HOWARD
**Variety Club Chatter**

### Washington

- **Kings-for-a-day for succeeding luncheons are to be as follows:**
  - Oct. 8: HERMAN BLUM and J. A. BURNS.
  - Oct. 15: JOE MORGAN and HARRY MEAKEN.
  - Oct. 22: CHARLES SCHULMAN and ARTHUR DETITTA.
  - Oct. 29: C. H. OLIVE and SIDDNEY LUST.

### Delay in Kansas Buying Case

- **Kansas City, Sept. 19.—**One of the major cases up for determination by the loco buying committee today is a buying complaint in which J. E. Whitten of the Gem, Neodesha, Kan., charges an advertising competitor, Glen Keck of the LaGrange Theatre, with overbuying for an excess number of pictures.

### Warner Wins 3 Cases

- **Washington, Sept. 19.—**Warner Bros. Circuit Management Corp. has won three grievances cases before the local board. Two complaints involved养老保险 advertising. One had been filed in behalf of the Stagg, Pittsburgh, against the Roxy, Natrona, Pa., the other in behalf of the Harris, Tarentum, Pa., against the respondent. The other complaint had been brought against the New Arnold, Arnold, Pa., in behalf of the Liberty, New Kensington, Pa. Reducing admission through the sale of script books was charged.

### Block Lauds Moore Film

- **Pittsburgh, Sept. 19.—**One of the greatest breaks for a picture around here was a signed editorial by Paul Block, publisher of the Pittsburgh Post-Gazette, personally endorsing "One Night of Love" under the following heading, "A Great Picture and A Clean One." In addition to the Post-Gazette, the editorial, lauding the Grace Moore film to the skies, appeared in all the other Block papers.

### Indianopolis Tips

**Indianapolis, Sept. 19.—**"Belle of the Nineties," Mae West's much discussed opus, grabbed the biggest gross of the week. The take at the Indiana was $8,600.

- **"Hat, Coat and Glove"** was good for a fine $6,000 at the Lyric. 
- Overall business was $25,500.
- Estimated takings for the week ending Sept. 19: 
  - "WORLD MOVES ON" (Fox) 
  - APOLLO—($1,100). 
  - GROSS—7 days. 
  - NOW AND FOREVER (Para) 
  - CIRCUS—$4,100. 
  - 7 days. 
  - GROSS: $4,000 (Average: $400).
  - "HAT, COAT AND GLOVE" (Radio) 
  - LYRICK—$2,000. 
  - 26 days. Stage show.
  - GROSS: $6,000 (Average: $400).
  - "CHAINED" (M-G-M) 
  - PALACE—7 days. 
  - GROSS: $4,500 (Average: $400).

### Board in Cleveland Ends Toledo Passes

- **Cleveland, Sept. 19.—**"Managers' Training" was the topic of discussion today by the grievance board in settling a complaint brought by the LaGrange Theatres, Inc., Toledo, against Saul Silverman, Savoy, Toledo.

### GTA Carries Board Row to Rosenblatt

- **(Continued from page 1)**
- The presence of Nat Williams and Oscar Lam on code boards here.

- Williams is unaffiliated member of the group and Lam is affiliated member of the group.

- Tel DIAG, 5767.

### GFTA Meets Oct. 1-2

- **Atlanta, Sept. 19.—**A two-day convention was opened by R. F. T., president of the Independent Theatres' Ass'n, to be held at the Robert Fulton Hotel here Oct. 1-2. Sid the Snobrow. Allen president, is to be one of the principal speakers.

### Loses Clearance Protest

- **Albany, Sept. 19.—**Louis Cappa, operator of the Rivoli Theatre, filed a protest against the seven day clearance over his house held by Harry Helman's Keystone and Lam is unaffiliated member of the group.

### West Shore Bankrupt

- **West Shore Theatres, Inc., former operator of the Orpheum, Kingston, N. Y., filed a voluntary petition in bankruptcy in Federal District Court at Harrisburg yesterday listing liabilities of $21,928, and no assets.**
When EDWIN C. HILL interprets the human side of the news—
In thousands of homes...all activity ceases...the magic voice of Edwin C. Hill electrifies the nation...bring that voice with its millions of followers...into your theatre!

Bring those EDWIN C. HILL FANS INTO YOUR THEATRE!
Adding STAR VALUE to the NEW and GREATER HEARST METROTONE NEWS

EDWIN C. HILL
Radio STAR, Newspaper STAR and now adding STAR value to the mighty Hearst Metrotone Newsreel. He interprets and dramatizes news events giving them an informative and thrilling background.

★ HEARST PUBLICITY AND ADVERTISING
Backed by the tremendous power of twenty-five Hearst newspapers located in principal cities of the United States with a total paid circulation of 8,450,000 and an approximate reader circulation of 40,000,000, Hearst Metrotone News is brought daily to the attention of this vast movie-going public. Here is priceless publicity which only the Hearst Metrotone News enjoys.

★ EXCLUSIVE NEWSREEL EVENTS
Hearst Metrotone News will operate independently of any previous association. This means that when you see an “exclusive” news event in the Hearst Metrotone News it will not be duplicated in any of the other newsreels. The extensively augmented news-gathering organization of Hearst Metrotone News is your positive guarantee of “exclusive” news scoops.

★ GREATER NEWSREEL COVERAGE
The most extensive and complete news-gathering network in the world has been organized for the new Hearst Metrotone News. Affiliations have been made with foreign newsreel organizations making it possible to reach hitherto inaccessible places. Accomplishing the greatest newsreel coverage of any newsreel on the market today, Hearst Metrotone News is ready at a moment’s notice to bring the world’s news to your screen.

★ EDWIN C. HILL AS THE GLOBE TROTTER
In thousands of homes all activity ceases when Edwin C. Hill interprets the human side of the news. The magic voice that electrifies the nation has now been captured by Hearst Metrotone News. Now you will bring that voice, with its millions of followers into your theatre. Mr. Hill continues his celebrated radio broadcasts as well as his newspaper syndication, thereby keeping his name before your public on the air, on the screen and in the press.

★ M-G-M SHOWMANSHIP and EXPLOITATION
The unparalleled showmanship and exploitation resources of the vast Metro-Goldwyn-Mayer organization is behind every issue of the Hearst Metrotone News. M-G-M believes that its new and greater newsreel merits the same type of high powered intelligent selling to the public as any other STAR property which it exploits. Hence, watch M-G-M’s newsreel showmanship.

FIRST ISSUE COMMENCING WEEK OF OCTOBER 1st
DON'T WAIT FOR YOUR PATRONS TO TELL YOU!

"Mr. Exhibitor, we like your theatre and come to see your programs regularly. We ask you to be sure and get the Hearst Metrotone Newsreel. We believe there is no individual in America who interprets the news so effectively as Edwin C. Hill. He gives us the background of the news. He is informative and most pleasing to listen to. We think the Hearst Metrotone News covers the world more thoroughly and much more interestingly than any other. We don't think you can afford to be without it."

FIRST ISSUE OF THE NEW HEARST METROTONE NEWS COMMENCING Week of OCT. 1st (Be there when it happens!)
**Looking 'Em Over**

"El Tango en Broadway" ("Tango on Broadway")

(Paramount)

This is Carlos Gardel's second of a new series for Paramount in Spanish, with incidental songs as the stories progress. His singing voice is remarkable on the screen. He is also a fine actor.

The language barrier and lack of superimposed titles limits the appeal of the film in this country, of course, but wherever Spanish is spoken it should mean heavy money at the box-office.

In the story Gardel is supposed to be a dealer in hides in New York. He is also a South American uncle, who has an aversion to the theatre, arrises unexpectedly. Complications ensue when Gardel's fiancée, Trini Ramos, tries to pose as his secretary, and his secretary, Blanca Vischer, who happens to be out when the uncle arrives, tries to play the role of the fiancée. Jaime Devesa gives a fine performance as the uncle.

Most of the music in the tango tempo and is extremely well done.

"Young and Beautiful," Monday's premiere at the Criterion, was reviewed by wire from Hollywood, Aug. 22.

"British Agent," yesterday's opener at the Strand, was reviewed by wire from Hollywood on Aug. 3.

"Million Dollar Ransom," Tuesday's opener at the Rialto, was reviewed by wire from Hollywood on Aug. 17.

"The Richest Girl in the World," this morning's opener at the Rialto City Music Hall, was reviewed by wire from Hollywood on Aug. 27.

**Shorts**

"A Night in a Night Club"

(Universal)

With Harry Rose as master of ceremonies and with J. Harold Murray heading a cast that includes Martha Raye, Elaine Arden and Bunk and Bubbles, this short is good entertainment. It should more than please any audience. Production code: Se. No. 695. Running time, 20 mins.

"Ross-McLarlin Fight"

(Oliver Film Prod.)

Photographed with a telescopic lens for the second Ross-McLarlin fight for the welterweight championship is clearly shown at all times. Slow motion shots of highlights of some of the early rounds and the last two are also included. The announcements of Joe Humphreys, veteran announcer, are clearly heard, but the sound running along with the rounds appears to have been dubbed in later. However, some of the supposed comments of the spectators are very funny. Running time, 32 mins.

"The Dizzy Duarl"

(Universal)

An entertaining cartoon based on the story of Rumplestiltskin, the Dwarf. The dialogue is appropriate and the musical accompaniment is in harmony with the story. Production code: Se. No. 129. Running time, 9 mins.

"Mountain Melody"

(Educational)

Those who like hill-billy music will probably find this to its taste. It is a musical comedy, with Lew Leslie as master of ceremonies, the Six Mountain Melodiers, the Four Diplomats and the Eight Bucaneers. Combining the music, in the cast are Bob Geraghty and Marian Martin. The Six Mountain Melodiers provide the musical accompaniment. At Christie produced. Code: Se. No. 906. Running time, 10 mins.

"She's My Lilly"

(Educational)

A musical comedy with Will McBride in the title role, this short is passably funny. The highlight is the comedian's singing of the "She's My Lilly, Me Her Willie" tune. Also in the cast are Bob Geraghty and Marian Martin. The Six Mountain Melodiers provide the musical accompaniment. At Christie produced. Code: Se. No. 304. Running time, 9 mins.
**“Chained” Big In Frisco on $28,000 Take**

San Francisco, Sept. 19.—“Chained” ran away with the big money here last week, pulling up $28,000 at the Grand. This exceeded the normal by $5,000.

“The Fountain” took a pair $13,000 at the Golden Gate, but business elsewhere was slack.

Total first run grosses were $83,500. Average is $4,840.

Estimated takings:

**Week Ending Sept. 11:**

“THE FOUNTAIN” (Radio) PARAMOUNT—(1,200), 25c-35c-40c, 7 days, Stage, band. Gross: $13,000. (Average, $1,857).

“STRAIGHT IS THE WAY” (M-G-M)

“ELMER AND ELSEY” (Par.)

“THE WORLD MOVES ON” (Fox) PARAMOUNT—(1,260), 25c-35c-55c-66c, 7 days, Gross: $10,000. (Average, $1,429).

“CHAINED” (M-G-M)

“GOLDEN BROADWAY” (Col.)

“BULLDOG DRUMMOND STRIKES BACK” (UA)

UNITED ARTISTS—(1,000), 25c-35c-55c-66c, 7 days, Stage, vaudeville band. Gross: $15,000. (Average, $2,143).

“ONE NIGHT OF LOVE” (Ga.)

“BULLDOG DRUMMOND” (Uni.)

“MADAME” (M-G-M)

“THE YANKEE” (Col.)

“SARAH” (M-G-M)

**Week Ending Sept. 12:**

“SECRET OF THE UNSEEN” (Col.)

“SHANNA” (M-G-M) gross: $15,000.

“BROADWAY-CLAYTON” (1-444), 15c-40c, 7 days. Gross: $4,500. (Average, $642).

“YOU BELONG TO ME” (Par.)

“THE MOON” (Col.)

“FOXY’S ENTRANCE” (Fox)

“DAMES” (M-G-M)

“HIDEOUT” (M-G-M)

“ROYALE” (M-G-M)

**“Dames” Hits Chicago with Huge $23,000**

Chicago, Sept. 19.—“Dames” jumped in the lead in all the important houses and a total run with “Dames” more than doubling average on a smoking $23,000.

“British Agent,” helped by Abe Lyman and his band at the Chicago, went over par by $9,400 on a $44,000 gross. The Count of Monte Cristo was $5,000 up on a total of $22,000 at the United Artists. “Of Human Bondage” topped normal by $2,000 with $18,000 at the Oriental. Two other spots, the Garrick, with “Now and Forever” and the State-Lake with Defense Rests, were strong.

Total first run take was $154,000. Average is $31,500.

Estimated takings:

**Week Ending Sept. 11:**

“COUNT OF MONTE CRISTO” (U.A.)

“MURDER IN THE PRIVATE CAR” (M-G-M)

“LIFE OF VERGE WINTERS” (United Artists)

“THE LOST PATROL” (Radio)

“THE貓’S PAW” (Fox)

“THE CAT’S PAW” (Radio)

“HIDEOUT” (M-G-M)

**“British Agent” Gets Top In Washington, $22,700**

Washington, Sept. 19.—Grosses are definitely on the up grade. Topper of the week was the Eagle, to the tune of $22,700 for “British Agent” and a stage show headlining Isham Jones’ band, $5,100 and averaging. Two extra shows were given.

Take two at Loew’s Fox where “The World Moves On” and a stage show featuring Little Jack Little took $19,100.

Finishing the week started by “Dames” ran away with “Tremain’s Island” at Loew’s Fox, $13,000 a second and a second week of “Chained” bringing $6,000 to Loew’s Palace.

The Rialto opened Sept. 13, presenting “There’s Always Tomorrow.”

Estimated takings, exclusive of tax, for the week ending Sept. 13:

“BRITISH AGENT” (F. N.)

“THE FOUNTAIN” (Radio)

“NIGHTLIFE” (M-G-M)

“THE WORLD” (M-G-M)

“LOEW’S COLUMBIA” (1-246), 25c-66c, 7 days. Gross: $1,800. (Average, $257).

“THEATER” (M-G-M)

“LOEW’S” (M-G-M)

“LOEW’S PALACE” (2-790), 35c-77c, 7 days. Gross: $15,000. (Average, $2,143).

“CHAINED” (M-G-M)

**“One Night” $23,175 Hit On the Coast**

Los Angeles, Sept. 19.—Despite the heat wave and Max Reinhardt’s five-day spectacle at the Hollywood Bowl box-office sales are holding up well. Paramount took the lead with “One Night of Love” in its second week, the $23,175 take being $5,175 over normal. Distant second was the $18,900 for “The Cat’s Paw” at the RKO. It also took $17,000 at Warners’ Hollywood, but the total first run take was $96,475, Average without the United Artists $49,260.

Estimated takings for the week ending Sept. 13:

“SERVANTS’ ENTRANCE” (Fox)

“THEATER” (M-G-M)

“MURDER IN THE PRIVATE CAR” (Col.)

“LOEW’S STATE” (2-435), 35c-56c, 7 days. Gross: $1,400. (Average, $200).

“ONE NIGHT OF LOVE” (Ga.)

“SWEENEY TODD” (M-G-M)

“THE FOUNTAIN” (Radio)

“BULLDOG DRUMMOND STRIKES BACK” (UA)

UNITED ARTISTS—(1,200), 35c-56c, 7 days. Short, new gross: $1,500. (Average, $214).

“HOUSE OF ROTHCHILD” (U. A.)

“THEATER” (M-G-M)

“THEATER” (M-G-M)

“THEATER” (M-G-M)

“THEATER” (M-G-M)

“THEATER” (M-G-M)

**“Chained” Is Cleveland Hit For 2d Week**

Cleveland, Sept. 19.—“Chained” was something of a sensation here again last week. Moved over to the Stillman from the State, at advanced prices, it more than doubled average with a $10,000 take.

“Now and Forever” was a big draw at $14,000 in Loew’s State, and “The Cat’s Paw” was a $12,000 hit at the RKO Palace.

Total first run business was $45,200.

Estimated takings for the week ending Sept. 14:

“SHE LEARNED ABOUT SAILORS” (Warners)

“DRAGON MURDER CASE” (F. N.)

**“Chained” Is Cleveland Hit For 2d Week**

Cleveland, Sept. 19.—“Chained” ran away with the big money here last week, pulling up $28,000 at the Grand. This exceeded the normal by $5,000.

“The Fountain” took a pair $13,000 at the Golden Gate, but business elsewhere was slack.

Total first run grosses were $83,500. Average is $4,840.

Estimated takings for the week ending Sept. 13:

“BRITISH AGENT” (F. N.)

“THE FOUNTAIN” (Radio)

“HIDEOUT” (M-G-M)

“THE CAT’S PAW” (Fox)

“THE CAT’S PAW” (Radio)

“HIDEOUT” (M-G-M)

“THEATER” (M-G-M)

“THEATER” (M-G-M)

**“Chained” Big In Frisco on $28,000 Take**

San Francisco, Sept. 19.—“Chained” ran away with the big money here last week, pulling up $28,000 at the Grand. This exceeded the normal by $5,000.

“The Fountain” took a pair $13,000 at the Golden Gate, but business elsewhere was slack.

Total first run grosses were $83,500. Average is $4,840.

Estimated takings:

**Week Ending Sept. 11:**

“THE FOUNTAIN” (Radio) GOLDEN GATE—(2,800), 25c-35c-40c, 7 days. Stage, band. Gross: $13,000. (Average, $1,857).

“STRAIGHT IS THE WAY” (M-G-M)

“ELMER AND ELSEY” (Par.)

“THE WORLD MOVES ON” (Fox) PARAMOUNT—(1,260), 25c-35c-55c-66c, 7 days, Gross: $10,000. (Average, $1,429).

“CHAINED” (M-G-M)

“GOLDEN BROADWAY” (Col.)

“BULLDOG DRUMMOND STRIKES BACK” (UA)

UNITED ARTISTS—(1,000), 25c-35c-55c-66c, 7 days, Stage, vaudeville band. Gross: $15,000. (Average, $2,143).

“ONE NIGHT OF LOVE” (Ga.)

“BULLDOG DRUMMOND” (Uni.)

“MADAME” (M-G-M)

“THE YANKEE” (Col.)

“SARAH” (M-G-M)

**Week Ending Sept. 12:**

“SECRET OF THE UNSEEN” (Col.)

“SHANNA” (M-G-M) gross: $15,000.

“BROADWAY-CLAYTON” (1-444), 15c-40c, 7 days. Gross: $4,500. (Average, $642).

“YOU BELONG TO ME” (Par.)

“THE MOON” (Col.)

“FOXY’S ENTRANCE” (Fox)

“DAMES” (M-G-M)

“HIDEOUT” (M-G-M)
The World's Dumb-bells

are writing the funniest film ever made...

A week or so ago something NEW busted loose right in the middle of this business and set the whole country howling with glee! Not a super-de-luxe-colossal feature, but a reel made up of the weirdest, wildest, screwiest nut mail that ever made letter carriers round-shouldered. . . and every one a belly laugh marked "special delivery" to audiences hungry to bust a few buttons off.

These lollapaloozas from the morning mail are GENUINE BONAFIDE AUTHENTIC epistles received by business firms and gathered from all over the world by Juliet Lowell (who has hundreds of them).

On the screen they're so funny that audiences yell, scream, shout, go into hystertics and roll in the aisle. (We've a lot of wires and letters from exhibitors to prove it and we'll publish some of 'em in the next ad.)

This series is called "DUMB-BELL LETTERS," produced by Van Beuren Corporation, distributed by RKO-RADIO and if you're no dumb-bell you'll wire — not write — to your nearest RKO exchange about 'em!
**Hollywood Personalities**

Hollywood, Sept. 19.—Mrs. James Montgomery, aunt of Robert Montgomery, is here visiting her nephew from New York....

The Navy for the role of "The Woman."... Harold Cheever, formerly of Scotland Yard, is here visiting Hugh Walpole.... Stuart Erwin cast in "The Night is Young" at M-G-M. Mr. and Mrs. George O'Brien will tour Europe in the fall, when George finishes his contract. Sam Gumbert of the Ringing Brothers circus a recent guest at M-G-M.... Claudette Colbert's mother is back from Paris.... Louis B. Mayer has a new trick up his sleeves recently and went to the circles.... Charles Butterworth and Una Merkel will be teamed for comedy in "The Night Is Young" at M-G-M.

**“Dames” Goes “Empress” and Big in K. C. Show $30,000 With $17,000 Top in Boston**

Boston, Sept. 19.—Grosses fell off slightly last week with the reopening of new shows, but "The Scared Cat" at the Metropolitan, with Ozzie Nelson and his orchestra on the stage this week, was a major success, grossing $3,000 for a gross of $30,000.

Total first run business was $98,000, an average of $9,800. Estimated takings for the week ending Sept. 13:

**“World Moves On” $10,000, Montreal**

Montreal, Sept. 19.—With Montreal just out of baseball and not yet into football, the spotlight is exclusively on theatres.

"The World Moves On" at the Capitol registered $10,000 at the box-office, or $1,000 above par.

Total first run business was $40,500, an average of $4,050.

Estimated takings for the week ending Sept. 13:

**"One Night" Season’s Top For Broadway**

That $94,120 taken by "One Night Only," in its first week at the Music Hall was the outstanding box-office event of the week. In spite of its size, the biggest in 42 weeks, some of the other Broadway houses did good business.

"Affairs of Cellini" reached $35,000 in its first week at the Rivoli; "Chained" had $37,500 at the Capitol, and the Paramount took $45,000 on "She Loves Me Not."

"Romance in the Rain" gave the Roxie a fine seven days with $36,400.

Estimated takings:

**Week ending Sept. 11: "REPUBLIC" (U. A.)—RIVOLI—(2,200), 46c-96c. 7 days; Gross: $33,000; Average: $4,714.

**Week ending Sept. 12: "ONE NIGHT OF LOVE" (Col.)—RIVOLI—(2,600), 35c-50c. 7 days. Stage show. Gross: $30,000. Average: $4,285.

Week ending Sept. 13: "CHAINED" (M-G-M)—CAPITOL—(2,600), 30c-45c. 7 days. Stage show. Gross: $37,360. Average: $5,337.


"SHE LOVES ME NOT" (Para)—PARAMOUNT—(3,000), 35c-96c. 7 days. Gross: $32,000. Average: $4,571.

"ROMANCE IN THE RAIN" (Univ.)—UNIVERSAL—(2,300), 25c-50c. 7 days. Stage show. Gross: $36,000. Average: $5,143.

"YOU'RE MINE TO ME" (Para)–RALSTO—(2,300), 25c-65c. 7 days. Gross: $36,000. Average: $5,143.

"Dames" $4,800 in Portland Holdover

Portland, Sept. 19—"Dames" in its second week at Hamrick's Music Box grossed $4,800, or $1,800 over average and continued for a third. "Chained" at the University took $5,200, or just $200 over average. It was held for a second week.

"The World Moves On" at the Paramount was good for $800 over normal with the help of a television demonstration and "You Belong to Me."

Total first run business was $24,000. Average is $2,200.

Estimated takings for the week ending Sept. 13:

"BRITISH AGENT" (Film)–BROADWAY—(2,925), 35c-50c. 7 days. Gross: $25,000. Average: $3,571.

"DAMES" (Warners)–HAMMERS MUSIC BOX—(2,000), 35c-50c. 7 days. Total: $20,000. Average: $2,857.

"BEST GAMBLE" (Radio)–ONE TO EVERY BACHELOR—(2,500), 35c-50c. 7 days. Total: $25,000. Average: $3,571.

"WORLD MOVES ON" (Fox)–HAMMERS ORCHESTRA—(2,100), 35c-50c. 7 days. Total: $20,000. Average: $2,857.

"DAMES" (Para)–UNIVERSAL—(2,300), 25c-65c. 7 days. Gross: $12,000. Average: $1,714.

"PARADE" (U. A.)–UNIVERSAL—(2,200), 25c-40c-65c. 7 days. Gross: $12,000. Average: $1,714.

"DOCTOR DOLITTLE" (Parac)—UNIVERSAL—(2,200), 25c-65c. 7 days. Total: $20,000. Average: $2,857.

"DAMNED" (Para)–UNIVERSAL—(2,200), 25c-65c. 7 days. Gross: $12,000. Average: $1,714.

"THE WORLD MOVES ON" (Para)–PARAC—(2,300), 30c-50c. 7 days. Total: $20,000. Average: $2,857.

"PARADE" (U. A.)–UNIVERSAL—(2,200), 25c-65c. 7 days. Total: $20,000. Average: $2,857.

"DAMNED" (Para)–UNIVERSAL—(2,200), 25c-65c. 7 days. Total: $20,000. Average: $2,857.

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The Box Office Measures Creative Talent In Cold Figures

Box office figures represent the true value of the creative talent of the screen, guiding production along lines indicated by box office performance and public response.

MOTION PICTURE HERALD'S Box Office Champions, compiled and published for each month since October, 1931, based on a nation-wide report of box office figures, has been invaluable to motion picture executives as a judgment on their activities and as a mark for the future.

Similarly figures gathered and published by MOTION PICTURE DAILY have served to measure the attainments and contributions of the screen's creative workers.

They have served exhibitors as a foundation for profitable bookings and for extended exploitation efforts.

The forthcoming BOX OFFICE CHECK-UP will analyze and summarize the year's outstanding screen successes in terms of the box office and indicate other factors that have contributed to the notable achievements of recent months.

THE BOX OFFICE CHECK-UP of 1934
how am I doin', boys?

SWELL!

PARAMOUNT
BELLE OF THE NINETIES
More Houses Are Reopening Over Country

Many Are Remodeled and Have New Equipment

Reports from all over the country indicate renewed activity in the theatre field. Many houses have thrown their doors open again after the expenditure of large sums for remodeling and new equipment, while still others are scheduled to re-tire in the near future. Some of these reports follow.

Sandsky, Oct. 20.—The Sandsky, leased by the newly-formed indiansky Amusement Co., Inc., has opened for operation on Saturdays.

(Continued on page 6)

Sears Revision Of K. C. Clearance

KANSAS City, Sept. 20.—Code authority will not countenance the so-called price fixing provision in the clearance schedules adopted for Kansas City by the local clearance and board and will order the rule stricken out, is the impression given back by W. N. Fulton.

(Continued on page 4)

Clearance Hearings Increased to Eight

Campi has increased the number of hearings on individual contests against clearance schedules from four to eight. The original list of dates were Sept. 21, 24, 25 and Oct. 2. The revised schedules add Oct. 8, 16, 22 and 29

In addition to returning schedules the Atlanta, Cleveland, Kansas City, Milwaukee, New Haven, Memphis and New Orleans boards, Campi is sent back the Dallas plan for reopening hearings. Hearings on the revised schedules should be set at a later date.

Five Holdouts Sign Jersey Dual Pacts

Five holdouts have signed the agreement to eliminate duals in New Jersey, thus reducing the number who have not signed to date to 10.

Springer & Canals with six houses still holding out, and unless the circuit signs by Oct. 3, the deadline, it may well fall through.

Hope for Fast Federal Move in ASCAP Case

Exhibitor Group Confers With Attorney General

WASHINGTON, Sept. 20.—The possibility of the Attorney General's office intervening on behalf of exhibitors to provide immediate relief from increased music taxes in the form of an application for an injunction restraining the American Society of Composers, Authors & Publishers from placing its proposed new rates in effect at midnight on Sept. 24 was indicated here today following the second conference between an exhibitor delegation and government representatives.

Such a step on the part of the government would lead to a consolidation of the exhibitors' proposed

Gaumont's Salesmen To Go Into 31 Spots

Gaumont British sales staffs in this country will be organized by George Weeks, sales manager, in 31 of the 37 Fox exchange cities within the next few weeks, it was learned yesterday.

G-B will offer 16 features during the season, and will sell them in two blocks of eight pictures each. The first eight will be offered immediately upon organization of the sales staff and the second after Jan. 1, 1935. Weeks starts on the road within the next few days and will select a local manager and sales staff in each of the 31 cities where headquarters are being established as he goes. A New York manager and staff of four salesmen have already been decided on.

Fox will handle the physical distribution nationally.

Mickey 6 Years Old

Mickey Mouse celebrates his sixth birthday on Sept. 20. Walt Disney and United Artists are planning a national campaign on the anniversary.

Sees Bars to British Film Import Taxes

By BRUCE ALLAN

LONDON, Sept. 20 (By Mail) — No practical means of valuing imported films has yet been discovered, said Simon Rowson, discussing at a meeting of the British Ass'n. at Aberdeen the suggestion that ad valorem duties up to $31.37 per cent should be imposed on films imported into the British market.

Rowson, a recognized expert on trade finance and statistics, and until recently a director of Gaumont British, asserted that there were no legal means of compelling importers to disclose the amount of remittances abroad, for purposes of taxation.

Wildly exaggerated statements as to the amount of money taken out of the British market by American distributors were denounced by Rowson. They

Cohn Denies Report Of Studio Transfer

Hollywood, Sept. 20. — Contrary to reports, Harry Cohn, president of Columbia, says he is not interested in politics. His statement was made in response to published stories to the effect that Columbia would move its production east if Upton Sinclair were elected Governor of California.

Court Urges Fox Theatres, Met to Merge

Manton Says It Would Solve Problems

A merger of Fox Theatres with Fox Metropolitan Playhouses, as provided for under the bankruptcy laws, was urged upon attorneys for creditors of both companies by Federal Judge Martin Manton yesterday as an equitable solution for all creditors involved.

Under the procedure recommended by Judge Manton, the consolidated company could proceed with the reorganization under Section 77B of the bankruptcy laws with creditors of both Fox Theatres, which owns all of the outstanding stock of Fox Met, and creditors of the latter company participating.

Ralph O. Wilgus, attorney for Fox Theatres, declared that a reorganization of the company under Section

“One Night” Takes $103,793 2nd Week

Gearing $427 less than the opening week, “One Night of Love” took in $103,793 for the second seven days at the Music Hall, for a total of $207,413 for the two-week period. The second week, like the first, led Broadway by a wide margin, despite the Jewish holidays. The grosses make the best two weeks the house has had since its opening.

At the Roxy, Universal’s “The Human Side” kept the cashiers busy with a neat $31,800, which provided a handsome profit for the house. “Chin Chin” opens at this house today and on Oct. 5 “Peck’s Bad Boy” goes in.

Court Moves to Cut Para. Toledo Claim

An order authorizing Paramount Publix to proceed with a plan which will release it from liabilities of $1,711,000 in connection with a bond issue of the Toledo Paramount Corp.

Lesser Plans Six Features Annually

Sid Lesser plans to make six features a year, four of which will feature George O’Brien and two specials

The Leading Daily Newspaper of the Motion Picture Industry

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TEN CENTS
Court Urges Fox Theatres, Met to Merge

(Continued from page 1)

77-B was impossible. He stated that claims of approximately $35,000,000 had been paid out of trust funds to creditors and that its assets were negligible. It was later estimated that the value of the mortgaged assets would not exceed $2,000,000.

Charles H. Kelly, attorney for creditors who are petitioning for a receiver under Section 77-B, assailed Wilgruss's viewpoint and declared that he would be prepared to make a cash offer for Fox Theatres, including the Fox Met stock, within a short time. He said a Fox Theatres creditors' committee would be formed now for that purpose and described the $35,000,000 claim against the company as "such rubbish" which will be rapidly cleared away once hearings on them are started before a specialist master.

"I believe that many of the claimants are seeking everything they can possibly get to the very edge of the court to the very edge of the master, and if they get to that master after all the others have been dealt with, there is no chance for them," Kelly said.

Expects Little from Stock

Morton G. Bogue, counsel for the Fox Met bondholders' committee, indicated Judge Manton that Fox Theatres "didn't have a chance in the world of realizing anything on its Fox Met stock."

"The bondholders have claims of more than $13,000,000 which have to be met," Bogue said. "There is almost n't more than $750,000 of unmortgaged cash in Fox Met assets which the stockholder could ley against. The only indication of the value of the total assets is the $4,500,000 bid made for them by Loew's and Warners and the committee is being formed now for that purpose of a sale of its assets."

Yesterday's hearing, called to consider the petition of the creditors represented by Charles R. F. Lawrence, attorney for the Fox Met bondholders, was adjourned by Judge Manton for two weeks to allow Paramount to file for protection from the creditors. Kelly was granted leave yesterday to add five new creditors to his list of petitioners, one of which is Columbia Pictures, with a claim of $355 against Fox Theatres.

Radio Sets Product Deal with Glucksman

A distribution deal for Radio's entire 1934-35 lineup was closed yesterday by RKO Export Corp., with the Glucksman interests as buyers. The contract was signed by Ned E. Depinet and Jacob Glucksman of Glucksman Export Co., New York, New York. The contract, which covers Commodity Radiolux of South America and covers Argentina, Uruguay, Paraguay and Chile. This is the first time the Glucksman interests have signed for Radio product.

Winninger May Stay

Charles Winninger may not appear in "Show Boat" for Universal and will probably call off his trip to the coast, according to a report in Howard Dietz's "Revenge with Music," which is being produced by the librettist and playwright. Libby Holman also will be in the stage show.

Laemmle Off for Coast

Carl Laemmle, who got in from Europe last week, departed yesterday for the coast, where, upon arrival, he is expected to confer with his son on production matters. Jack Ross, his secretary, accompanied him, while Joe Winninger, his assistant, will stay in town for five days before following him.

"U" Common on $1 Basis

The par value of the common stock of Universal has been fixed at $1 per share. The new stock replaces the present no-par value common, trading in which has been suspended pending completion of an application for listing of the $1 shares.

Hulbert, Bacon Sailing

Jack Hulbert, Gaumont British star, and Michael Bacon, production manager for the company in England, sail tomorrow from London to confer with Jeffrey Bernard here.

Loew Sails Tomorrow

Arthur Loew sails tomorrow on the Norwegian freighter for South America. He plans to return around Christmas.

Purely Personal

STUART ERWIN would like to play Loew houses in Washington and Baltimore, following his hit at Loew's State, but says he has to pare his work, макіng the M-G-M lot in Culver City.

HOWARD S. CULLMAN gets back to day from a brief vacation up-state and a day trip to the beach. He is a director for Party for Mr. and Mrs. Walter Foster and the opening of Garfunkel Brothers "Chu Chin Chow.""

FRED S. CULBORN, new Central American branch manager for Radio, accompanied by R. K. HAWKINS, Latin American division manager, will arrive in Panama on the Peten.

Milton Douglas, baritone, has a role in Select's "Gigolos," which has been released in its master cards at the Hotel Adelphi, 30, Philadelphia.

A. H. SCHWARTZ, of the Central City, Del. Roth, first prize winner, District 11, has returned from the Hofe Tribune Yard and Garden competition.

MURIEL KIRKLAND, who has just completed a role in Jesse L. LANDIS' "The White Parade," reached town yesterday for a visit with her family. She will be in the city tomorrow as well.

Charles M. M. HUGHES and Edna M. M. M. MURDOCH are in town on a belated honeymoon. They plan to return to the coast in about three weeks.

D. BERNARD KREIZELMAN, imperial government representative on the Los Angeles civic board, is in town for a week.

LOUIS SIMPSON, in charge of M-G-M's office in Guatemala, has returned to his branch after conferences here with Arthur Loew. He is executive director of Emo CANTOR'S latest, "Kid Millions," which is being filmed in the town from coast tomorrow.

PETE SMITH will meet the pre Monday and give it the lowdown on the story, including his part in the story, for the coast story.

Select Signs Rita Weima

Rita Weiman has been signed to a contract with her husband, Mauri Marks, on the adaptation of Myrna Loy's "Play It Safe and Come Lace," which will be Select's four production of the season.

Maynard Hurt at Work

HOLLYWOOD, Sept. 20.-Ken Maynard is at the Hollywood Hospital with a fractured leg and bruises, which he received while at work in "Santa Fe."
“Variety Daily” returns its verdict as follows:

“Should prove as refreshing at the box-office as a mint julep at hot noon. A natural for Will Rogers ... filled with homespun charm, simple, earthy humor and fine sentiment. Has that haunting quality which makes a picture talked about for thriving business.”

WILL ROGERS
in Irvin S. Cobb’s
Judge Priest
with
Tom Brown  Anita Louise
Rochelle Hudson  Henry B. Walthall
David Landau  and Stepin Fetchit

Produced by Sol M. Wurtzel  •  Directed by John Ford
Screen play by Dudley Nichols and Lamar Trotti
Hope for Fast Federal Move
In ASCAP Case

(Continued from page 1)

action against A.S.C.A.P., with that brought by the Attorney General against the music licensing groups, it was reported.

Members of the exhibitors' delegation, who conferred with government representatives today included Louis Phillips of the Paramount legal staff; Leon Friedman of Loew's and Kaydall, president of M.P.T.O., and Abram F. Myers, general counsel of Allied States.

The legal committee of the exhibitor emergency group will meet today in the office of Louis Phillips at Paramount to hear a report on yesterday's conference with Federal representatives at Washington and to decide on future action in the legal fight against A.S.C.A.P. to forestall the proposed music tax increases.

Indications are that if the government fails to move for an immediate injunction against the music tax increases the exhibitor committee will instruct George Z. Medalie to file such an action immediately.

Neb.-Ia. Showmen Warn
Of Appeal to Congress

OMAHA, Sept. 20.—A resolution of protest against A.S.C.A.P.'s proposed music tax, adopted by the local appeal committee, was adopted today by 58 exhibitors of Nebraska and western Iowa at a meeting here. The showmen stated they had agreed to contribute one and one-half cents a seat toward a fund to fight the tax fight. Ben Glazer, A.S.C.A.P. attorney, told them the tax would be lower for the smaller houses, with only the big ones, comprising about 30 per cent of the total, being affected.

Predicts Revision
Of K. C. Clearance

(Continued from page 1)

local independent, from conferences in New York.

Fulton reports that in a discussion with John C. Flynn, Campi secretary, it was indicated that the local board exceeded its authority in including the provision, and Fulton drew the inference that Campi would specifically instruct its deletion when returning the schedule to Kansas City for revision. Instructions from Campi are expected here by the end of the week.

Fulton made the trip to New York primarily to clear up a sentiment with regard to the Kansas City clearance setup. He represents a group of local independents who appealed the admittance of Campi to the ground the controversial clause tends to place them in a lower price classification and defeats efforts to raise admissions.

Revamping the local schedule, the board also will be instructed to base clearance on prior run instead of first run, as at present, Fulton learned.

Memphis Tries
Putting Films In 3 Classes

(Continued from page 1)

this downtown and neighborhood theatres will require the theatre owner to advertise section each day for the area showing attractions in which he may be interested.

The guide carries the names of the picture, names of the stars and a thumb-nail description in from two to five words. For pictures under the umbrella, the reader finds:

"Barrets of Wimpole Street"—Norma Shearer, Fredric March as Charles Laughton, the Barrett-Brown romancing beautifully reproduced.

"Big Shakedown"—Bette Davis and Charles Farrell, gangster movie.

Under pictures for adult and adolescent groups, this is typical:

"World's Fair Returns"—Guy Lombardo, Burns and Allen; trivoli dance with musical background. And in the "family audience" group "Count of Monte Cristo"—Robert Donat and Elissa Landi in the Dumas historical romance transferred to the screen with painstaking care and elaborateness of detail.

As far as possible, the Better Film Council endeavored to give all its pictures at previews before classifying them. Where this is impossible, the classification set down by the national council will be at least until the picture has opened its downtown engagement.

It has met with public approval, but has been slow in gaining approval of theatre managers.

Court Moves to Cut
Para. Toledo Claim

(Continued from page 1)

and taxes on five Toledo theatre properties, was signed yesterday by Federal Judge Francis G. Calley and is now under protest.

In return for the Paramount release, Famous Theatres, a Paramount subsidiary, is to pay a royalty fee of $3,000 a week to Schine, besides any settlement which it has filed against Toledo company, one claim for $1,000, 44 cents, and one undertermined amount. Paramount will also pay for aggregating $165,000 to Al Rebe and Walter J. Kountz, receivers for Toledo Paramount, and their counsel.

Lesser Plans Six
Features Annually

(Continued from page 1)

on the type of "Feck's Bad Boy," but it must be a child star.

Lesser sails for Europe on the I. de France on Sept. 29. Next Wednesday Eddie Cline and O'Brien arrive from the coast and will join Lesser, who is going abroad to make exteriors on "Millionaire Cowboy" and "The Silver Mount." He will shoot an exterior radio picture while in Europe at hunt material for O'Brien's next picture.

The independent producer says the week was shipping week for his company. Four negatives were sent east.

Weissmullers to Sail

Johnny Weissmuller and Lupe Velez sail for London Sept. 29 on the I. de France.
Warner Bros. picture has just broken ALL WEEK-DAY HOUSE RECORDS FOR TOTAL ADMISSIONS AND TOTAL RECEIPTS at its Broadway premiere, and has been hailed by critics as "a stunning drama"—"a dynamic film"—"a stirring picture"—"unusual entertainment"?

**Answer on next page**
More Houses Are Reopening Over Country

(Continued from page 1)

and Sundays, playing double features. It is planned to operate the house daily when conditions justify. John L. Damm, manager of the State and one of the incorporators of the new organization, is in charge.

WHEELING, W. Va., Sept. 20.—George Otte, who recently acquired the Virginia here and is personally managing the house, has inaugurated a policy of vaudeville, with two program changes weekly.

BLOOMSBURY, Pa., Sept. 20.—M. F. Meyer, brother of the late J. G. Meyer, has taken over the Victoria here and the Rialto in Mansfield, Pa.

ADAMS, O., Sept. 20.—Carl Moore, who recently leased the Lehi Auditorium here, has reopened it with a continuous picture policy. Moore also has taken a five-year lease on the Lyric, Van Wert. He is redecorating the house and installing new equipment, preparatory to opening Oct. 15.

W. R. Rhodes, owner of the Odeon, is renovating the house, formerly operated by Moore, and will reopen it with a straight film policy. New equipment is being added by Rhodes, who will manage the house.

YOUNGTOWN, Pa., Sept. 20.—The Pear has been leased by William Blatt and will reopen shortly under his management. The house was operated for several years by Harry Fetz. Blatt also operates the Grand, Patton, Pa.

FORD CITY, Pa., Sept. 20.—Flickinger Bros. of this city have acquired the Couriers from C. E. Clawson. After extensive improvements they will reopen it with a straight film policy.

OAKMONT, Pa., Sept. 20.—Steve Rodolchuk has reopened his Lehigh here after a dark period of six weeks. The house has been completely remodeled.

HOLLYWOOD, Sept. 20.—Hollywood is to have another new theatre of modern design providing present negotiations between Coldwell, Corncor, and Banker, the proposed builders, and Earl Sinks and Howard Sheehan are consummated. Sinks and Sheehan formerly held the lease on the Iris, which was recently sold to the Gore Brothrers. The new structure will have a seating capacity of 900 and will cost around $20,000. This is the second new theatre project to spring up in Los Angeles during the past month.

RICHMOND, Sept. 20.—This city is to have a new theatre. Charles Vaden, well known exhibitor, is head of a new concern called Grace Amusement Co., which has plans drawn for a new structure. Other officers are Vice-President, A. S. Vaden; secretary-treasurer, F. S. Vaden.

SALT LAKE CITY, Sept. 20.—The Hippodrome has been renovated and will be opened soon for old time stage melodramas. To meet the competition the Victory has put on stage shows.

OMAHA, Sept. 20.—Joe Swoboda who operates the Avalon, Schuyler, Ne., has reopened the Strand there with all new equipment.

NEW ORLEANS, Sept. 20.—The Crescent opens on Sept. 22 under the management of the Belmont Music Hall Comedy Co., consisting of Eddie Chittenden and Gus Coats, a former Saenger manager. First run films and vaudeville will be featured.

DOVER, Del., Sept. 20.—Control Corporation of America, has been chartered here to operate theatres and engage in realty operations, listing capital stock of 500 shares, no par value. The incorporators are Eva M. Kelley, Dorothy H. Carey and Bessie Crosson, Wilmington, Del.

CINCINNATI, Sept. 20.—The Mayfair, 400-seat "intimate theatre," reopened today with a rerun of "Be Mine Tonight." Formal opening is set for Sept. 27, with "The Blue Light." The house will be operated by J. Chaffe and John R. Leodoufour, with Kathryn Turner managing director. Mostly foreign films will be shown and cigarettes and refreshments will be served in the lobby.

PHILADELPHIA, Sept. 20.—The Loew's has postponed its opening from today to Sept. 25. "Caraman" will be the feature and present indications are that the house will be operated on a road show basis with two shows daily and a top of either $1.10, or $1.65. If so, it will be the only roadshow house in town, unless the Chestnut Street Opera House, a leg theatre, is taken over by one of the distributors for a road engagement. The theatre has been used several times by M-G-M, notably for "Grand Hotel," "Dinner at Eight" and "Trader Horn."

TORONTO, Sept. 20.—The Victoria large downtown house formerly operated by Jerry Shea, is being entirely remodelled and sound equipment installed for the first time. It will be reopened shortly as the Embassy. The theatre was under lease to Famous Players for several years, but was used only occasionally for special events.

ALBANY, Sept. 20.—Order Please, Inc., has been chartered here to exhibit films and present plays. Incorporators are Edward C. Carpenter, Martin Turner, John Tuerck, James A. Vaughan and T. H. Dugan Jr. Michael Distributing Corp. has also been chartered to distribute films. Directors and subscribers are Louis Kramer, Milton J. Kramer, Jacob Kramer, Viola Hauser and John Klein.

DETROIT, Mich., Sept. 20.—A new 300-seat house is under construction here by McCulloch & Nogum and will start operating about Jan. 1, 1935.

CHARLOTTE, N. C., Sept. 20.—Construction of a theatre will be completed within two weeks on the site of the Ltd Imperial building on South Tryon St. T. E. Hopkins of the Warner Co., is the expert. It will be leased to North Carolina Theatres, Inc. This corporation now operates both the Carolina and the State.
"A delightful comedy ... Exquisite direction and acting make this film a gem."
—N. Y. Daily Mirror

"(***) Adolphe Menjou's charming and delightful ability to handle a comedy ... has never been seen to better advantage."
—N. Y. Daily News

"Eddie Buzzell's direction gets all the humor from the piece and spices it with a little pathos besides."
—N. Y. American

"Safely recommend it as thoroughly delightful entertainment."
—N. Y. World Telegram

"Cast is so good and the dialogue so enjoyable that the film emerges as amiably diverting entertainment."
—N. Y. Evening Journal

"Has much to recommend it."
—N. Y. Evening Post

"Will exert wide appeal because of its very human touches."
—Film Daily

With
DORIS KENYON

A UNIVERSAL PICTURE

ADOLPHE MENJOU
in The
HUMAN SIDE
IT AIN'T NO SIN-TO SEE

MAE WEST

in

"BELLE of the NINETIES"

STORY AND SCREEN PLAY BY

MAE WEST

Management

WILLIAM MORRIS AGENCY
Church Ready To Relax Its Films Drive

Cardinal Says Industry Has Chance to Act

Reports, Sept. 21.—Readiness to suspend the drive against objectionable films was expressed today by Cardinal Mundelein of Chicago so that the industry may be given a chance to prove what it can do to increase the moral tone of the screen. The following statement was issued by the prelate:

"We are willing to suspend the campaign now to see what the movie producers will make of themselves. We are going to give the movie producers a chance to see what they can do.

Archbishop Talks On Legion's Aims

In the first of a series of broadcasts over a nationwide NBC hookup on the Legion of Decency clean film drive, Archbishop John T. McNichols of Cincinnati, chairman of the Ecclesiastical Committee on Motion Pictures, said last night that "the

Empress" Grosses $37,460 at Capitol

"Scarlet Empress" chalked up a gross of $37,460 at the Capitol last week. This is considered a good take by the management. The Paramount with "She Loves Me Not" for the second week, grossed over $35,000. Business along Broadway yesterday was exceptionally good at the Paramount and Roxy, the former opening with "Belle of the Nineties," which clocked 11,000 admissions up to 6 P.M. At the Roxy, "The Jazz Singer" tailed off $7,000 for the opening day, which is the best first day in some time. The Paramount expects to end the week with a gross of approximately $70,000.

August Ticket Tax Total Is $993,717

Washington, Sept. 21.—Admission taxes collected by the government last month totaled $993,717, compared with $943,584 in the same month of last year, it was announced by the Internal Revenue Bureau.

Para. Trustee Suit May Not Reach a Jury

Reorganization Is Likely Before Possible Trial

The suit against former Paramount executives directed by trustees of the company to recover up to $12,200,000 expended for repurchase of Paramount stock issued for theatre acquisitions from 1929 to 1932 wilt not be brought to trial, according to present indications.

This is made apparent because after the reorganization of Paramount the obligation of continuing the suit will rest with the new company, which would be required to (Continued on page 4)

Merger Talks Set For Fox Circuits

Meetings will be started next week between Milton C. Weissman, receiver for Fox Theatres, and representatives of Fox Metropolitan to merge both circuits, following suggestion Thursday by Federal Judge Manton.

William E. Atkinson, who had been receiver of Fox Theatres until Weissman entered the picture, withdrew as co-receiver. Atkinson resigned some time ago and upon insistence by Judge Manton continued until Weissman was familiar with details of the bankruptcy circuit.

Circuit Heads Clash In Office Corridor

Two local independent circuit heads almost came to blows yesterday at the Warner-First National exchange, the fracas being over the cameo. Yonkers Spring & Cocalis had the house (Continued on page 3)

Pathe Seeks Court Help for Meeting

The application of Pathe Exchange for authorization to hold an extraordinary meeting of stockholders to pass on the company's plan of financial reorganization was filed in N. Y. Supreme Court here yesterday by George (Continued on page 4)

Lindbergh Case Arrest Test of Newsreel Speed

Arrest of Bruno Richard Hauptmann as a suspect in the Lindbergh kidnapping case furnished the newsreels with the second big dramatic event in a few weeks. The other was the Morro Castle disaster in which airplanes, boats and automobiles were used in a wild scramble for coverage.

Like the newspapers, the reels did not get a tip on the arrest until afternoon, and the name and address (Continued on page 3)

Sounds Like a Riot

New Orleans, Sept. 21.—The Times, morning publication, prints this account of the Mae West midnight preview at the Saenger:

"In all my days I never saw such a stampede to get into a movie theatre as the one put on at the Saenger to see Mae West's latest picture. They broke doors, pushed out glasses, tore down railings, stampeded over fainting women and cursed and yelled during the rampage. Some persons stood in line for at least two hours—and some even went so far as to threaten physical injury if they were not permitted to crowd inside—Mae, herself, would have enjoyed the scene.

Theatres Will Await Federal ASCAP Action

Following assurances received Thursday from government officials in Washington that the Federal anti-trust suit against music licensing organizations would be amended to cover exhibitors complaints against the American Society of Composers, Authors & Publishers and that the suit would be brought to trial before November 1, the exhibitors' legal committee decided yesterday to meet in the (Continued on page 3)

Begin Revision of Clearance in K. C.

Kansas City, Sept. 21.—The local clearance board today began revision of the clearance schedule here in conformance with Camp's new principles.

It is understood the clause calling for fixed admissions at subsequent run houses will be eliminated and a substitute clause will be drafted, designed to stabilize prices. The reported changes include setting up (Continued on page 3)

Huffman Indicates Court Test on Code

Denver, Sept. 21.—Intention of Harry Huffman to appeal to the courts in an effort to have the code declared unconstitutional was indicated in his appeal brief filed with Code Authority. The appeal is from the decision of the local board ordering him to stop his auto giveaways.

Huffman contends that no one, not even Congress nor the President, has any authority to attempt to regulate any business carried on wholly within (Continued on page 3)

Hear 4 Indianapolis Individual Protests

Four individual protests on the Indianapolis clearance and zoning schedule were discussed yesterday by a code committee consisting of Jack (Continued on page 3)
Para. Trustee Suit May Not Reach a Jury

(Continued from page 1)

bear the charge of the extensive litigation involved. For this and other reasons it appears now that there is little likelihood that the result of Paramount will take over the action and force it to trial.

Defendants in the suit, which was filed in the Supreme Court by Charles D. Hilles, Eugene W. Leake and Charles E. Richardson last spring, will file an answer to the complaint within the next few weeks, their original answer having being filed Sept. 13 asking for dismissal of the suit altogether for lack of action. After filing of the amended answer it is anticipated that other motions will be filed and argued. The defendants also plan to demand a jury trial which, because of the crowded Paramount calendar, could mean that the trial could not be tried for at least three years.

In the meantime, counsel for the Paramount trustees move for a prefer- ence on the jury trial calendar because of the fact that the suit is a bankruptcy proceeding and could be opposed by the defendants with little likelihood of its being disposed of prior to the reorganization of Paramount and the inception of the new company.


Para. Bonds Spurt; Suit Reported Off

Reports that the suit brought by the Public Utilities Bureau aside an alleged $13,200,000 bank group preference had been formally settled yesterday, clearing the way to a reorganization of the company, ap- parently were responsible for a spurt taken by the company’s three bond issues which sent them to new highs for the year.

Although a settlement of the suit is known to be imminent, the prospect of a formal agreement being reached yesterday could be obtained. The bank suit has been an interest in the final completion of Paramount’s reorganization plan, al- though several matters of less impor- tance continue to stand in the way of final submission of the plan. These in- clude court and creditor acceptance of the new plan being prepared by Parar- mount-Broadway Corp., the subsidiary, owning title to the Paramount Bldg. and Theatre in Times Square; the reorganization settlement of the Allied Owners claim of $25,000,000 and a final agreement on the participation basis of Para- mount stockholders.

To Form Allied Unit
In Maine on Sunday

Bangor, Me., Sept. 21.—A Maine unit of Allied will be formed here Sunday. Plans were completed last week by local exhibitors, Inc., with which the unit will be affiliated. A meeting will be held at the Bangor House with ex- histo & operators from all over the state in attendance.

Independent Exhibitors will be rep- resenting the new picture opening by Arthur Howard, its business manager; Wal- ter Littlefield, Edward Ansir, William McLaughlin, Samuel Yamins, Harold Stoneham and Ernest Horst- man.

Sign, European Contract

According to reports from Phil Reis- man, vice-president of RKO Export Corp., now touring Europe on a dis- tribution survey, the first European contract for the 1934-35 radio lineup has been signed with Remaco’s Film- briedy N.V. of Amsterdam. The contract also includes distribution in the Dutch East Indies.

Whitney Going to Coast

John Hay Whitney, president of Pioneer Pictures, Inc., leaves for the coast today on a trip for the purpose of “Becky Sharp.” This will be Pioneer’s first feature in the new three component Technicolor process. Re- lease will be through RKO.

Issues on Big Board Show Gains

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**Technicolor Climbs 1/2 on Curb**

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**Most Bonds Move Upward**

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MOTION PICTURE DAILY

Lindbergh Case Arrest
Test of Newspeed System

(Continued from page 3)

Test of Newspeed System.

The theaters will await Federal ASCAP action.

(Continued from page 1)

Paramount has decided to initiate an independent action against A.S.C.A.P. at this time. The tentative decision was made despite the inability of the exhibitor delegation to obtain a commitment from the Attorney General's office on Thursday that the government would ask an injunction restraining A.S.C.A.P. from placing its proposed music tax increases in effect on Oct. 1. It is understood that the Federal officials advised the delegation against the injunction proceedings, holding that such a request would have no chance of success and that a decision on such an action was necessary to decide whether there would be a trial which the suits would serve. If the suits are to be initiated it is likely that they would be handled by the Department of Justice.

Held Opposed to "Test" Case

It is also understood that George Z. Meddile, recently retained by the exhibitors, expressed doubts about the effectiveness of a separate "test" action. In his opinion, according to re

Quigley Award Gets Finlay New Theatre

TOFORTO, Sept. 21.—J. J. Fitzgibbons, general manager of Famous Players Canadian, made public today the appointment of Ken Finlay as manager of the new Royal Theatre, which opened in Guelph, Ont., today. Finlay was chosen for the position, according to Fitzgibbons, on the strength of his showing in the competitions conducted by the Manager's Round Table Club of Motion Picture Herald, in which he has received honor for every month since his inception. He was co-winner of the May Quigley award.

Circuit Heads Clash In Office Corridor

(Continued from page 1)

until four months ago when it was dropped. Abraham Leif, operating nine houses, acquired the theatre two weeks ago and has reopened it since. At the time of the exchange, he accused Leif of taking the house away from him. Leif denied the charge, saying the house was not worth the rent he was paying. The matter was referred to the department by a hot language by Springer. Warner—First National salesmen met between the exhibitors and separated them.

Brandt Takes Arcadia

Harry Brandt has taken over the Arcadia 25 feet East, circuit. Brandt does not operate all the houses, many of which he is only booking.

White to Coast Shortly

George White leaves for the coast the early part of October to prepare for his second "George White's Scandals," which starts production the middle of November.

Hear 4 Indianapolis Individual Protests

(Continued from page 1)

The complaints were submitted in formal writing with one on a form from Indianapolis. The cases were: Baxter Amusement Co., Louisville, Ky.

Lindbergh Case Test

The Lindbergh case was tested for the newspeed system.

BOSTON, Mass., September 22.—The Los Angeles-based System magazine reported today that the "test" case which was decided in favor of the defendants, the receivers of the Lindbergh case can be used to solve the Lincoln problem, so that the case is to be included for the first issue next week.

Pathe signed the filling station men who furnished the clues leading to the arrest for exclusive interviews. The complete clip runs about 500 feet. According to an official clip copyway at the Paramount Theatres for the late show and said that it reached San Francisco yesterday morning.

Bernie J. Rybak, vice-president of Trans-Lux, says that it is the same men's edition, though it is a demonstration to the public. He wrote to Alyn Buttefield, editor of the "U" reel, that there was a demonstration when the film came on, but no one outside was stopped to buy papers giving some of the early details.

Quigley Award Gets Finlay New Theatre

TORONTO, Sept. 21.—J. J. Fitzgibbons, general manager of Famous Players Canadian, made public today the appointment of Ken Finlay as manager of the new Royal Theatre, which opened in Guelph, Ont., today. Finlay was chosen for the position, according to Fitzgibbons, on the strength of his showing in the competitions conducted by the Manager's Round Table Club of Motion Picture Herald, in which he has received honor for every month since his inception. He was co-winner of the May Quigley award.

Circuit Heads Clash In Office Corridor

(Continued from page 1)

until four months ago when it was dropped. Abraham Leif, operating nine houses, acquired the theatre two weeks ago and has reopened it since. At the time of the exchange, he accused Leif of taking the house away from him. Leif denied the charge, saying the house was not worth the rent he was paying. The matter was referred to the department by a hot language by Springer. Warner—First National salesmen met between the exhibitors and separated them.

Brandt Takes Arcadia

Harry Brandt has taken over the Arcadia 25 feet East, circuit. Brandt does not operate all the houses, many of which he is only booking.

White to Coast Shortly

George White leaves for the coast the early part of October to prepare for his second "George White's Scandals," which starts production the middle of November.
Church Ready to Relax Films Drive

(Continued from page 1)
do. We do not want to put the movies out of business.

"But we are not taking any chances. We are going to remain mobilized. In my district I have 55,000 signatures of adults without asking promises from the youths.

"I have asked the movie producers to bring out the 'Pollyanna' type of films. The kind of film which Will Rogers, Sidney Franklin, and other prominent producers, like Mr. Moore, appear in is what we have in mind. We do not like the Mae West type.

"But there be a real story, provided it is decent."

The statement was issued following an interview with the Post which, however, the film situation was not discussed, according to Cardinal Mundelein.

Archbishop Talks On Legion's Aims

(Continued from page 1)

Catholic church is not a reformer, not a meddler."

"The church realizes," he said, "that if people do not have the right kind of amusement, they will have the wrong kind. "The motion picture is the chief amusements of millions of people, especially of our poor. Its influence for good or evil on children in the formative period of life is tremendous."

"Had the producers of indecent pictures not been checked, and had the film censorship been carried on, the last few years, the evil cinema would either have destroyed itself or would have contaminated the general masses of the people and corrupted the youth of our land."

"The Legion of Decency was not formed to make pictures, nor to tell the producers how to make them, but was formed to criticize them from the moral standpoint and to get other eminently qualified reformers connected with it. It made one demand only and will be satisfied with nothing else—clean pictures, clean speech and wholesome recreation for the masses of the people who have very little else in the way of recreation in their lives."

"The first objective has been to arouse public opinion. The second duty is to sustain public opinion."

"Constructive criticism is necessary. The whole country has become motion picture conscious. It is most important that every community and every group should recognize the vast possibilities for good in the cinema and should refuse to tolerate pictures that are degrading."

"The Legion of Decency has noticed with gratification the number of cinemas in which pictures which have never accepted parts in indecent pictures. These artists have drawn large houses, which is no small matter to the American public is clean-minded and desires wholesome entertainment."

"The pressure of public opinion can and should be used to make pictures clean. Even the listing of pictures will cease if every film produced will conform not only to the moral code but the spirit of the code signed by the producers. The seal of approval given to pictures should soon be an entirely satisfactory proof that it is worthy. The industry needs a reasonable time to put its house in order."
Loew’s, RKO Settle Deal For Product

Latter Gets Fox, Half Of “U,” Columbia

Loew’s has completed product talks with RKO. As a result the latter will cut all of Fox and half of Universal and Columbia pictures for 30 theatres in Greater New York.

According to final details arranged with Loew’s, RKO will not drop any of the 11 recently acquired independent theatres. By the same token, Loew’s will not surrender any of its product to these houses, the transfer taking in only titles held previous to the leasing date.

Indications are RKO is still in a product jam, as far as the 11 new (Continued on page 6)

South Carolina ’33 Takes $1,636,000

WASHINGTON, Sept. 23—Seventy film theatres in South Carolina had gross receipts last year of $1,636,000 and aggregate payrolls of $241,000.

Ten Days Given for Assent Objections

WASHINGTON, Sept. 23—NRA stated yesterday that a period of 10 days would be given for the filing of objections to the reopening of the code or assents. The reopening has been commended by Campi and has the approval of NRA officials, and the granting of a period for the filing of objections is merely a formality required prior to an issuance of a decision. It is not anticipated that any objections will be offered and it is not planned to hold any hearings on the matter.

Serials Not Shorts

Serials are not considered short subjects, according to a resolution passed by Campi.

The resolution follows:

“RESOLVED: That serial motion pictures shall not be classified as short subjects and be regarded as such within the provisions of Article V-D, Part 5, of the Code of Fair Competition for the Motion Picture Industry.”

Zukor Remains as Head Under New Para. Setup

ASCAP Bases Moves on ’26 Gov’t Ruling

KANSAS CITY, Sept. 23—In proceeding with its purpose to increase the music license fee exacted from theatres, the A.S.C.A.P. is relying on a 1926 ruling by the Department of Justice that it is not a combination in violation of the anti-trust law, it is revealed by Maurice J. O’Sullivan of Kansas City, counsel for A.S.C.A.P. in Missouri.

O’Sullivan has been informed by A.S.C.A.P. that it has nothing to fear from the dissolution suit brought (Continued on page 6)

Vincent Asks Fund For ASCAP Action

A war chest to finance the exhibitors’ emergency committee fight against increased music taxes proposed for Oct. 1 by A.S.C.A.P. will be necessary despite the committee’s decision not to begin an independent (Continued on page 6)

Order Service Cut For a Coast House

LOS ANGELES, Sept. 21—Following telegraphic instructions from Campi, the local grievance board has issued its first cutoff service order against Feldstein & Dietrich, operators of the San Fernando in San Fernando, for alleged disregard of an order against bank nights.

Instructions have been sent to all (Continued on page 6)

N. O. Theatre Levy Made 2% of Gross

NEW ORLEANS, Sept. 25—The Commission Council has changed the theatre tax to two per cent of the gross instead of one cent on each ticket sold, claiming houses were collecting four per cent by the latter means. Theaters must absorb the tax.

Theatre owners have given notice (Continued on page 8)

September Grosses Gain To October, 1933, Levels

Grosses have recovered from the summer slump so rapidly that they are back near the level that prevailed in October, 1933. During the first week of September the total from 22 key cities reporting to

Fox’s H’way Tieup

Four Broadway theatres, in addition to the Music Hall, will play Fox product for the coming season. The houses are the Rialto, Loew’s State, Palace and Mayfair.

Fox-Hearst Reels Set for Split Oct. 2

With Oct. 2 set as inauguration day for individual M-G-M and Fox newsreels, executives of the Hearst Metrotone and Fox Movietone News are completing final details, girding all forces for the debut of the reels a week from tomorrow.

Both M-G-M and Fox sales executives have been marshalling field sales forces for contracts. News forces in the field here and abroad have been completed by both companies and are now in action for the big splurge.

While M-G-M is backed by 25 Hearst newspapers in principal cities, Fox has effected a tieup with United (Continued on page 4)

Production Seals In East Up to 139

A total of 139 certificates have been issued since July 15 to pictures submitted to the production code administration in the East. Vincent G. Hart, assistant to Joseph I. Breen here, said Saturday.

Of the 139 approved pictures, 16 (Continued on page 6)

Finds 23-Hour Run Boosts West Gross

KANSAS CITY, Sept. 23—The 23-hour continuous showing opening the run of “Jesse of the Nineties” at the local Newcom was decidedly worthwhile, according to George S. Baker, manager. The stunt swelled the weekly gross by $2,000, it is estimated.

Advancing the opening a day, the run started Wednesday at midnight and was continuous to Thursday night. The theatre opens at 9 A. M. the first three days of the run.

Fain on Marquee

Hollywood, Sept. 23—Sammy Fain, who penned a couple of musical ditties for “Dames,” is becoming more courageous.

The Tivoli in his home town of Monticello, N. Y., billed the film as Sammy Fain in “Dames.”
**MOTION PICTURE DAILY**

**HOLLYWOOD PREVIEW**

**"We Live Again" (United Artists)**

Hollywood, Sept. 23.—"We Live Again" is a faithful translation of Tolstoy's "Resurrection," but luxuriously mounted and so modernized as to be a new picture far excelling the previous silent versions, while retaining their great dramatic values. The romance here is vital and heart touching, assuring a wide popularity from adults of both sexes. Anna Sten, as Tolstoy's immortal peasant, gives a performance that will be faulted in her. Fredric March, as Prince Dmitri, scores in a difficult role. Jane Baxter, a newcomer, in a bit as March's aristocratic fiancée, is outstanding. The balance of the cast, numbering 15, including Fritzi Ridgeway, C. Aubrey Smith, Ethel Griffies and Sam Jaffe, are blended for well balanced support. Reuben Mamoulian's understanding direction preserves the full power of the original story. Designs and settings by Serge Soudiekin make for great production value. Intelligent story treatment by Maxwell Anderson, Leonard Praskins and Preston Sturges gives the story unique, modern appeal.

There is no serious heart interest and human drama are understood and appreciated, "We Live Again" should prove a Class A attraction. Production code seal No. 245. Running time, 83 minutes.

**"Student Tour" (M-G-M)**

Hollywood, Sept. 23.—Packed with laughs situations, tuneful melodies, diverting dances and interesting settings, this is topnotch entertainment for everyone. A dance number featuring a dozen ballroom teams with the vocal accompaniments by Nelson Eddy brought spontaneous applause from an entire preview audience.

The story is inconsequential but provides interesting backgrounds for the musical numbers. It deals with a charm college crew selected to represent the United States at the international finals of the Student Tour. Charles Butterworth, a philosophy professor, and burn the final exams to insure the school's making the world tour, but the crew, headed by Phil Regan, flunk anyway.

The tour starts when Maxine Doyle, the prim side of Butterworth's niece, finds a way out. The story from here on is a series of comedy situations and music with a romantic thread carried by Miss Doyle and Regan, with the triangle being aided by Florine McKinney.

Jimmy Durante, as a trainer, supplies the comedy mixture with Butterworth, with the locales ranging from Shanghai to Monte Carlo. Robert Young and Philip Durne contribute excellent dialogue, adapting from the original of George Seaton, Arthur Balbo and Samuel Marx. The music, by Nacio Herb Brown and Arthur Freed, is captivating. Chester Hale's dances are original. Director Charles F. Keiser's comedy timing is efficient. There is good photography by Joseph Valentine. All performances are good.

Previewed without a production code certificate. Running time, 82 minutes.

(Additional reviews on page 8)

**Trading Light, Gains Slight on Big Board**

Detroit Ushers on Strike

Detroit, Sept. 23.—All ushers in United Detroit Theatres walked out last night. Non-union help was installed.

Executive for ushers said George W. Trendle had not kept an agreement made at the time of the last strike. Both neighborhoods and downtown houses are being picketed.

Aylesworth Heads NBC

Doreen A. Sarnoff, president of RCA, has been elected chairman of the board of NBC, succeeding the late H. P. Davis, who was a vice-president of Westinghouse Electric in addition to the NBC post he occupied prior to his death. M. H. Aylesworth, president of RKO, has been re-elected president of NBC. Sarnoff also is chairman of the board of RKO.

**Columbia Gains 1 1/2 on Curb**

Columbia Pictures. Inc.

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**Paramount Puthix Bonds Gain 1/2**

Paramount Puthix. Inc.

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**Omaha Paramount Reopens on Sept. 27**

Omaha, Sept. 23.—The Paramount, A. H. Blank's Tri-States ace house, will open Sept. 27 with "Barrett's of Wimpole Street." The house has been dark since the first week in July.

It is reported that Blank's effort to secure a reduction in ground rent has fallen through. No manager has been named as yet. Reopening of the house will give the city four first-run houses.

**Zetterman to Dominion**

Vancouver, Sept. 23.—E. L. Zetterman is now manager of Dominion, first run, double bill Famous Players Canadian house. He has been manager of the Kitsilano, suburban house, and before that assistant to Lloyd Dearth at the Capitol. He has been with the organization five years.

**Balaban Joins Radio**

Hollywood, Sept. 23.—A. J. Balaban has closed a deal with Radio City, whereby he will join that company as an associate producer. Before taking up his duties with Radio City, Balaban will dispose of his theatrical connections and make a study of studio operations.

**Fox Exercises Options**

Hollywood, Sept. 23.—Fox has taken up options on Pat Paterson and Mona Barrie.

**Sheehan Will Make Six**

London, Sept. 23.—Winfield Sheehan will make six big features on Fox's 1934-35 program.

**Purely Personal**

ROBERT SHAYNE, who has just finished work in Radio's "Wednesday Child," is rehearsing in the play, "Order Please," which will appear in the Broadway Theatre.

MRS. JOSEPH SELDER, wife of the president of Prudential circuit, is on the road to recovery after an appendicitis operation at the Medical Arts Center Hospital.

MIKE BOYLAND'S and HARVEY GATES' "O'Neal's" original, "O'Shaunessy's Boy," has been purchased by M-G-M for WALLACE BERRY.

MRS. CLARE BOOTH BROKAW returned from Europe last week to supervise the production of her play "Abide with Me."

SAMUEL S. BROWN has resigned from Principal Pictures to become associate editor with a chain store organization.

MINNIE ADLEM has joined Gaus- mont British as A. P. WAXMAN's secretary.

ABRAHAM LEHR is en route here from the coast on his annual business trip. He'll be here about six weeks.

CHARLES KENYON has sold his original play, "Goose and Gander," to Warners.

PAT ROONEY and PAT ROONEY, Jr., have been signed for a Vitaphone picture.

JEANNE AUBERT completes work today on her third Vitaphone short.
September 20, 1934

Columbia Pictures Corporation
729 Seventh Avenue
New York City

Gentlemen:

I tried to get in touch with you last night after the close of business to tell you that the Grace Moore picture, "One Night of Love", for its two weeks' showing at the Radio City Music Hall grossed $207,914.28, which is the highest record of any picture on a two-weeks run in our theatre.

May I again congratulate you on this marvelous picture, just as our patrons haven't ceased to congratulate us on showing it? "One Night of Love" is a credit to the motion picture industry.

Yours truly,

[Signature]
Managing Director

WGVS:ku

$207,914.28
Fox-Hea...Reels Set for Split Oct. 2

(Continued from page 1)
Press and Scripps-Howard Universal also has a tieup with Scripps-Howard newspapers, but this will not be affected. In some territories the S-H newspapers, published in more than one newsreel, M-G-M will have exclusive backing of the Hearst organization, which claims a total paid circulation of 8,450,000.

Hearst Metrotone News will have Edwin C. Hill, known on the air as the Globe Trotter and author of a daily newspaper feature "The Human Side of the News," he will dramatize and interpret the news on the screen. All Hearst wags and newsmen next week will start displaying a picture of Hill as the new newsreel reporter. In addition billboards throughout the country will be used for special advertisements. More than 30,000 locations have been signed.

Mike Clifone Stays

M-G-M's salesmen will publicize the newsreel as "The Five Star Newsreel," listing five features for selling arguments. Mike Clifone continues as editor. A special trailer is being mailed to M-G-M accounts announcing features of the Hearst reel.

In addition to Lowell Thomas as chief announcer, Fox has assigned Ed Thorpseren as sports editor-announcer; Lew Lehr and Louise Vance, on special work, and Vyvyan Donner as fashion editor; Tommy Powell as supervisor, Jack Hanley as assignment editor, Edwin Harvey, makeup editor; William Lowrey, cutter; Gen Lowrey, the head of the Edmund Reek, news editor; Harry Lawson, foreign editor. Several technical innovations under supervision of E. Sponable are being added, it is stated.

Takes Over Entire Building

The entire five-story building on Tenth Ave. and 55th Street is now being utilized by Fox Movietone. Three mammoth stages on the first floor will be remodeled for studio work, and studio equipment will be added in addition to new elaborate recording rooms. A 24-hour watch on U.P. tickers will be maintained for news breaks.

When the first Fox issue makes its bow, it will carry the label of Vol. 8, No. 3. The Fox unit started from the Roxy on Oct. 5, when the full Universal newsreel will be the lone attraction. The Roxy has been flinging clips of both, but will drop the Fox issue, which goes into the Embassy starting Oct. 15.

However, Fox will hold a special world premiere of its newsreel at the Embassy on Oct. 2. Newspaper critics will be invited.

Laemmle Back on Coast

Los Angeles, Sept. 23.—Carl Laemmle reiterated his enthusiastic statements on the condition of Universal's financial situation and the company's plans for expanding its activities abroad, on his arrival here from New York tonight. Laemmle has been away from Hollywood four months, three of which were spent in Europe.

September Grosses Gain
To October, 1933, Levels

(Continued from page 1)
grosses were within $87,000 of the high December gross of 1933 and were within $243,082 of the highest joint reached in the last 51 weeks, which was the first week in January of this year.

Comparative grosses for the latest available periods:

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129 $1,372,271 129 $1,471,742

(Continued on page 8)

“Forever” Is
Denver High
With $6,000

DENVER, Sept. 23.—“Now and Forever” led a general improvement in theatre business here last week by going to $6,000, over the line by $2,000, at the Denver. The was also $2,000 up on a $8,000 take at the Denver.

Total first run business was $24,500, Average is $2,500.

Estimated takings for the week ending Sept. 20:

“MURDER ON THE BLACKBOARD” (Radio)
ALADDIN—(1,500), 25c-35c-50c, 7 days.
Gross: $2,500. (Average, $350.)

“NOW AND FOREVER” (Para.)
OLIVER—(1,500), 25c-35c-50c, 7 days.
Gross: $6,000. (Average, $850.)

“THE GREAT GRATITUDE” (Fox)
DENVER—(2,000), 25c-35c-50c, 7 days.
Gross: $8,000. (Average, $1,143.)

“STRAIGHT IS THE WAY” (M-G-M)
PARAMOUNT—(2,000), 25c-35c-50c, 7 days.
Gross: $8,000. (Average, $1,143.)

Drummond' Omaha Leader on a Dual

OMAHA, Sept. 23.—All three first runs did good business here last week, with "The Powell Drummond Strikes Back" and "The Great Gratification" grabbing top honors, $7,500, at the Grand.

British Agent and "Name the Woman" grossed a fine $5,200 at the Brandeis. This is $1,500 over the line.

One first run business was $18,700. Average is $16,000.

Estimated takings:

Week Ending Sept. 19: "YOU BELONG TO ME" (Para.) PURSUED (Fox) WORLD—(2,000), 25c-35c-50c, 7 days. Gross: $4,000. (Average, $571.)

Week Ending Sept. 20:

“BRITISH AGENT (RKO)" "NAME THE WOMAN" (Col.) BEAU BRITISH—(1,500), 25c-35c-50c, 7 days. Gross: $5,200. (Average, $743.)

“BULLDOG DRUMMOND STRIKES BACK" (U. A.) "THE GREAT GRATIFICATION” (Para.) ORPHEUM—(1,500), 25c-35c-50c, 7 days. Gross: $9,300. (Average, $800.)

Phillipson is Guest At Farewell Dinner

About 30 film and trade paper men attended a farewell dinner to Percy Phillipson at the M. P. Club last Saturday night. Phillipson has been here since the first of the year working on a reorganization plan for General Register Corp. and is scheduled to return to London on Wednesday.

Edward Klein, a former Amas president, and Edmund Louden, a film exporter, was master of ceremonies.

Among those attending the dinner were Charles Alcock of Film Daily, Joe Gallagher of Associated Publications, Norman Orstey, British Gaumont head; Edward A. Powell, advertising manager of General Register, and James F. Cunningham, Ray Gale and Sherwin Kane of Quigley Publications.
Universal Newsreel pictures of the "break" in the

LINDBERGH CASE

hit the Broadway screens at 10 P.M. Thursday ... .

Before midnight Thursday these special scenes were on airplanes heading for every first-run theatre in the country ... .

.... that's service!

UNIVERSAL NEWSREEL
ASCAP Bases Moves on '26 Gov't Ruling

(Continued from page 1)

by the Government because there has been no change in the law since the 1926 decision. A new investigation by the special agents over a period of almost two years, the Department of Justice at that time reached the conclusion that there were no grounds for proceeding against the society because none of its transactions were in interstate commerce.

The seven-year-old ruling is relied upon by A.S.C.A.P. representatives to answer protests that the music tax is illegal. The investigation was made as the result of a large number of complaints received by the department from exhibitors and others who objected to the tax.

The department found the only question for determination was whether operations of A.S.C.A.P. in receiving copyright assignments from its members and licensing the right to perform music for profit in public places constituted a "combination which restrained trade and commerce within the prohibitions of the Sherman Act".

 Held No Interstate Commerce

It was concluded that "the American Society has nothing whatsoever to do with the published music or with any physical objects which enter into the operations of the interstate commerce, and that it has been held repeatedly by the courts that acts similar to the granting of licenses for the local performance of music in a place of amusement do not constitute interstate commerce, even when the contracts and the enrichment of the stations come from that where the performance may take place."

The commission concluded the case was not one "calling for the exercise of the Commission's corrective powers. Hudson stated the chief reason was that the making of a claim for royalties, apparently in good faith, could not be said to constitute "an unfair method of competition in commerce."

Vincent asks Fund For ASCAP Action

(Continued from page 1)

legal action at this time, Walter Vincent, chairman, said Saturday.

Exhibitors have been urged to contribute on the basis of one cent per seat. Checks have been received from large circuits, both independent and affiliated, but additional funds are needed to carry on the planned activities, Vincent said.

Representatives of the Department of Justice have advised the committee that the Federal anti-trust suit against the music licensing groups will be amended to cover exhibits by which crooks against A.S.C.A.P. and the suit will be brought to trial before Nov. 1, Federal officials believe. Vincent intimated that war chest funds will be needed to bring exhibitor witnesses to New York to testify in the federal action and that propaganda and other activities will require financing also.

"We can take no action whatever without being supported," Vincent said.

While contributions are coming in from circuits and M.P.T.O.A. members, A.S.C.A.P. English offices are taking no active part. The policy of both organizations is to leave the matter entirely up to the individuals.

Production Seals In East Up to 139

(Continued from page 1)

were features. The feature list, however, is continually growing here with pictures scheduled at the United Artists subsidiary: London Films, Britian and Dominions, Gaumont pictures of the English language producing concerns that are active in the American market. In addition there are the feature productions from Eastern Service Studio and Biograph, including the Hecht-MacArthur and Harold B. Franklin pictures.

The first independent production made in the East to receive a production seal was "Cocovan's Convention Girl," made at Biograph and distributed by First Division. Three Gaumont British pictures received the seals last week. They are: "Chin Chun Chow," "Power" and "Little Friend."

Legion to Have Big Parade of Children

CHICAGO, Sept. 23.—Local campaign of the Legion of Decency directed toward enrollment of school children in the movement will be started next Thursday with a parade in which 50,000 Catholic youth will march. The students will be from the seventh and eighth grades of 250 parochial schools as well as from high schools, colleges and universities, and will include Boy Scout troops and affiliated organizations.

A review stand will be erected on State Street in front of the Wrigley Building, which will be occupied by Governor Horner, Archbishop McNicholas of Cincinnati, Bishop B. J. Shell, Bishop William Frances Ward, Archbishop Mundus, Mayor Kelly and other notables.

Columbia Signs Light

Hollywood, Sept. 23.—George Light has joined Columbia as a member of the casting office.

Zukor Remains as Head Under New Para. Setup

(Continued from page 1)

The decision in the matter. After sub-
mission of the plan is anticipated, as the essential creditors elements whose approval is necessary for completion of the plan are in virtual accord at this time, it was learned. Among these is the Paramount bank group, creditors of $12,200,000, who are being sued by the Paramount Publicity trustees to see aside a preference alleged to be given in the plan. The consolidated plan is regarded as the greatest obstacle to completing the company's reorganization plan. The settlement of the action expected to be announced this week.

That Zukor will continue to spend much of his time on the coast following the Paramount reorganization was made clear yesterday when he stated that he would remain here only until the reorganization is completed and would return to Hollywood as soon thereafter as possible.

South Carolina '33 Takes $1,036,000

(Continued from page 1)

according to figures made public by the Census Bureau.

There were also seven vaudeville houses, with gross receipts of $330,000, and payroll of $77,000; it was reported.

Three of the films and five of the vaudeville theatres were located in New York City, former reporting total receipts of $65,000 and payroll of $19,000, and the latter receipts of $235,000 and payroll of $58,000. The city of Columbus reported five film houses, with receipts of $278,000 and payroll of $43,000.

Receipts of 141 Connecticut theatres last year were $7,672,000, of which $1,447,000 went for payroll expenses.

A total of 125 film theatres was operated in the state in 1933, with gross receipts of $4,812,000, and payroll of $1,116,000; while 16 legitimate and vaudeville houses took in $1,850,000, and had an aggregate payroll of $175,000.

The report covered operations in a number of the largest cities, showing that three film theatres in Hartford with receipts of $1,026,000 and payroll of $24,000, and three vaudeville houses with receipts of $304,000 and payroll of $57,000; 11 film houses in New Haven with receipts of $319,000 and payroll of $102,000; and three vaudeville houses with receipts of $40,000 and payroll of $7,200; 13 film theatres in Bridgeport with receipts of $464,000 and payroll of $86,000, and six vaudeville theatres with receipts of $300,000 and payroll of $38,000.

The report also covered two further groups of six theatres each and nine film houses in Waterbury with receipts of $555,000 and payroll of $184,000.

Loew's, RKO Settle Deal For Product

(Continued from page 1)

his release finally. All details of the circuit have yet to straighten out, and clearance and protection with George Fish of Randforce and Sam Randforce of Randforce before the Loew product switches become effective. It is understood that concessions to RKO in an effort to help the circuit out of its booking difficulties. Although it has given RKO all of Fox, Loew's retains first choice on Universal and Columbia.

No number of theatres in Skouras, Randforce territory, both independent circuits have 10-year franchises with Fox, which prevent RKO from getting Fox product unless the independents consent with the distributors' approval, 'This is practically certain.

May Enter Pooling Deal

It is possible RKO may enter a pooling deal with Skouras and Randforce, similar to the one which expired last year for marketing pictures. The theatres are now under way between circuit heads and are expected to be completed by the end of the week. Speed is necessary because new releases are being held up until the situation is threshed out.

RKO may have around 110 features from major companies for the 11 newly added houses and will have to pay them their added weekly house rentals. While Loew's originally insisted that RKO dispose of the 11 theatres, one way or another, Nichols, as M. H. Fishman understood, had given permission to RKO to keep them, after it was learned the circuit would be difficult to place them back to the original operators.

One deal was with Meyer & Schnee-

and Loew's and RKO, and Loew's was offered $20,000 in remodeling the houses. M. & S. are said to have demanded $100,000 more than RKO offered. The settlement of the case is with the Ochs, who leased four houses in the upper Broadway section, is now in negotiations and may not be back for several months.

All leases are for one year and it is understood that when the terms expire RKO will drop the entire group.

New Orleans Sys tem Stirs GFTA

NEW ORLEANS, Sept. 23.—Indignant over the star reviewing system and the style employed by some reviewers in covering pictures, the Gulf States Theatre Owners' Ass'n has protested to the Item, afternoon newspaper here, and has asked for an explanation.

Exhibitors want the star rating abolished because of its influence on distribution and the lack of a uniform system of reviewing. Indignation is centered on Kenneth T. Knowloch, novelist and newspaperman, whose frank criticisms of films and attacks on exhibition practices have been sent down to the Item's business offices at the rate of one a week.

Pick 'Adios Argentina'

Hollywood, Sept. 23.—Louis Brock's next feature musical for Radio will be titled, "Adios Argentina."
$33,000,000 in Government-guaranteed loans are available, under the National Housing Act, for modernization of the nation’s motion picture theatres.

Because this money can be secured easily and because the need for improvement is so great, thousands of theatre owners will call for Government credit, beginning the greatest period of remodeling, repairing and re-equipping in the history of the motion picture industry.

Alert to the importance of the time, BETTER THEATRES, acknowledged authority on theatre maintenance, has placed its staff and resources wholly in the service of its thousands of readers.

All its departments will be amplified to meet quickly the demands for immediate information—answers will be published to give them the widest currency—the work of the regular staff will be supplemented by contributions of authoritative leaders in all fields of theatre design and operation.

Peter M. Hulskens, J. T. Knight, Jr., and F. H. Richardson—all of whom have greatly influenced the physical operation of the theatre in America—will concentrate their efforts in support of the Government’s theatre restoration program.

BETTER THEATRES began the campaign with the current September issue. The Fall Buyers’ Number, out in October, will give emphasis and direction to the movement. Succeeding issues will carry on the work of restoring the motion picture theatre to the level of greatest usefulness.

The Fall Buyers’ Number (Out October 20) will contain the following notable features among others:

PLANNING THE THEATRE. A service conducted by PETER M. HULSKEN, A.I.A., a question and answer department dealing with practical remodeling problems.

MAINTENANCE TABS. Conducted by J. T. KNIGHT, JR., a department devoted to the efficient operation of the physical theatre.

COMMENT ON PROJECTION. Conducted by F. H. RICHARDSON, leading authority on projection in America.
BUFFALO, Sept. 23.—Hot weather bothered the opening of "One Night of Love," which fell $1,000 short of an anticipated $10,000, but still was $3,500 over normal and was held for a second week. Addition of the McLarrin-Ross fight pictures in the Lafayette saved the second week off at a brisk pace.

"The Affairs of Cellini," still slightly under par, was the Great Lakes’ big attraction for $9,200. Total take was $46,700. Average is $46,300.

Estimated takings for the week ending Sept. 21:

"THE FOUNTAIN" (Radio)
BUFFALO—$3,800. 16c-35c. 7 days. Stage: Lambert; Florence & Alvarado; The Jack Fords. Edna Bogacki.

Purcell: Gross $15,100. (Average, $2,143.)

"KISS AND MAKE UP" (Para.)
"UPPER WORLD" (Warner Bros.)
BUFFALO—$5,150. 16c-35c. 7 days. Stage: Jasper; Taylor;vit. C. REID. McElroy.

Gross: $5,400. (Average, $771.43.)

"THE GREAT SOPHIE LANG" (Para.)
BUFFALO—$6,200. 25c. 7 days. Stage: Pearl; Grauman.

Gross: $6,200. (Average, $885.71.)

"WRECKED RICH AGAIN" (Radio)
BUFFALO—$3,500. 25c. 7 days. Stage: Allen; McNeil; Library.

Gross: $3,500. (Average, $500.)

"THE AFFAIRS OF CELLINI" (U. A.)
BUFFALO—$2,650. 16c-35c. 5 days. Stage: Hart; Travis; King.

Gross: $2,900. (Average, $580.)

"BRITISH ACTUAL"
HIPPODROME—$1,000. 25c-30c. 7 days. Stage: Higbee; Braverman.

Gross: $1,075. (Average, $154.)

"LAFAYETTE—(3,000)
BUFFALO—$9,000. 25c. 7 days. Stage: Landis; McNeil; Post.

Gross: $9,000. (Average, $1,285.71.)

N. O. Theatre Levy Made 2% of Gross
(Continued from page 1)

that they will fight the levy, asserting that it represents "class legislation." The critics have been inspired in their opposition to the levy by the fact that the city's newspapers, which were taxed two per cent on their gross volume of advertising, have been successful in obtaining an injunction on a similar law. The levy has been put through they have just as much right to an injunction.

All football games in which Loyola and both of which are in this city, participate will not be subject to taxation, although the universities net several hundred dollars on each of their 70,000 test. Also free of taxation will be any amusement that is educational or that devotes its proceeds to charitable purposes.

Horse racing will be exempt from taxation since the track owners have convinced the city fathers that in keeping the sport the industry is educational because it teaches much about riding.

ST. LOUIS ALDERMEN PUT OFF TAX ACTION

ST. LOUIS, Sept. 23.—Tax action has been put off by the Board of Aldermen to next Wednesday as a result of a rising wave of protest. The present proposal calls for a one per cent income levy on all businesses. Latest development in the tax controversy is the announcement of Alderman Otto Litschen of the Third Ward that he will introduce a measure authorizing a municipal lottery to raise funds for the city's deficit.

FOX TO DO "TWO CITIES"

HOLLYWOOD, Sept. 23. — Charles Dickens' "The Tale of Two Cities" is to be produced by Robert L. Kane for Fox with Frank Lloyd directing.

September Grosses Gain To October, 1933, Levels
(Continued from page 5)

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“Richest Girl” Is Providence Leader

PROVIDENCE, Sept. 23.—The textile strike here seems to have sent more and more people flocking to theatres. Five houses in downtown Providence hung up par or better, which is something to brag about. The biggest take of the week, $9,200, went to the RKO Albee with "The Richest Girl in the World" and "Valuable," next in line came Fay's with another program of film feature and five acts of vaudeville, while both the Strand and Majestic with two-feature films booked, were well in the black.

Total first run business was $39,200. Average is $40,500.

Estimated takings for the week ending Sept. 20:

"DEATH IN THE DIAMOND" (M-G-M)
"OUR DAILY BREAD" (M-G-M)
LOEW'S—$3,000, 16c-40c. 7 days. Gross: $1,750. (Average, $249.29.)

"ONE MORE RIVER" (Univ.)
FAYS—$1,600. 16c-40c. 7 days. Society. Dubinskys, 31c.

GROSS $7,000. (Average, $700.)

"CHARLIE CHAN IN LONDON" (Fox,
WOODWARD—$2,700. 25c-40c. 4 days. Gross: $7,000. (Average, $1,750.)

"RICHEST GIRL IN THE WORLD"
(Radio)
RKO ALBEE—$2,300. 16c-40c. 7 days. Fred Lightner and Smart Set Revue.

Gross: $7,400. (Average, $1,057.)

"GIRL IN DANGER" (Col.)
"BURN 'EM UP BARNES" (Mascot)
LAFAYETTE—(3,000)
BUFFALO—$1,100. 16c-40c. 4 days. Gross: $2,300. (Average, $1,012.50.)

DUBINSKYS LOSE TWO IN JEFFERSON CITY

KANSAS CITY, Sept. 23.—After 10 years of continuous operation, Dubinskys Bros. will be obliged to vacate the Jefferson and Miller theatres in Jefferson City, Mo., the local grievance committee here having held Dubinskys' complaint against Harry Solini.

Solini recently leased the properties before Dubinskys could complete negotiations with the landlord to purchase them. The board found, however, that Dubinskys had made certain promises and has referred the case to Camp for review.

ORDER SERVICE CUT FOR A COAST HOUSE

(Continued from page 1)
Detroit Sees
Outlook Good
For the Fall
Prospects Held Best in
Last Three Years

Detroit, Sept. 24.—With all
first runs except the
Downtown open for
the first time in many months, theatre
prospects here are regarded as
better than at any time during the
last three years. Duals are spreading,
however.

Latest to join the dual ranks is the
State, opened a few days ago, and
the Adams. The Fisher, midtown
got, is switching to second run duals
with a pit orchestra. This is the first
dual show at this spot since last fall.

General reconditioning is being done
among the neighborhood spots. This
involves painting, installation of new
seats, screens and sound equipment.
In addition, one new house, the
(Continued on page 4)

Production Gains
By Four Features
Hollywood, Sept. 24.—Production
activity for the week ending Sept.
2 shows an increase of four fea-
tures over the preceding week and
decrease of the same number in
shorts.

Features in work total 36 with six
weeks. Twenty features and nine
shorts are reported in their final
stages of preparation ready to start
(Checked on page 1)

Colorado's Grosses
$2,599,000 in 1933
Washington, Sept. 24.—Gross rec-
tips of 101 film houses in Colorado
last year were $1,997,000 and payrolls
totalled $325,000, according to the U.
. Census Bureau.

There were 22 other theatres in the
state—10 legitimate and 12 vaudeville—
with gross of $602,000 and payrolls
of 114,000.

Denver had 29 film houses, report-
ing gross receipts of $1,142,000 and
aggregate payrolls of $342,000, while
Pueblo had eight film theatres with
receipts of $160,000 and payrolls of
$56,000.

First Division Set to
Hold Four-Day Meet
All branch managers, salesmen and
bookers of First Division will hold a
four-day convention at the Park Cen-
(Continued on page 4)

Miami Places
Heavy Tax on
Music Agents
Sets Fee at $2,500; No
Men There, ASCAP

Miami, Sept. 24.—The fight against
A.S.C.A.P. has taken a new slant
here. Under the terms of a city ordi-
nance just passed agents of any or-
ganization collecting a music tax must
have a city license costing $2,500.

It is called an ordinance "providing
for the registration of all persons,
.......

Basic Operators' Scale Nearly Set
A basic scale for operators according
to classifications of theatres is expected
to be ready within the next
10 days, it was learned yesterday fol-
lowing the holding of a meeting of the NRA act-
rion.

Those operators who were Harlan Holm
den, temporarily
charge of Local 306; Major Leslie
E. Thompson of RKO, chairman of
(Continued on page 4)

Loew Foreign Sales Awards Are Restored
Prior to his sailing for South
America, Arthur Loew restored pende-
t offers for the first four foreign
M-G-M branches making the highest
sales quota.

During vacation time, Loew per-
sonally paid all his employees a week's
extra salary. Prizes for foreign
offices were discontinued two years
ago when salary cuts were put into
effect.

"Pirate Treasure"
Stirs M-G-M's Ire
Cleveland, Sept. 24.—Charging un-
fair trade practices in advertising
"Pirate Treasure" prior to the booking of
"Treasure Island," Frank Drew,
M-G-M branch manager, has filed a
complaint with the grievance board
against C. W. Brickert, Palace, Ash-
land, O. The case is set for hearing
Oct. 1.

Schwartz Condition
Low After Shooting
Cleveland, Sept. 24.—Ernest
Schwartz, prominent local attorney
and president of the Cleveland M. P.
Exhibitors’ Ass’n., is in a critical con-
tion today after having been shot in

Ship Fire Barred
Vancouver, Sept. 24.—The
Colonial here put a large sign
outside the marquee: "We are
NOT showing newreel pic-
tures of the Morro Castle
disaster."

Expect Early Resignation
From Johnson
Washington, Sept. 24.—Although
neither NRA officials nor industry
representatives will substantiate the
talk, reports continue current that
the general manager of the
Johnson will hold
the fence between the government
and the industry and be given a
prominent job with the latter, the stipend
being said to be around $10,000.

Johnson is due to leave the Recov-
ery Administration momentarily and,
if need be, return at last week
(Continued on page 4)

Atkinson Continues
Fox Theatres Head
William E. Atkinson continues as
president of Fox Theatres Corp., de-
spite his recent resignation as cor-
(Continued on page 4)

Skouras, RKO Talk
About Clearances
Conferees were held yesterday be-
fore RKO representatives, George
Skouras, Louis Frisch and Sam Rinz-
er, in an effort to get some out-
(Continued on page 4)

Row Over Clearance
Going Before Campi
Fireworks are expected at the next
Camp meeting Thursday when the en-
tire body will hear and decide a
local clearance issue which has been
the subject of much discussion lo-

The case involves Loew's and Tri-
Consolidated. After handing down a
(Continued on page 4)

Effects Are Vital,
Peter Smith States
Selection of sound effects and

gigs are vitally important in the produc-
(Continued on page 4)
Franklin Gets Out Book on "Gambling"

Harold B. Franklin has just gotten out a tricky little book on an exploitation stunt on the first Franklin production, "Gambling," produced at the Eastern Service Studios for Fox re-lease.

After reading the cover wording, "America's most successful showman in a showman's picture, produced by showmen for showmen," the reader turns to the inside and finds some introductory remarks about George M. Cohan and Franklin. When the center of the book is opened, a stage opens in the middle. Cohan's head appears in a mass of gold dollars behind a fence with a microphone at one end and a red typewriter at the other.

Rowland V. Lee, director, has completed "Gambling" four days ahead of schedule. A trailer has been made showing Lee directing Cohan, star and author.

Cadogan Dinner Guest

Bosworth, Sept. 24—James L. Cadigan, manager of the film and production department of the Paramount exchange, was guest of honor at a dinner at Hotel Theresa. Here he presented a purse by some 150 adm-irers. Speakers included William E. Elby, division manager for Maj. P. J. Healey of the Public Safety Department and Harry Browning of M. & P. Theatres. Thomas Duane was master of ceremonies.

Technicians to Meet

Hollywood, Sept. 24—"Transitions and Time Lapses" will be the subject of the first fall meeting of the Technicians' Branch of the Academy scheduled for Thursday night. Producers, directors and assistant directors have been invited to attend. Papers will be read by Fred Jackman, Anne Blanchet, Slavko Vorkapich, Loren Korh and Martin Cohn.

Lesser Out of Principal

Sol Lesser has sold out his interests in principal exchanges through- out the country. The exchanges are now being operated by independents.

Hal Roach Out Again

Hal Roach has recovered from an illness which kept him in bed for a few days.

Hoffman Will Boost Liberty List to 12

Prior to his departure for the coast, M. H. Hoffman, president of Liberty, completed arrangements to boost the company's current list to 12, an increase of four pictures. Production costs on the additional quota are completed.

Hoffman has canceled plans for an European vacation to devote his time to the new pictures. The eight originally planned are completed.

Dumestre's Mother Killed

Atlanta, Sept. 24—Mrs. Mary Dumestre, mother of Jack B. Dumestre, Jr., At- lanta branch manager for RCA-Pho- tophone, died from injuries received in an automobile accident in that city last week. Otto Johnson, five, also of New Orleans, nephew of Dumestre, died from injuries received in the same accident. Mrs. and Mr. Dumestre went to New Orleans for the double interment.

Steven Beardon Passes

Steven Beardon, Broadway char-acter, who retired from the police force the last decade to become a Hollywood resident, died at West 78th St., yesterday at 70 years of age. He service was held today morning at Holy Trinity Church on West 82nd St., with interment at Calvary Cem-etary.

Chaplin Signs Pogany

Hollywood, Sept. 24—Willy Pogany, artist, illustrator and scenic designer, has been signed by Charles Chaplin as art director for his forthcoming production. Pogany will design and supervise the construction of all sets used in the film.

Will Show Televeuts

Neville Monroe Hopkins will give a demonstration of Televeuts, a machine for recording votes of an audience on questions of interest of the day, at Waldorf Astoria tomorrow night. Exhibitors and representatives of broad- casters have been invited.

Wellman Is Assigned


Loew's Off 1/2 on Big Board

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Paramount Broadway Bonds Up 1/4

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Purely Personal

BEN ROSENBERG is back from a trip to Dallas, New Orleans and Ohio, where he was covered from an illness which kept him in a New Orleans hospital for several weeks.

ROBERT CANTOR, George Jessel, Harry Hershfield and Milton Berle will headline the special entertain-ment for the Louis Nizer lunch-choir, the last of which is on Oct. 1.

TUCK HULBERT, English comedian; Nova Pilbeam, child star, and MICHAEL L. BALCON, production direc-tor for Gaumont British, are on the Ariadne, due in Friday.

GEORGE O'Brien, accompanied by his wife, Marguerite Churchill, and Howard Cruse, arrives in town to- morrow from the coast. They are on their way to London.

ROBERT E. SHERWOOD, playwright, Eve Arden, stage star, and EMIL COLEMAN, composer, are among the passengers on the Ille de France, due in Boston yesterday.

MRS. SOL GORDON and daughter an- nie from Beaumont, Texas. Mrs. Gordo- zo is the wife of the president of the Houston Home Improvement Co. of Texas.

LOU H. PERREY of Ogden, Utah, has returned west after a visit here, stop- ping off at Chicago to see the Broadway productions.

MORRIS FRANTZ of the M-G-M home office foreign department be- comes a beneficiary in December. ANDY KAUFMAN is the girl.

GEORGE WEEKES has begun a swing of Fox exchanges to build up his sales staff of Gaumont British. He was in London yesterday.

DICK POWELL returns to Holly- wood the end of this week on the com- pletion of his personal appearance for "Casino." 

RUPERT HUGHES' original, The Love Song," has been bought by Radio. IRENE DUNNE may be starred.

JOE MOSKOWITZ is back from Hol- lywood where he attended the board of directors meeting of United Artists.

JOHN BOLES has finished work in "Music in the Air" and leaves Holly- wood today for a vacation here.

WILL OSBORN and his orchestra start work today in a Vitaphone short at the Brooklyn plant.

EDWARD BLIN of the Bay State Exchange in Boston was in town yester- day.

DORIS ANDERSON'S "The Joy of Liv- ing" has been acquired by Universal.

S. SCOTT DARLING'S original, "Wise Guy," has been bought by Columbia.

JEANETTE MACDONALD reaches town today for a brief vacation.

WALT CURNIN has sold his story, "Burnt Ranch," to Columbia.

WILL ROGERS arrives today on the Ille de France.

WALTER IMMERMANN has gone back to Chicago.

Weeks Sets Skouras Deal

George Weeks has closed a deal with Eddie Altherson, acting for Skour- ras eastern houses, under the terms of which the all the Gaumont British 1934-35 list will be taken by the circuit.
Mr. James R. Grainger,
Universal Pictures Corp.,
Rockefeller Centre,
New York City, N. Y.

Dear Jimmie:

We screened THERE'S ALWAYS TOMORROW last night.

I just wanted to let you know that I think it is a splendid picture and one that is going to do a lot of business, if properly exploited. We surely expect to put on a carefully thought out campaign on this picture.

Binnie Barnes, in my opinion, and in the opinion of the rest of us that looked at the picture, has certainly great possibilities.

I hope you have her under contract and put her in the right kind of pictures as she is going to be another Ann Harding if properly handled.

Very truly yours,

Sidney Meyer

WOMETCO THEATRES, INC.

September 17th, 1934.

—Yes, Mr. Meyer, we have Binnie Barnes under contract . . . and she will be properly handled
Expect Early Resignation From Johnson

From Johnson

(Continued from page 1)
from a vacation which he took following his conference with the President at Camp David.

When Johnson leaves the government service it is expected he will be followed shortly by Deputy Adminis-
trator Sol A. Rosenblatt who also has been reported to be favorably looked on by film executives. Pe-
éboto however, has never given any indication that he was seeking a spot in the picture business, although, be-
ing a young man, an attractive con-
tract which might lead to big things, undoubtedly would receive his careful consideration.

Hearings Start on

Cincy Operator Pay

CINCINNATI, Sept. 24—Deputy
Administrator John F. Toedtman of the
Ohio Recovery Administration has be-

Theft and fraud charges are included in the
local grievance board. The cases were
Fox Midland, Pittsburg, Kan., against
J. A. Linski, Cozy, same town, and
the nation, and employment of
Frank Cassil, Radio, same
city. Respondents were ordered
to reimburse the plan.

John Graham, Mainstreet, Warrens-
burg, Mo., has filed a bank night com-
plaint against the Star, Warrensburg.
The other grievance adjudications:
Ed Burgan, Tenth Street, Kansas
City, Kan., vs. Midway, same city.
Charge, reduced admission. Determina-
tion, cease and desist.

Jay Means, Oak Park, Kansas City,
vs. C. H. Potter, Ialtis, same city.
Charge, reduced admission. Deterna-
tion, cease and desist.

The decision is a blow to the

the committee; Charles C. Mosko-
(Continued from page 1)

Basic Operators’ Scale Nearly Set

within the fortight room where in

the cutting rooms there are 51 features and
23 shorts.

Report reveals seven features work-
ning, two preparing and seven editing;
Paramount had five, one and four;
the next three, three and nine; Fox,
four, three and one; and Warners,
three, one and three; Warners, three,
and 12; Universal, three, two and
four; and MGM, two, zero and zero.
Century, one, zero and zero, while
the independents have a total of five, six
and eight.

In the short subject division Roach
reports one working, one preparing
and two editing: Warners, one, zero,
and zero; MGM, three, zero and
five; Columbia, zero, zero and three;
Radio, zero, two and five; the in-depen-
dents have four, three and five.

First Division Set to Hold Four-Day Meet

(Continued from page 1)

Tidal starting Friday, Thomas
president, will outline new plans for
the reorganized company.

Jack L. Warner, president over
the week-end, Nicholas S. Ludington
and William M. L. Fiske, 3rd, vice-
 presidents; Julius K. Chapman,
secretary, and a treasurer will be
named within the next day or so.

BUFFALO, Sept. 24—Elmer T. Lux,
manager of the First Division ex-
change here, will attend the four-day
meeting in New York this week-end.
New features and several shorts will
be screened.

Schwartz Condition
Low After Shooting

(Continued from page 1)

the crews are on strike, they are

a quarrel said to have been over busi-
ness units which were handled by
Levine, his partner, also prominent in local
theatrical circles, was fatally wounded
Saturday night.

The body of Abraham Knopp, of
Waterbury, Conn, was found today in
Lake Erie. The coroner’s office re-
ferred its verdict of suicide. Knopp,
police say, fired the shots during an
argument, and was being hunted as
the alleged slayer of Levine, who was
his brother-in-law, and for the shoot-
ning of Schwartz.

Hill Will Be Only

(Continued from page 1)

Hearst Reel Talker

(Continued from page 1)

news shorts. O’Driscoll, Hill, Walsh
and Johnny Weissmuller when it sails
for London on Saturday.

Giannini Due Thursday

Dr. A. H. Giannini arrives Thurs-
day from Italy on the Conte di
Suvico. He may attend the Columbia
directors’ meeting on Saturday before
heading for the coast.

Schwartz Joins M-G-M

Hollywood, Sept. 24.—Maurice
Schwartz, Jewish actor and writer,
who recently appeared in “Yoshie
Kalb,” is now a member of the
M-G-M writing staff.

Production Gains By Four Features

(Continued from page 1)

Tower, is being erected in the north-
western section of the city and there
are reports more houses are planned.

CLEVELAND, Sept. 24—W. N. Skir-
boill, L. P. Miller and Samuel Her-
itz have taken an option on the
supervising director. If they take up
option, they will equip the theatre and
operate it themselves.

DOROT, Sept. 24—The Ohio, closed
a long time, has reopened. It is op-
erated by R. C. Spidel, who also has the
State.

GRAFTON, Sept. 24—The Grafton,
closed all summer, has reopened. J.
O. Guthrie of Cleveland and the own-
ers of the building are operating the
house, new sound equipment has
been installed.

Effects are Vital, Pete Smith States

(Continued from page 1)
effects at their proper place, he says.
Music also plays an important part.
Smith holds.

I’m not on effects I confessed.
“Just try to be a trapdrum in my
earlier days and bits of it are coming
out of my system.

I try to make the audience laugh at its own expense. I try to make
myself a part of the audience
and use language that would be
use by it and do the same things it
would do, I avoid puns, most of the
time.

I don’t try to be clever or smart. I just try to be human. So far it has
worked out.”

Smith believes there is a big field of material for the trapdrum pro-
duction, and he has no difficulty
ideas. He tries to get as many ex-
ploration ideas into his pictures as he
can possibly can, being a press agent
at heart.

He adds shorts should not be taken
as fillers. Anything that is put on the
screen should be worth while showing
or not at all.

Smith says he has to be careful with
the selection of his language, in some
countries our meanings have other
interpretations and this he tries to
avoid as much as possible.

Brandt Says He’s Owner

Harry Brandt states that he owns
an interest in all of the 26 houses
comprising the Brandt circuit. The
general impression prevailed he had
looking deals with some of the units.
The latest acquisition is the Arcadia,
(formerly operated by Sydney
Cohen.

Roach Signs Sam Taylor

Hollywood, Sept. 24—Hal Roach
has engaged Sam Taylor, former direc-
tor for Mary Pickford and Harold
Lloyd, to a long-term contract as a
supervising director, who has an
assignment as yet. Years ago Taylor
began his career as a writer on the
Roach lot.
Don’t Let The Postman Ring Twice... grab ’em!

There was never anything like this! A little film pops out on the screen and panics the populace! They forget all about stars, stories, sex, and super-specials and just let down their hair and roar! A howl! A yell!...just one long continuous laugh that shakes the chandelier (and, boy, is that sweet music!).

This collection of nut mail, dumb, funny, screwy and hilarious is made up of guaranteed genuine lallapaloozas that business firms receive... gathered from all over the world by Juliet Lowell and made into a reel with so many belly-laughs that you’ll display it in lights and bank on it for months to come!

ROARS of LAUGHTER IN THE WORLD’S LARGEST THEATRE

Just one of the many SMART letters about DUMB-BELL LETTERS that we’re receiving...!
Miami Places Heavy Tax on Music Agents

(Continued from page 1)

agent for another, or as the representative of another in any capacity, collecting, or attempting to collect, or receiving money, or other valuable consideration for rights, royalties, rents or interest on copyrighted music, books, recorded music for mechanical reproduction, radio programs and/or patents.

E. C. Mills, general manager of A.S.C.A.P., said yesterday that the society does not have a representative in Miami and therefore there is no one to tax. Miami exhibitors pay their fees by mail.

"However," he added, "we reserve the right to add a representative to that city, and if and when we do we will be compelled to pass the extra $2,500 cost on to exhibitors. Perhaps exhibitors want to help out the city government and are too modest to do it directly."

WASHINGTON, Sept. 24—In explaining why he has advised Allied not to contribute to a war chest to fight the A.S.C.A.P. music tax increases Abram F. Myers, general counsel, says it would be difficult for an individual theatre to establish that it was engaged in interstate business. His advice to Allied members is to pay the first installment of the increased tax and rely upon a campaign in Congress to secure a modification of the copyright law.

"It is difficult to see how enduring relief can be obtained by litigation so long as the law permits the copyright owner to split his monopoly three ways—publishing, recording and performing—and to collect a royalty on each," he says.

Denver Party Draws Crowd of About 350

DENVER, Sept. 24—More than 350 attended the banquet at the first annual outing and get-together of exhibitors and distributors of this territory, held at the Lakewood Country Club. The outing is the first of two or three planned, at the end of which it is hoped to organize a Variety Club here.

Walter Ibold, manager of the Comet, and Jack Langan, Universal exchange manager, tied with 79 for the golf cup, with Ibold winning on the extra stroke. Other winners were J. C. Atkinson, Mutual; F.W.C., division manager, and William Agner, his色调, tied with Richardson winning the playoff. Al Hoffman, U. A. manager, laddered through 170 strokes to win the booby prize.

Exhibitors beat the distributors in the ball game, 2-1.

Mrs. Henry Freidel won the bridge bridge, Mrs. Harry Gaige took second, and E. F. Roberts won the horseshoe pitching contest.

Jack Langan arranged the affair and on the general committee were J. L. Morrison, Fox manager; Al Hoffman; Ibold; Earl Bell, Warner exchange manager, and Rickelson.

Looking 'Em Over

"Among the Missing"

(Columbia)

This pleasant little dramatic effort ought to fill the bill at neighborhood houses. Its story is that of a bit shopworn, its acting up to snuff and its settings and photography good. There is a particularly fine performance by Henrietta Crosman.

Miss Crosman runs away from her nephew's home when she finds life there unbearable. She becomes housekeeper for the operators of an antique shop, which is used as a front to hide their activities as jewel thieves. It is not until the end that Miss Crosman discovers the truth. Richard Cromwell is one of the thieves. When she learns the state of affairs, she bends every effort to win the youth away from a life of crime. To save him she goes to the extent of assuming the blame for a robbery in which the boy has taken part after making it possible for days when the two were not at Hampstead.

Seeing the error of his ways, Cromwell defies Arthur Hohl and Ivan Simpson, his fellow thieves, and reveals the truth to the police to save Miss Crosman. He is placed on probation in her care and everything ends happily. To give the film a romantic note there is a romance between Cromwell and Billie Seward.

Also in the cast are Wade Boteler, Ben Taggart, Harry C. Bradley and Paul Hurst. Joseph August handled the camera and Albert Rogell directed. Code seal No. 124. Running time, 65 minutes.

“My Old Dutch” (Gaumont-British)

LONDON, Sept. 24—This will be a box-office natural in England. It is admirably sincere and will bring laughter and tears by a happy blending of good story values and excellent acting. Rarely sensitive direction by Sinclair Hill has welded out of real life material a real appeal to the heart as far removed as possible from synthetic “soo appeal.”

Whether it will get over in America depends entirely on the extent to which the class London dialect can be understood. It will be a thousand pities if this difficulty of speech proves fatal, but the fact has to be faced that it is essentially a “Cockney” story.

It is just the story of humble London working class couple, from time to time filling an impasse in life with the pittance of a London vacationing with Health on Bank Holiday, through the war years, which deprive them of their only son, to an old age rendered happy by their deep mutual affection, which has suffered the last sorrow of the sacrifice of their grandchild to a wealthy relative who can give him a career.

The intensely sincere acting of Betty Balfour and Michael Hogan, with Gordon Hacker providing the main comedy relief, are the big factors, but the film also provides a vivid panorama of English life from pre-war time until today. Running time, 90 minutes.

BRUCE ALLAN

“DuBarry’” Opening Set

MEMPHIS, Sept. 24.—Warner’s “Madame DuBarry” will have its first showing, according to company officials, here at the Waco on Saturday, Oct. 6. National release is set for a week later.

WARNERS RE-SIGN GARGAN

Hollywood, Sept. 24.—Warner’s have re-signed William Gargan to a long term contract. Gargan was last seen in “Leslie Howard at present, but will return here shortly.

Hollywood Personalities

Hollywood, Sept. 24.—Jack Cox, recently signed by Paramount, has arrived from Cleveland where he was “discovered” by a talent scout. . . . Jackie Coogan has enrolled at the University of Southern California. . . . Elissa Land vacationing at Lake Tahoe. . . . Claudette Colbert has a new lot in Holmby Hills. . . . Robert Florey appeared in a wool plaid scarf at a temperature of 88. . . . Virginia Pine’s split back evening gown is the talk of the town. . . . Evalyn Knapp signed for “In Old Sante Fe” at Mascot. . . . Monte Blue and his Orch. with the “Becky Sharp” for Radio before going to Goldwyn for two pictures . . . Sylvia Sidney has closed her beach home and moved back to Benedict Canyon . . . Lyda Roberti up to New York. . . . G. L. Johnson, a radio director, received a set of trap drums as a natal day gift from his mother. . . . Harry Rapf escorted a fishing party off the San Diego coast. . . . Douglas Montgomery making a date with a girl for Sardi’s and absent mindingly waiting at the Vendome . . . Neil Hamilton spending his birthday on the crest of Mount Whitney . . .

Para’s New Plan Delayed By Subsidiary

(Continued from page 1)

which is guarantor of its bonds. The reorganization plan of Paramount Pictures will be considered only after all remaining obstacles in the revamping of Paramount Public.

Action to postpone the Paramount Broadway hearing was taken upon the request of counsel for Paramount Public trustees, who have set. After the loss, Joyce that objections to the subsidiary’s plan of reorganization could be ironed out if more time were granted. The Paramount Public trustees’ attorneys indicated that in the meanwhile they would meet with the legal staff of the reality corporation in an attempt to remove objections to the latter’s plan of reorganization.

Paramount Broadway bondholders made a demand before the Supreme Court yesterday for detailed operating statements from the president of Paramount. The charge was made that accountants representing three bondholders had been denied permission to look at the corporation’s books.

The trustees asserted in addition to being against good business practice, the revelation of the information desired would give away to competitors many of Paramount’s trade secrets.

Paramount’s bondholders failed to represent 25 per cent of the total bondholders or 10 per cent of creditors as required under the new bankruptcy laws.

Leontine Sagan Coming

Hollywood, Sept. 24—Leontine Sagan, Europe’s outstanding woman director who was signed by David Selznick during his recent trip abroad, will arrive in New York this week on route to Hollywood to begin her contract with M-G-M. Miss Sagan is a native of France and is the sister of director of “Maedchen in Uniform.”

“U” Signs Joan Bennett

Hollywood, Sept. 24—Joan Bennett has been signed for the chief feminine role in Universal’s “Man Who Reclaimed His Head,” playing opposite Claude Rains. Lloyd Hughes and Carol Coombe have also been assigned featured roles. Edward Ludwig is the director.

To Hear Health Suit

A motion will be argued in Supreme Court today that certain evidence in the $1,000,000 suit brought against M-G-M by Helen Milgrim. The actress charges she ruined her health during the filming of “Trader Horn.”

Gaumont Holds Fischer

CHICAGO, Sept. 24—Abe Fischer will continue as Gaumont British sales manager here when his contract with the company runs out. He has been the agent of the selling organization.

“Widow” to Open Oct. 6

Oct. 6 is the date set for opening of “The Merry Widow” at the Astor at $2 top.
Discharging an OBLIGATION

ANY manufacturer who has won his way into the confidence of a great industry is under obligation to maintain the standards that have given his product preference. Eastman Super-Sensitive “Pan” is continually discharging such an obligation. On the lot...in the laboratory...on the screen...it is unfailingly delivering the same qualities that first made it a sensation in the motion-picture world. Eastman Kodak Co. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative
“Desirable,” “Belle” Loop Smash; Pulls $60,000 Take

MINNEAPOLIS, Sept. 24.—“Desirable” ran away with the big money here last week, helped by Abe Lyman and his band. The take at the State was $6,500, up by $1,000.

In St. Paul Mac West in “Belle of the Nineties” also ran up to $6,500, or the mark by the same amount.

“The More River” grossed a strong $3,000 at the World here. “Crime Without Passion” and “The Human Side” were strong St. Paul attractions.

Total first run business in Minneapolis was $23,500. Average is $21,000. Total St. Paul business was $19,500. Average is $16,000.

Estimated takings:

Minneapolis:
Week Ending Sept. 20:
“CRIME WITHOUT PASSION” (Para.)
LOWE'S—(1,300), 25c-
40c-
50c-
60c-
75c-
$3,000.

“THE human SIDE” (Para.)
RKO ORPHEUM—(1,300), 25c
40c-
50c-
60c-
75c-
$1,000.

“DESIRABLE” (Warners)
STAX—(4,000), 25c-
35c-
50c-
$2,500.

“The More River” (Univ.)
WORLD—(400), 25c-
35c-
50c-
$400.

St. Paul:
Week Ending Sept. 20:
“BELLE OF THE NINETIES” (Para.)
PARAMOUNT—(2,200), 25c-
35c-
50c-
$6,500.

“CRIME WITHOUT PASSION” (Para.)
RIVIERA—(2,200), 25c-
40c-
50c-
60c-
75c-
$3,000.

“The More River” (Univ.)
RKO ORPHEUM—(2,000), 25c-
40c-
50c-
$1,000.

“BELONG TO ME” (Para.)
TOWER—(800), 25c-
35c-
50c-
$1,500.

“JANE EYRE” (Monogram)
WOOD—(1,200), 25c-
35c-
50c-
$1,500.

Chicago, Sept. 24.—Loop business continues heavy. “Belle of the Nineties” was a sensation at $60,000 in the Chicago. This top is normal by $23,400.

“The Dragon Murder Case” hit $22,000 over the mark by $7,000, at the Oriental. “Dames” piled up $14,000 over the normal week at the Chicago, and “Charlie Chan’s Courage” was good for $17,000 at the State.

Total first run business was $165,000. Average is $13,600.

Estimated takings:

Week Ending Sept. 18:
“COUNTRY WIFE” (U. A.)
UNITED ARTISTS—(1,200), 25c-
35c-
50c-
75c-
$3,000.

Week Ending Sept. 20:
“BELLE OF THE NINETIES” (Para.)
CHICAGO—(4,000), 25c-
35c-
50c-
60c-
$2,000.

“DRAGON MURDER CASE” (F. N.)
OCTAGON—(800), 25c-
35c-
50c-
75c-
$1,500.

“THEIR'S ALWAYS TOMORROW”
PALACE—(2,500), 25c-
35c-
50c-
75c-
$1,500.

“JUDGE PRIEST” (Fox)
APOLLO—(1,400), 25c-
35c-
50c-
$1,500.

“BELONG TO ME” (Para.)
TOWER—(1,800), 25c-
35c-
50c-
$1,500.

Ted Morrison to Omaha
OMAHA, Sept. 24.—E. R. Cummings, district manager for A. H. Playko’s Tri-State Theatre, disclosed tonight that Ted Morrison will be brought from Rock Island, Ill., where he is managing the Fort Theatre, to manage the Paramount here, set to open Thursday.

“Kid Millions” Previewed
SAN DIEGO, Cal., Sept. 24.—“Kid Millions” was previewed at the Fox here last night before an audience that included Eddie Cantor, who is the star of the film, Al Jolson, Ruby Keeler and Gloria Stuart.

20th to Film “Red Cat”
“The Red Cat” will be filmed by 20th Century, Joe Moskowitz, vice-president of the company, asserted when questioned during interim session of the union’s annual business meeting of the play at the Broadhurst.

Seven Fox Extras Hurt
Hollywood, Sept. 24.—Seven extras were injured today when two cars fell 30 feet during the filming of a scene for Fox’s “East River.”

Montreal in Boom; “You Belong” High
MONTRÉAL, Sept. 24.—Stirring times were experienced by Montreal’s main steam theatres last week. With a return of vaudeville, Loew’s was out in front with $11,500, the screen attraction being “You Belong to Me.”

The Capitol went over the top on a tale of $10,500 for “The Girl from Missouri.” Another house above par was the Princess with $6,500 on two British pictures, “Evergreen” and “A Cup of Kindness.” The weather was cool, two days; warm, three days; wet, two days.

Total first run business was $43,000. Estimated takings for the week ending Sept. 22.

“THE GIRL FROM MISSOURI” (M-G-M)
CAPITOL—(2,500), 25c-
35c-
50c-
75c-
$10,500.

“SHOCK” (Monogram)
“MONEY MEANS NOTHING” (M-G-M)
PRINCESS—(2,500), 25c-
35c-
50c-
75c-
$6,500.

“YOU BELONG TO ME” (Para.)
LOEW'S—(2,500), 25c-
35c-
50c-
75c-
$10,500.

“EVERGREEN” (British)
“CUP OF KINDNESS” (British)
PRINCESS—(2,500), 25c-
35c-
50c-
75c-
$6,500.

National Suprex Carbons
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.

NATIONAL CARBON COMPANY, INC.
Carbon Sales Division, Cleveland, Ohio
United of Canada Carbon Corporation
Branch Offices:
New York Pittsburgh Chicago San Francisco
Detroit Sees
Outlook Good
For the Fall
Prospects Held Best in
Last Three Years

DETROIT, Sept. 24—With all first
quarters except the downtown open
for the first time in many months, theatre
prospects here are regarded as
brighter than at any time during the
last three years. Duals are spread,
however.

Largest to join the dual ranks is the
Capitol, opened a few days ago, and
the Adams. The Fisher, midtown
spot, is switching to second run duals
with a pit orchestra. This is the first
takeover at this spot since last fall.

Subject is being done along the neighborhood spots. This
involves painting, installation of new
neons, screens and sound equipment.

In addition, one new house, the

Production Gains
By Four Features

HOLLYWOOD, Sept. 24—Production
activity for the week ending Sept.
22 shows an increase of four fea-
tures over the preceding week with
decrease of the same number in
shorts.

Features in work total 36 with six
features. Twenty features and nine
shorts are reported in the film
preparation ready to start

Colorado’s Grosses
$2,595,000 in 1933

WASHINGTON, Sept. 24—Gross
receipts of 101 film houses in Colorado
last year were $1,997,000 and payrolls
totalled $220,000, according to the U.S.
Census Bureau.

There were 22 other theatres in the state—legitimate and vaudeville—with
gross of $602,000 and payrolls of
$114,000.

Denver had 29 film houses, report-
ing gross receipts of $1,142,000 and
payrolls of $342,000, while Pueblo had eight film theatres with
payrolls of $110,000 and payrolls of
$16,000.

First Division Set to
Hold Four-Day Meet

Cleveland, Sept. 24—Charging un-
fair trade practices in advertising
“Pirate Treasure” prior to the booking
of Treasure Island,” Frank Drew,
M.G.M. branch manager, has filed a
complaint with the grievance board
against C. W. Brickert, Palace, Ash-
land, O. The case is set for a hearing
Oct. 1.

Miami Places
Heavy Tax on
Music Agents

MIAMI, Sept. 24—The fight against
A.S.C.A.P. has taken a new slant
here. Under the terms of a city ordi-
nance just passed agents of any or-
nization collecting a music tax must
have a city license costing $2,500.

It is called an ordinance “providing
for the registration of all persons,
firms and corporations engaged in
certain businesses, professions or oc-
cupations,” but under the terms of
sections “royalty and copy-
right agents and salesmen,” against
whom the tax is aimed, are described
as follows:

“Royalty and copyright agents and
salesmen shall mean each person, as

(Continued on page 4)

Atkinson Continues
Fox Theatres Head

William E. Atkinson continues as
president of Fox Theatres Corp., de-
spite his recent resignation as co-
receiver. Atkinson plans to spend all
of his time at his Virginia home after
he winds up a few details as co-
receiver.

He may resign as head of the cir-
cuit, but no definite has yet been
decided upon, Atkinson stated yester-
day. He returned from Boston yes-
terday after taking his son there to
inter college.

Hill Will Be Only
Hearst Reel Talker

EDIN C. Hill will be the lone an-
ouncer and interpreter of the Hearst
Metrotone News in its new form, E.
B. Hartick, general manager of
Hearst’s film interests, stated yester-
day. Hill will interpret all subjects him-
self, Hartick stated. In addition to

(Continued on page 4)

Schwartz Condition
Low After Shooting

CLEVELAND, Sept. 24.—Ernest
Schwartz, prominent local attorney
and president of the Cleveland M. P.
Exhibitors’ Ass’n, is in a critical con-
tion today after having been shot in

(Continued on page 4)

Para.’s New
Plan Delayed
By Subsidiary

B’way Bondholders Ask
Foreign Accounting

Paramount Publix was brought face
to face yesterday when the head of
a delay in its plan to reorganize when
its parent company, Paramount
Broadway Corp., brought up the
plan the outcome of the move to
reorganize Paramount Broadway
must be awaited because of the size
of the claims held by the latter against
the parent company. Paramount
Broadway holds title to the
Paramount theatre and building in Times Square.

It has pending total claims of $178,-
000 against Paramount Publix,

(Continued on page 6)

Skouras, RKO Talk
About Clearances

Skouras and Randorf are holding
talks on Fox projects and, be-
fore RKO can get the product, it
must get approval from the independ-
ent exhibitors and Fox.

There is talk that Skouras may pool
some of his houses with RKO in a
deal which will involve an exchange
of product.

Row Over Clearance
Before Campi

Fireworks are expected at the next
Campion meeting Tuesday when the
entire body will hear and decide a
local clearance issue which has been
the subject of much discussion lo-
cally.

The case involves Loew’s and Trio-
Consolidated. After handing down a

Effects Are Vital,
Peté Smith States

Selection of sound effects and gags
are vitally important in the production
of shorts, Pete Smith states.

A lot of subjects can be made en-
tertaining by using gags and sound
Franklin Gets Out Book on "Gambling"

Harold B. Franklin has just gotten out a tricky little book on exploitation stunt on the first Franklin production, "Gambling," produced at the Eastern Service Studios for Fox.

After reading the cover wording, "America’s most successful showman in a showman’s picture, produced for showmen for showmen," the reader turns to the inside and finds some introductory remarks about George M. Cohan and Franklin. When the center of the book is opened, a stage opens in the middle. Cohan’s head appears behind a fence with a microphone at one end and a theatre at the other.

Readers discover has completed "Gambling" four days ahead of schedule. A trailer has been made showing Lee directing Cohan, star and author.

Cadijan Dinner Guest

Boston, Sept. 24.—James L. Cadijan, manager of the film and production department at the Fox exchange, was guest of honor at a dinner at Hotel Touraine. He was presented by cable by 100 sets. Speaks included William Erib, division manager; Major P. J. Healey of the Public Safety Department, Harry Brunn of M. J. S. Theatres. Thomas Duane was master of ceremonies.

Technicians to Meet

Hollywood, Sept. 24.—"Transitions and Time Lapses" will be the subject of the first fall meeting of the Technicians’ Branch of the Academy scheduled. Technicians and assistant directors have been invited to attend. Papers will be read by Fred Jackson, Anne Bauchens, Slavko Vorkapich, Loren Ryder and Martin Cohn.

Lessier Out of Principal

Sol Lessier has sold out his interests in Principal exchanges throughout the country. The exchanges are now being operated by independents.

Hal Roach Out Again

Hal Roach has recovered from an illness which kept him in bed for a few days.

Hoffman Will Boost Liberty List to 12

Prior to his departure for the scene, Hoffman, president of Liberty, completed arrangements to boost the company’s current schedule to 12, an increase of four pictures, which, he says, cool on the additional quartet will be boosted.

Hoffman has canceled plans for a company’s president to devote his time to the new pictures. The eight originally planned are completed.

Dumestre’s Mother Killed

Atlanta, Sept. 24.—Mrs. Mary Dumestre, 68, of New Orleans, mother of Jack B. Dumestre, Jr., Atlanta manager for RCA-Photophone, died from injuries received in an automobile accident in that city last week. Otto Johnson, five, also of New Orleans, nephew of Dumestre, died from injuries received in the same accident. Mr. and Mrs. Dumestre went to New Orleans for the double internment.

Steven Reardon Passes

Seattle, Sept. 24.—Steven R. Reardon, Broadway character, who retired from the police force 20 years ago, died at his home, 210 West 78th St., yesterday at 70 years of age. Reardon was a well-known actor and director. He will be held tomorrow morning at Holy Trinity Church on West 82nd St., interment at Calvary Cemetery.

Chaplin Signs Pogany

Hollywood, Sept. 24.—Willy Pogany, artist, illustrator and scenic designer, has been signed by Charles Chaplin as art director for his forthcoming production. Pogany will design and supervise the construction of all sets used in the film.

Will Show Televotes

Neills Monroe Hopkins will give a demonstration of Televotes, machinery for recording votes of an audience on questions of interest of the day, at the Waldorf Astoria tomorrow night. Exhibitions and demonstrations of broadcasters have been invited.

Wellman Is Assigned


Back from Location

The company that was sent to Tuxedo and Suffern, N. Y., a month ago to make "Loe’s Off 1/2 on Big Board"

<table>
<thead>
<tr>
<th>Low</th>
<th>Close</th>
<th>Change</th>
<th>Sales</th>
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<tbody>
<tr>
<td>335</td>
<td>354</td>
<td>+39</td>
<td>493</td>
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Goldsmith Brought Back

Charles Goldsmith, formerly manager of the M-G-M office in Trinidad, has been transferred from New York to a new foreign office, where he has already taken up his new duties.

Harry Rapin in Town

Harry Rapin has been in town yesterday to meet his son, Maurice, who arrived from Russia. Rapin returns to the coast tomorrow.

Purely Personal

Ben Rosenfeld is back from a trip to Dallas, New Orleans and Oklahoma City. He is completely recovered from an illness which kept him at the Los Angeles hospital for several weeks.

Eddie Cantor, George Jessel, Harry Henshfield and Milton Berle will combine special entertainment for the Louis Nizer luncheon at the M. P. Club on Oct. 1.

Jack Hulbert, English comedian, and Michael L. Balcon, production director for Gaumont British, are on the Aquitania, due in Friday.

George O’Brien, accompanied by his wife, Marguerite Churchill, and Edward Clare, arrives in town tomorrow from the coast. They are on their way to London.

Robert E. Sherwood, playwright, Evelyn Herbert, stage star, and Emile Pizer, composer, are passengers on the Ile de France, due today.

Mrs. S. Goldson and daughter are on their way to New York. Mrs. Goldson is the wife of the president of Jefferson Amusement Co. of Texas.

Lou H. Perry of Ogden, Utah, has returned from a visit here, stopping off at Chicago to see the World’s Fair.

Morris Frantz of the M-G-M exchange, has been a benefic in December. Ann Kaufman is the girl.

George Wees has begun a swing of Fox exchanges to build up his sales staff of Gaumont British. He was in Boston yesterday.

Duck Powell returns to Hollywood to end the week on the completion of his personal appearance tour.

Rupert Hughes, original, "The Lion Sleeps Not," has been bought by Radio. Irene Dunne may be starred.

Joe Moskowitz is back from Hol- lywood where he attended the opening of the J. Imperio Art, which comes to Chicago.

John Boles has finished work in "Music in the Air" and leaves Hollywood today for a vacation here.

Will Osborne and his orchestra start work on a musical short at Vitaphone short at the Brooklyn plant.

Edward Klein of the Bay State Exchange in Boston was in town yesterday.

Doris Anderson’s "The Joy of Liv- ing" has been acquired by Universal.

S. Scott Darlington’s original, "Wise Guy," has been bought by Columbia. Jack McDonnell reaches town today for a brief vacation.

Walt Coburn has sold his story, "Burnt Ranch," to Columbia.

Bob Rovers arrives today on the Ile de France.

Walter Immernan has gone back to Chicago.

Weeks Sets Skouras Deal

George Wees has closed a deal with Edison Alperton, acting for Eastern houses, under the terms of which all the Gaumont British 1934-35 list will be taken by the circuit.
... a letter from an important exhibitor —

Managing the
CAPITOL THEATRE
MAYFAIR THEATRE
BILTMORE THEATRE
TOWER THEATRE
RITZ THEATRE
Miami, Florida.

Managing the
BISCAYNE PLAZA THEATRE
Miami Beach, Florida
GROVE THEATRE
Coconut Grove, Miami, Florida
GRAND THEATRE
West Palm Beach, Florida
HARLEM THEATRE
Miami, Florida.

9 N. W. THIRD STREET  P. O. BOX 2440  TELEPHONES 3-2637—3-2638  MIAMI, FLORIDA

September 17th, 1934.

Mr. James R. Grainger,
Universal Pictures Corp.,
Rockefeller Centre,
New York City, N. Y.

Dear Jimmie:

We screened THERE'S ALWAYS TOMORROW last night.

I just wanted to let you know that I think it is a splendid picture and one that is going to do a lot of business, if properly exploited. We surely expect to put on a carefully thought out campaign on this picture.

Binnie Barnes, in my opinion, and in the opinion of the rest of us that looked at the picture, has certainly great possibilities.

I hope you have her under contract and put her in the right kind of pictures as she is going to be another Ann Harding if properly handled.

Very truly yours,

Sidney Meyer

WOMETCO THEATRES, INC.

Shhh

—Yes, Mr. Meyer, we have Binnie Barnes under contract . . . and she will be properly handled
Expect Early Resignation From Johnson

(Continued from page 1)
from a vacation which he took following what was expected to be a long-term retirement. At Hyde Park, N. Y.
When Johnson leaves the government service of course it is expected he will be followed shortly by Division Administrator Sol A. Rosenblatt, who also has been reported to be interested in his job. Atty. Gen. Edward F. McKeen, who has been reported as a possible candidate for Attorney General W. Donald Hall is sitting in on the proceedings.

Complaintants charges that in each instance operators employed by the local union are being paid salaries below the scale code. It is claimed that the code cannot be obtained, the cases will go to the attorney general's office for investigation, it is understood.

Revised list of the houses involved include the Monta Via, Emery, Pendra, Avenue, Citlon, Hollywood, Western Plaza, Park, Winton and Broadway.

Hear Three Protests On Albany Schedule

Three individual protests on the Albany Amusement and zoning schedules were heard yesterday by a committee comprising A. W. Smith, Jr., chairmen; Edward Golden and Henry Sauer appointed by film executives. Rosenblatt, however, has never given any indication that he was seeking a spot in the Wurie business, although, he is a young man, an attractive contract which might lead to big things undoubtedly would receive his careful consideration.

Heard Three Protests on Albany Schedule

(Continued from page 1)

Basic Operators' Scale Nearly Set

(Continued from page 1)

the committee; Charles C. Moskowitz of Loew's, Joseph Blatt of Al- lied, and Robert O'Reilly and Harry Brandt.

A report on questionnaires sent to all exhibitors in the local area will be held Friday. It is stated the scale will be based on a point system, which is secretly guarded by the committee, and will be applicable to ma-

K. C. Board Ban Put On Two Bank Nights

KANSAS CITY, Sept. 24.—Complai-
nants have been awarded decisions in two local eight-eights cases by the local grievance board. The cases were Fox, Midland, Pittsburg, Kan., against Allied; Kansas City, Kan., vs. Standard, Kansas City, W. A. Leucht, Olive, St. Joseph, Mo., against Frank Cassil, Keadle, same city.

Respondents were ordered to continue operations.

John Graham, Mainstreet, Warrens-
burg, Mo., has filed a bank night com-
plainant against the Star, Warrens-
burg. Other grievance adjudications: Ed Burgan, Twenty Sixth, Kansas City, vs. Ogdenway, same city. Charge, reduced admission. Determina-
deration, cease and desist.


Row Over Clearance Going Before Campi

(Continued from page 1)

decision on the Forum, Trio-Con-
solidated house, Code Authority ex-
pressly ordered. Exhibitors are now settling the clearance on the Fleet-
wood, also operated by the same inde-
pendent circuit.

The Forum is a new theater and it was decided to hold a new trial with both theaters taken into consideration at the same time. Exhibitors hold that if Loew's wins clearance over the Forum, it will have to lose the Fleetwood case. Loew's, however, believes it is entitled to clearance over both houses.

Schlesinger Sails Soon

M. A. Schlesinger will be on the return trip with Miss Cleo Cline, George O'Brien, Lupe Velez and Johnny Weissmuller when it sails for London on Saturday.

Giannini Due Thursday

Dr. A. H. Giannini arrives Thurs-
day from Italy on the Conte di Savoia. He may attend the Columbia road show at the Strand on Saturday before heading for the coast.

Schwartz Joins M-G-M

HOLLYWOOD, Sept. 24.—Maurice Schwartz, Jewish actor and writer, who recently appeared in "Yoshie Kalb," is now a member of the M-G-M writing staff.

Production Gains Due Four Features

(Continued from page 1)

within the fortuitous while in the cut-
ing rooms there are 51 features and 23 shorts.

Radio reports seven features work-
ing, two preparing and seven editing; Paramount had five, and four; Fox, four, nine and four; Columbia, three, one and three; Warners, three, two and one; Universal, three, two and one; Roach, two, zero and one; Goldwyn, zero, two and zero; Cen-
tury, one, zero and zero, while the De Luxe enterprises have a total of five, six and eight.

In the short subject division Roach appears to be leading, one preparing and two editing: Warners, one, zero and zero; M-G-M, zero, three and five; Columbia, zero, zero and three; Radio, two and zero.

The independents have four, three, and five.

First Division Set to Hold Four-Day Meet

(Continued from page 1)

starting Friday, Harry Thomas, president, will outline new plans for the reorganized company.

The new president, who is also president over the week-end, Nicholas S. Ludington and William M. Fiske, 3rd, vice-
chairmen; J. C. Chapman, secretary, and a treasurer will be named within the next day or so.

Buffalo, Sept. 24.—Elmer T. Lush, manager of the First Division ex-
change here, will attend the four-day meet in New York this week-end. Three new features and several shorts will be screened.

Schwartz Condition Low After Shooting

(Continued from page 1)

a quarrel said to have been over busi-
ness relations. Benjamin Z. Levine, his partner, also prominent in local theater circles, was fatally wounded in the struggle.

The body of Abraham Knopp, of Waterbury, Conn., was found today in the 300 block of New York's office turned a verdict of suicide. Knopp, police say, fired the shots during an argument, and was being hunted as the alleged slayer of Levine, who was his brother-in-law, and for the shooting of Schwartz.

Hill Will Be Only Hearst Reel Talker

(Continued from page 1)

news events, the newsreel will also have special feature clips which the Hearst commentator will discuss. Natural sound effects will be used in addition to Hill's interpretations.

The new Hearst Metrotone reel will run about 1,000 feet and De Luxe Laboratories will continue to develop it twice a week. A press party will be held at the De Luxe lab when the first issue makes its debut.

See $2,000 on "Agent"

Warner's are predicting a $42,000 profit from "British Agent" at the Strand. In its first five days it topped "Gold Diggers of 1933," which took $42,200 in its first week.

Detroit Sees Outlook Good For the Fall

(Continued from page 1)

Tower, is being erected in the north-western section of the city and there are reports more houses are planned.

Cleveland, Sept. 24.—W. N. Skir-
boll, L. P. Miller and Samuel Her-
will have taken an option on the supervising director. To take up the option, they will equip the theatre and operate it themselves.

Dover, Sept. 24.—The Ohio, closed a long time, has reopened. It is op-
erated by R. C. Spidel, who also has the State.

Grafton, Sept. 24.—The Grafton, closed all summer, has reopened. J. O. Guthrie of Cleveland and the owners of the building are operating the house. New sound equipment has been installed.

Effects Are Vital, Pete Smith States

(Continued from page 1)

effects in their proper place, he says. Music also plays an important part. Smith holds.

"I am on effects," he confessed. "I just try to be a trap drummer in my earlier days and bits of it are coming out of my system. I try to make the audience laugh at its own expense. I try to make myself a part of the audience and use language that would be used by it and do the same things it would do. I avoid puns, most of the time. I don't try to be clever or smart. I just try to be human. So far it has worked out."

Smith believes there is a big field of material for this subject and states he has no difficulty getting ideas. He tries to get as many ex-
ploration ideas into his pictures as he possibly can, being a press agent in heart.

He adds shorts should not be taken as fillers. Anything that is put on the screen should be worth while showing or not at all.

Smith says he has to be careful with the selection of his language. In some countries our meanings have other interpretations and this he tries to avoid as much as possible.

Brandt Says He's Owner

Harry Brandt states that he owns an interest in all of the 26 houses he distributes in the Bratcircuit. The general impression prevailed he had booking deals with some of the units. The latest acquisition is the Arcadia, formerly operated by Sydney Cohen.

Roach Signs Sam Taylor

HOLLYWOOD, Sept. 24.—Hat Roach has signed Sam Taylor, former director for Mary Pickford and Harold Lloyd, to a long-term contract as a producer. Taylor has been with Roach lot assignment as yet. Years ago Taylor began his career as a writer on the Roach lot.
Don't Let The Postman Ring Twice... grab 'em!

After seven years return to Filbert A. Nutt Screwloose, Mo.

Dumb-Bell Letters

There was never anything like this! A little film pops out on the screen and panics the populace! They forget all about stars, stories, sex, and super-specials and just let down their hair and roar! A howl! A yell!... just one long continuous laugh that shakes the chandelier (and, boy, is that sweet music!).

This collection of nut mail, dumb, funny, screwy and hilarious is made up of guaranteed genuine lallapaloozas that business firms receive... gathered from all over the world by Juliet Lowell and made into a reel with so many belly-laughs that you'll display it in lights and bank on it for months to come!

RADIO CITY MUSIC HALL
ROCKEFELLER CENTER
NEW YORK

August 29, 1954

The Van Beuren Corporation,
RKO Building,
Rockefeller Center,
New York City.

Gentlemen:

In response to your letter of yesterday, may I say that the audiences in the Music Hall enjoyed the "DUMB-BELL LETTER" picture in extraordinary fashion. There were roars of laughter, which are always good to hear in an audience.

It was a clever idea and whoever was responsible for it deserves credit.

Yours truly,

W. Van Schmus

Produced by
Van Beuren Corporation
RKO-PATHÉ PICTURES

Roars of Laughter
In the World's Largest Theatre

Just one of the many SMART letters about DUMB-BELL LETTERS that we're receiving...!
Miami Places Heavy Tax on Music Agents

(Continued from page 1) agent for another, or as the representative of another in any capacity, collecting, or attempting to collect, or receiving money, or other valuable consideration, for or on behalf of any individual, corporation, or other entity, by reason of fees on copyrighted music, books, recorded music for mechanical reproduction, radio programs and or patents.

E. C. Mills, general manager of A.S.C.A.P., said yesterday that the society does not have a representative in Miami and therefore there is no one to tax. Miami exhibitors pay the fees.

"However," he added, "we reserve the right to assign a representative to that city, and if and when we do we will be compelled to pass the extra $2,500 cost on to exhibitors. Perhaps exhibitors want to help out the city government and are too modest to do it directly."

WASHINGTON. Sept. 24.—In explaining why he has advised Allied not to contribute to a war chest to fight the A.S.C.A.P., music tax increases, Abram F. Myers, general counsel, says it would be desirable to have an individual theatre to establish that it was engaged in interstate business.

His advice to Allied members is to pay the first installment of the increased tax and rely upon a campaign in Congress to secure a modification of the copyright law.

"It is difficult to see how enduring relief can be obtained by litigation so long as the law permits the copyright owner to split his monopoly three ways—publishing, recording and performing—and to collect a royalty on each," he says.

Denver Party Draws Crowd of About 350

DENVER, Sept. 24.—More than 350 attended the book luncheon and annual outing and get-together of exhibitors and distributors of this territory, held at the Lakewood Country Club here.

The outing is the first of two or three, by the end of which it is hoped to organize a Variety Club here.

Walter Ibold, manager of the Comet, and Jack Langan, Universal exchange manager, tied with 79 for the golf cup, with Ibold winning on the extra hole. Rick Rickerson, F.W.C., division manager, and William Aldridge, his booker, Rickerson winning the playoff. Al Hoffman, U.A., manager, lounged through 170 strokes to win the booby prize.

Exhibitors beat the distributors in the ball game, 2-1.

Mr. Harry Freidel won the bridge prize, an electric coffee urn set, and E. F. Roberts won the horseshoe pitching.

Jack Langan arranged the affair, and on the general committee were J. J. Morrison, Fox manager; H. Hoffman; Ibold; Earl Bell, Warner exchange manager, and Rickerson.

Among the Missing

"Among the Missing" (Columbia)

This pleasant little dramatic effort ought to fill the bill at neighborhood houses. Its story is engaging if a bit showy, its acting up to snuff and its sets and photography good. There is a particularly fine performance by Henrietta Crosman.

Miss Crosman runs away from her nephew’s home where she finds life there unbearable. She becomes housekeeper for the operators of an antique shop, which is used as a front to hide their activities as jewel thieves. It is not until toward the end that Miss Crosman discovers the truth. Richard Cromwell is one of the thieves. When she learns the state of affairs, she bends every effort to win the youth away from a life of crime. To save him she goes to the extent of assuming the blame for a robbery in which the boy has taken part after making it possible for him to escape from the police.

Seeing the error of his ways, Cromwell defects Arthur Hohl and Ivan Simpson, his fellow thieves, and reveals the truth to the police to save Miss Crosman. He is placed on probation in her care and everything ends happily.

To make a film a romantic note there is a romance between Cromwell and Billie Seward.

Also in the cast are Wade Boteler, Ben Taggart, Harry C. Bradley and Paul Hurst. Joseph August handled the camera and Albert Rogell directed. Code seal No. 124. Running time, 65 minutes.

“My Old Dutch”

“DuBarry” Opening Set

(London, Sept. 24.—This will be a box-office natural in England. It is actually good and it is brimming with the magic that comes from good story values and excellent acting. Rarely sensitive direction by Sinclair Hill has welded out of real life material a real appeal to the heart as far removed as possible from synthetic “sob appeal.”

Whether it will get over in America depends entirely on the extent to which low class London dialect can be understood. It will be a thousand pities if this difficulty of speech proves fatal, but the fact has to be faced that it is essentially a “Cockeyed” story.

It is just the life story of humble London working class couple, from the days when they go courting at Hampstead Heath on Bank Holiday, through the war years, which deprive them of their only son, to an old age rendered happy by their deep mutual affection, which has suffered the last sorrow of the sacrifice of their grandchild to a wealthy relative who can give him a career.

The intensely sincere acting of Betty Balfour and Michael Hogan, with Gordon Harker providing the main comedy relief, are the big factors, but the film also provides a vivid panorama of English life from pre-war time until today. Running time, 90 minutes.

BRUCE ALLAN

Warners Re-sign Gargan

Hollywood, Sept. 24.—Warner have re-signed William Gargan to a long term contract. Gargan is in London vacationing with Leslie Howard at present, but will return here shortly.

Hollywood Personalities

Hollywood, Sept. 24.—Jack Cox, recently signed by Paramount, has arrived from Cleveland where he was “discovered” by a talent scout. Jackie Coogan has enrolled at the University of Southern California. Elissa Landi vacations at Lake Tahoe. Claudette Colbert has a new lot in Holmby Hills. Robert Florey appeared in a wool plaid scarf at a temperature of 98. Virginia Pine’s split back evening gown is the talk of the town. Eugene Rappaport signed for “An Old Sante Fe” at Mascot. Miriam Hopkins will do “Becky Sharp” for Radio before going to Goldwyn for two pictures. Sylvia Sidney has closed her beach home and moved to Lyda Roberti up again after a severe cold. Jackie Cooper received a set of trap drums as a natal day gift from his mother. Harry Rapf escorted a party fishing off the San Diego coast. Douglas Montgomery made a date with a girl for Sardi’s and absent mindingly waiting at the Vendome. Neil Hamilton spending his birthday on the crest of Mount Whitney.

Para.’s New Plan Delayed

By Subsidiary

(Continued from page 1)

which is reported to be worth millions. The reorganization plan of Paramount Broadway is considered one of the few remaining obstacles in the revamping of the entire organization. Action to postpone the Paramount Broadway hearing was taken upon the request of counsel for the Paramount Publix trustees, who told Referee Joyce that objections to the subsidiary’s plan of reorganization could be broached out if more time were granted.

The Paramount Publix trustees’ attorneys indicated that in the meanwhile they would meet with the legal representatives of the realty corporation in an attempt to remove objections to the latter’s plan of reorganization.

Paramount Broadway bondholders made a demand before Referee Joyce yesterday for a detailed reporting of statistics of all foreign subsidiaries of Paramount. The charge was made that accountants representing three bondholders had been denied permission to look at the corporation’s books. In addition to being against good business practice, the revelation of the information desired would give away to competitors many of Paramount’s trade secrets. They further declared that the objecting bondholders failed to represent the holders of the total bond issues or 10 per cent of creditors as required under the new bankruptcy laws.

Leontine Sagan Coming

Hollywood, Sept. 24.—Leontine Sagan, Europe’s outstanding woman director who was signed by David Selznick during his recent trip abroad, will arrive in New York next week en route to Hollywood to begin her career. Miss Sagan is best known for her direction of “Maedchen in Uniform.”

“U” Signs Joan Bennett

Hollywood, Sept. 24.—Joan Bennett has been signed for the chief feminine role in Universal’s “Man Who Reclaimed His Wife.” Bennett plays opposite Claude Rains. Lloyd Hughes and Carol Coome have also been assigned featured roles. Edward Ludwig is the director.

To Hear Health Suit

A motion will be argued in Supreme Court today that certain evidence in the $1,000,000 suit brought against M-G-M by Edwina Booth be ruled out. The actress charges she ruined her health during the filming of “Trailing Horn.”

Gaumont Holds Fischer

CHICAGO, Sept. 24.— Abe Fischer will become Gaumont’s new branch manager here on Oct. 6. He succeeds Litish, who head this territory under a reassignment of the selling organization.

“Widow” to Open Oct. 6

Oct. 6 is the date set for opening of “The Merry Widow” at the Astor at $8 topper.
Discharging an OBLIGATION

ANY manufacturer who has won his way into the confidence of a great industry is under obligation to maintain the standards that have given his product preference. Eastman Super-Sensitive “Pan” is continually discharging such an obligation. On the lot... in the laboratory... on the screen... it is unfailingly delivering the same qualities that first made it a sensation in the motion-picture world. Eastman Kodak Co. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative
“Desirable,” “Belle” Loop Smash; Pulls $60,000 Take

Minneapolis, Sept. 24.—“Desira-
bale” ran away with the big money here last week, helped by Abe Lyman and his band. The take at the State was $6,500, up by $1,000.

In St. Paul Mac West in “Belle of the Nineties” also ran up to $5,600, over the mark by the same amount.

“One More River” grossed a strong $3,000 at the World here. “Crime Without Passion” at the Hi-Dee were strong St. Paul attractions.

Total first run business in Minne-
apolis was $23,500. Average is $23,-
000. Total St. Paul business was $19,-
000. Average is $16,000.

Estimated takings:

Minneapolis:

Week Ending Sept. 20:

“CRIME WITHOUT PASSION” (Para.)
CENTURY—$1,400, 26c-40c, 7 days.
Gross: $4,600. (Average, $657.)

LYRIC—$1,300, 26c-35c, 7 days.
Gross: $2,350. (Average, $335.)

“The LOST PATROL” (Radio-
Television—$1,000, 26c-35c, 7 days.
Gross: $2,000. (Average, $285.)

RIVER—(Univ.)
WORLD—$600, 26c-37c, 7 days.
Gross: $1,200. (Average, $171.)

St. Paul:

Week Ending Sept. 20:

“BELLE OF THE NINETIES” (Para.)
PARKWAY—$4,000, 26c-40c, 7 days.
Gross: $6,600. (Average, $943.)

“CRIME WITHOUT PASSION” (Para.)
RIVIERA—(Univ.)
WORLD—$600, 26c-37c, 7 days.
Gross: $1,200. (Average, $171.)

“THE HUMAN SID” (Univ.)
RKO ORPHEUM—$1,000, 26c-40c, 7 days.
Madame Joseph Starr, Gross: $1,400. (Average,
$200.)

“YOU BELONG TO ME” (Para.)
TOWER—(Univ.)
LYRIC—$1,000, 26c-35c, 7 days.
Gross: $1,500. (Average, $214.)

“JANE EYRE” (M-G-M)
WORLD—$600, 26c-37c, 7 days.
Gross: $1,200. (Average, $171.)

Cal. I.T.O. Holds Benefit

Los Angeles, Sept. 24.—The I. T.
O. of Southern California’s benefit show to raise funds to combat ad-
verse legislation brought a capacity crowd to the Pantages. Starting at mid-
night it ran until five o’clock this morning. The program were 20 acts of vaudeville and a preview of the Samuel Goldwyn film, “We Live Again.”

Pettijohn, Herron in L.A.

Los Angeles, Sept. 24.—C. C. Pet-
tijohn of the Hays organization ar-
rived here yesterday to head the League of California Municipalities on taxation. Another M.P.A.A. representative arrive the coast today was Major Fred L. Her-
ron, who is on a 10-day vacation.

Harold Lloyd Off Today

Harold Lloyd and his wife return to the Hollywood home after several weeks in town. Yesterday they attended the evening performance of “The Red Cat” at the Broadhurst.

Montreal in Boom;
“You Belong” High

Montreal, Sept. 24.—Stirring times were experienced by Montreal’s main-
stream theatres last week. With a return of vaudeville, Loew’s was out in front with $11,500, the screen attraction being “You Belong to Me.”

The Capitol went over the top on a take of $12,500 for “The Girl from Missouri.” Another house abovo par was the Princess with $6,500 on two British pictures, “Evergreen” and “A Cup of Kindness.” The weather was cool, two days; warm, three days; wet, two days.

Total first run business was $43,000. Estimated for the week ending Sept. 22:

Week Ending Sept. 18:

“COUNT OF MONTE CRISTO” (U. A.)
UNITED ARTISTS—$7,200. 3e-40c-6c, 2nd week.
Gross: $15,000. (Average, $7,500.)

Week Ending Sept. 20:

“BELLE OF THE NINETIES” (Para.)
OCTAGON—$4,000. 3e-56c-8e, 7 days.
Gross: $10,000. (Average, $1,429.)

“CRIME WITHOUT PASSION” (Para.)
CHICAGO—$4,000, 3e-56c-8e, 7 days.
Gross: $10,000. (Average, $1,429.)

“DRAGON” (F. Fox)
MURDERS—$1,000. 25c-40c, 7 days.
Stage: The Oriental, Gross: $2,000. (Average, $285.)

“THERE’S ALWAYS TOMORROW” (U. A.)
PALACE—$3,000. 26c-38c-5e, 7 days.
Stage: Harry Smith and orchestra, Sisnik & Vernon. George Beatty and others.
Gross: $6,000. (Average, $857.)

Week Ending Sept. 21:

“DAMES” (Warners)
ROOSEVELT—$7,000. 26c-38c, 2nd week.
7 days. Gross: $14,000. (Average, $2,000.)

“JUDGE PRIEST” (Fox)
AFRICAN—$1,000. 26c-35c, 7 days.
Gross: $2,000. (Average, $285.)

“BRITISH AGENT” (F. N.)
(Second Loop Week)
GARRICK—$900. 26c-35c.
Gross: $2,000. (Average, $500.)

Week Ending Sept. 22:

“CHARLIE CHAN’S COURAGE” (Fox)
STATE—$1,000, 26c-35c, 7 days.
Stage: Kenneth Harlan, Al St. John, John Peery, and others.
Gross: $2,000. (Average, $285.)

Ted Morrison to Omaha

OMAHA, Sept. 24.—E. R. Cum-
ningham, manager for A. H. Blank’s Tri-State Theatres, disclosed last night that Ted Morrison will be brought from Rock Island, Ill., where he has been managing a theatre there, to manage the Paramount here, set to open Thursday.

“Kid Millions” Previewed

San Diego, Calif., Sept. 24.—“Kid
Millions” was previewed at the Fox here last night before an audience that included Eddie Cantor, who is the star of the film, Al Jolson, Ruby Keeler and Gloria Stuart.

20th to Film “Red Cat”

“The Red Cat” will be filmed by 20th Century; Joe Moskowitz, vice-
president of the company, asserted when questioned during intermission at last night’s performance of the play at the Broadhurst.

Quits Central Casting

Hollywood, Sept. 24.—Marian
Mills, director of the women’s division of the Central Casting Agency since 1926, resigned today. No successor has been named.

“Dames” Gets $13,000, But Frisapo Slumps

SAN FRANCISCO, Sept. 24.—The
town went for “Dames” in a big way, the Paramount gross knocking over by $2,000 for a total of $13,000. For some unknown reason business was dull elsewhere, the other par draw being “Affairs of Cel-
list” and the United Artists with “One Night of Love” falling off to $8,000 in its third week at the Orpheum.

Total first run business was $9,000, Average is $8400.

Estimated takings:

Week Ending Sept. 18:

“YOUNG AND BEAUTIFUL” (Mascot)
GOLDEN GATE—$2,800. 26c-30c-6c.
Stage: Fort Worth, band. Gross: $5,000. (Average, $1,250.)

“SHOCK” (Monogram)
“MONEY MEANS NOTHING” (Memo)
IMPERIAL—(F.)
25c-75c. 7 days.
Stage: Carmen, Bell Bros. & Grace; Bassie; Lightning Bud; Francis & Volty, Will Maslin’s Gang; Lee Shelley, Gross: $8,000. (Average, $1,143.)

“YOU BELONG TO ME” (Para.)
LORE—$2,400. 26c-35c-6e, 7 days.
Stage: The Bowery Match Hall Follies.
Gross: $4,800. (Average, $686.)

“HIDEOUT” (M-G-M)
PALACE—$2,600. 26c-38c-6c.
Gross: $5,500. (Average, $786.)

“EVERGREEN” (British)
“A CUP OF KINDNESS” (British)
PRINCESS—$1,200, 26c-38c-6c.
7 days, Gross: $2,400. (Average, $343.)

Seven Fox Extras Hurt

Hollywood, Sept. 24.—Seven extras were injured today when they fell 20 feet during the filming of a scene for Fox’s “East River.”

Special D. C. Pro-
injection Lamps have been designed to use these new carbons developed by the Research Labora-
tories of National Carbon Company, Inc.

National SUPREX Carbons provide brilliant, snow white, High Inten-
sity Projection for the smaller theatres using direct current.
New Fox Met Plan Aims to Avoid a Sale

Palmer Lines Up Details For Court’s Study

A sale of Fox Metropolitan Pictures is averted, and Skouras and and force are retained as operators of the circuit in a plan of reorganization developed by Archibald Palmer, counsel for a Fox Met bondholders’ group, which is expected to be ready for presentation to Federal Judge Julian M. Fahey early next week, it was announced yesterday.

Palmer’s plan provides for making callable to bondholders a $700,000 interest in the circuit here, and Southern California theatres, which would have been released under the plan of reorganization. The plan was not announced to the bondholders for the purpose of avert the sale.

(Continued on page 10)

W. C. Expanding In So. California

Los Angeles, Sept. 25—Fox expansion is expanding by acquiring additional theatres, some of which are dark. The new acquisitions will bring the number of houses operated by the circuit in Southern California to 150 active theatres.

To facilitate the operation of such large group, E. W. C. has set up (Continued on page 10)

Denies Allied Union Talking Basic Scale

Allied M. P. Operators’ Union is taking no part in negotiations for a basic wage scale for operators, declares Murray Harston, attorney for Allied.

Reported that Joseph Blatt is acting as a representative of Allied in the conferences are incorrect, he says. J. Blatt is business agent for the Empire State Union.

Harston says Allied has refused to participate in the conferences because there is no power under the code to enforce any agreement that may be reached.

Utah Grosses Touch $1,126,000 for 1933

Washington, Sept. 25—Seventy-four film and vaudeville houses in Utah last year had gross receipts of $1,126,000 and payrolls of $270,000, the U. S. Census Bureau reports.

Eleven of the theatres were located in Salt Lake City, reporting receipts of $461,000 and payrolls of $153,000.

Para. in 7 Spots

Seven theatres along the main stem will show Paramount pictures this season. The houses are: Music Hall, Paramount, Rialto, Mayfair, Capitol, State and Palace. There’s a possibility of the boxes playing at least one by virtue of its joint booking deal with the Rialto.

Para.’s Bank Action Faces Delay Again

A further adjournment of preliminary steps in the suit brought by the Paramount Trusts to set aside an alleged $13,200,000 claim preference of the company’s creditor bank group in order to permit further consultations on a settlement of the suit was granted yesterday by Federal Judge Alfred C. Cox.

The adjournment was granted to Oct. 23 on the application of Morton G. Bogue, counsel for the bank group, (Continued on page 10)

Congressmen Study Para. B’way Plan

The plan of reorganization for the Paramount Broadway Corp. subsidiary, with an annual title to the Paramount Bldg. and Theatre in Times Square, came under the scrutiny of the Congressional Real Estate Bondholders

(Continued on page 10)

Fitzgibbon Here on Para. Joinville Plan

Stephen E. Fitzgibbon, manager of Paramount’s Joinville studio in Paris, arrived yesterday aboard the Ille de France. His primary mission is to

(Continued on page 10)

Johnson Quits NRA Job; Resignation Is Accepted

Harry Park, N. Y., Sept. 25—President Roosevelt has made known today that Gen. Hugh S. Johnson has resigned as NRA administrator and that the resignation has been accepted. The action was no surprise. It will be effective Oct. 15.

Division Administrator Sol A. Rosenblatt, one of Johnson’s appointees, is expected to remain in office for some time to complete work on which he is engaged.

Johnson was in charge of the NRA

(Continued on page 10)

REPORT DEAL BY GAUMONT AND BIP

G. B. May Buy Maxwell Stock, or Companies May Amalgamate

London, Sept. 25—Reports current here have it that Isadore Ostrer, president of Gaumont British, is conferring with John Maxwell, president of British International Pictures, with a view to purchasing Maxwell’s interest in B.I.P., or amalgamating both companies.

Executives of Gaumont British in New York would neither confirm nor deny the London reports yesterday. However, one official stated that either of the reports could be true but he has not been notified of any deal. Mark Ostrer, chairman of the board (Continued on page 5)

Schlaifer Picked To Head G-B Sales

L. J. Schlaifer has been named sales manager of Gaumont British by George W. Weeks, general manager. One of his first moves will be to develop the Greater New York sales force. He may then make a tour of key cities.

Schlaifer was in the industry (Continued on page 5)

Comerford After 2 More in Rochester

Rochester, Sept. 25.—With all but one big downtown theatre under control, Comerford interested in bidding against Schine for the Madison and Monroe, first and second biggest neighborhood houses of the city, with the Fenngessy Brothers, owners, still holding out for a bigger price.

When Comerford came into control of the RKO Palace and RKO Temple, adding them to its Century, Regent and Capitol chain in Rochester, Loew’s was left the Rochester, 4,000-seat house and biggest in the city, as the only big house outside of Comerford’s management.

Code Amendments Up to Campi Body

The legal committee of Campi yesterday discussed two new amendments to the code and also reviewed contracts of all companies for possible (Continued on page 10)
Majestic Will Raise Film Budget by 25%

Majestic will increase production costs on its remaining nine pictures this season approximately 25 per cent. E. H. Goldstein, vice-president, stated yesterday that a series of meetings between Herman Gluckman, president; Larry Darmour, executive producer, and Frank Loesser, assistant to Darmour.

Three pictures have been completed and "The Perfect Clue" will go into production as soon as Darmour returns to the coast. Darmour, Hopkins and their wives will fly back to Hollywood Friday.

Myers in from England

John B. Myers, publicity and advertising manager of London Films, is in New York studying American exploitation methods. He will be here for about 10 days more.

Jay Paley on Coast

Hollywood, Sept. 25—Jay Paley, a member of the board of CBS, yesterday arrived to assume the presidency of Walter Proctor Prod., which is making six features for Paramount release, the first of which, "The President Vanishes," is now in work. Paley, an uncle of William S. Paley, head of CBS, will head the film association with the broadcasting company.

M-G-M Suit Postponed

The hearing scheduled for yesterday on a motion by M-G-M to prevent Edwina Booth from introducing certain evidence in her suit against the company for injuries allegedly suffered while she was making "Trader Horn" was postponed until tomorrow. Supreme Court Justice Philip J. McCook.

Book Waxman's Idea

A. P. Waxman is designer of a trick book issued by Walter Proctor Prod. on "Gambling." He is handling exploitation for the company. The art work was done by Lane, Friedlander.

Big Board Trading Shows Better Tone

MOTION PICTURE DAILY

WEDNESDAY, SEPTEMBER 26, 1934

Published daily except Sunday and holidays by Motion Picture Daily, Inc., subsidiary of Quigley Publications, Inc., Martin Quigley, President; Colvin Brown, Vice-President and Treasurer.


Obtains Test Rights

Universal yesterday acquired the exclusive rights from the National American Beauty Pageant to make screen tests of the winner and such other entrants as seem to the officials of the company to have picture possibilities. The contest will be held in Madison Square Garden, with approximately 3,000 entrants.

“U” Has Six in Work

Hollywood, Sept. 25—With active production started today on "When a Man Sees Red," six films are now in active work at Universal City. The others are "The Good Fairy," starring Margaret Sullivan; "Night of the Gods," "Cheating Cheaters," "The Man Who Reclaimed His Head" and "Life Returns."

declare low dividend

Marcus Loew Theatres, Ltd., of Canada, declared a dividend of 0.75% a share yesterday on the 7 per cent preferred stock, payable Feb. 15, 1935. An account of accrued dividends, which amount to $43.75 a share after payment.

Cantor Eastwood Today

Hollywood, Sept. 25—Eddie Cantor, accompanied by his family, and Benny Holzman, leaves Wednesday for New York. The party will stop over in Chicago for a day to see the World's Fair.

Phillipson to Sail For England Today

Percy Phillipson, president of the General Register Corp., who has been in this country for the past nine months in connection with the reorganization of the company, is sailing for home this morning aboard the "Washington," to resume his duties as vice-president of the parent company, Bell Punct, Ltd., and Automatick, a British subsidiary. Phillipson is also managing director of the Automatik in London.

Jackie Cooper will meet Nova film footage upon arrival in London Friday. It will be the first time the juvenile stars of America and London will meet.

E. Borelli, Masterpiece Attractions, Philadelphia, was in town yesterday. He is the new major franchise holder in the Quaker City. Guy Humphrey arranged for the stories centered around Glencan born have been purchased by M-G-M. Two or more features will be made from them.

Clarence Ashcraft of Sterling Lamp Co., Los Angeles, is in New York at the Edison and plans to return today or tomorrow.

The easy axes, radio personalities, start work tomorrow at the Vitaphone studio in Brooklyn on their third show.

Frank B. and Giovanni Marenelli arrive from Italy on the Conte di Savoia tomorrow.

William Gedris of Ideal Seating Corp., Detroit, arrives today. He will stay at the Cadillac.

Louis Weir, Skouros attorney, made a quick trip to Philadelphia yesterday.

Hal Roach will not leave for the coast for another week.

Are Montague returns from the coast next week.

James Clarke of Philadelphia was a visitor yesterday.

Josef Plunkett is in Canada on business.

Cliff (Ukelele) Edwards is in town.

Mae Sets Coast Record

Los Angeles, Sept. 25—"Belle of the Nineties" broke a four-day record at the Paramount, taking $17,500.

I'm a Lady' West's Next

Hollywood, Sept. 25—"Mae West's next film for Paramount will be called "I'm a Lady."

Hoffman Reaches Coast

Hollywood, Sept. 25—M. H. Hoffman of Liberty Pictures arrived here today from the east.

N. Y. Allied to Meet

Albany, Sept. 25—Allied will hold a meeting here tomorrow at the De Witt Clinton Hotel.

Mascot Announces

KEN MAYNARD

IN "MYSTERY MOUNTAIN"

(IN PREPARATION)

"In Old Santa Fe"

(IN PRODUCTION)

Mascot Pictures Corp.

1776 Broadway—NEW YORK

Purely Personal

David Leo Agee, vice-president of International Sales Corp., left for London Friday. It will be the first time the juvenile stars of America and London will meet.

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With Pride in Our Heart—

Happily Metro-Goldwyn-Mayer watches the electrifying success of "THE BARRETTS OF WIMPOLE STREET" at the box-ovices of the nation. It was our dream to bring the two lovers of "Smilin' Thru" together again in an equally beautiful romance. Fortune was kind and the perfect vehicle appeared. The press showers unstinted praise, the public is thrilled, our exhibitor friends are elated . . . there is pride in our hearts! Congratulations to NORMA SHEARER, FREDRIC MARCH, CHARLES LAUGHTON and all the others who together have given the world this glorious entertainment!

NATIONALLY ADVERTISED in 40 Magazines. Greatest campaign in the history of motion pictures.
G. B. Reported
In London in
Deal with BIP

Schlaffer Picked
To Head G-B Sales

(Continued from page 1)
and general manager of G-B, is here from Gaumont British in
America.

Jeffrey Bernard, who preceded Oster as a director, also has
been working day and night on the development of G-B in this
country. Oster plans to sail for London in about three weeks and Bernard
will remain until a sales force has been set up nationally. George Weeks
is general manager in Boston.

Will Rogers Gets Back

Will Rogers came yesterday on the ill-fated New York
brown hat and gray suit. It was
the final leg of his round-the-world tour. He will stop here for a
week with his daughter and take the
polo games before going to the coast to
start work in "The County Chairman for Fox."

Boyer Contract Exclusive

HOLLYWOOD, Sept. 25.—Charles
Boyer, in exclusive contract with Walter Wan-
er's People. This French actor will make all his American
pictures for this company. Boyer is
now in Europe doing a film. He is
set for "Private World" when he re-
turns.

M-G-M Signs Una Merkel

HOLLYWOOD, Sept. 25.—Una Merkel
has been signed to a new long-term
contract by M-G-M.

Looking 'Em Over

"Crimson Romance"
(Mascot)

A novel twist is given to a war time aviation story in this by presenting
Ben Lyon as the adventurous American who volunteers for service with
a German air squadron prior to America's entry into the war. The pic-
ture as a whole, however, misses
the mark.

Lyon, and James Bush, who play the part of an unnaturalized Ger-
man-American, volunteer in the German war service after Bush has
been barred from employment in plane factories here because of his alien
birth. When America enters the war, Lyon escapes in a German plane
and later leads an Allied squadron to the munitions dump that he had
formerly guarded with a German air unit. The raid is successful for the
Allied force but Bush is killed in the air by Lyon, seized as the
intruder. Intervenons is a romantic rivalry between the two bud- durers
of Sarl Maritza, a German ambulance driver, with whom Lyon is reunited
after the war.

Air sequences are good and the cast names may aid in some locations.
In addition to those named there are Hardie Albright, Erich Von Stro-
heim, William Bakovol, Vincent Barnett, Purnell Pratt, Jason Robards
and Oscar Apfel. Running time, 68 minutes.

Frisco Asks ASCAP
Probe by Congress

(Continued from page 1)
value, but has been designed simply for the purpose of increasing revenue
of the society at the expense of the members. It is claimed that the fees have
at no time been able to ascertain upon what basis the license fees are estab-
lished, and for what purpose the money from the licenses is used; that the present
license fee is already excessive and the proposed increase would be unreason-
able, unfair, unjust, and confiscatory.

The movement has the backing of hotels, cafes, restaurants and other
local units subject to license fees. It is unofficially understood that San
Francisco representatives will ask backing from all principal cities in
taking the fight to Congress.

Exhibitors Will Take
Stand on ASCAP Rate

(Continued from page 1)
today to take final action on plans for exhibitor opposition to the
increased music taxes being placed in effect on Oct. 1 by the American
Society of Composers, Authors & Publishers.

A preliminary meeting of the two
groups, presided over by Walter Vin-
cent, chairman of the emergency
committee, was held yesterday, at
which the main committee heard
reports on recent conferences had by
the legal committee with representa-
tives of the American Bar Association
at Washington. Vincent declared at the
close of yesterday's meeting that a
statement setting forth the exhibi-
tors' program of opposition to the in-
creased taxes would be issued today.

GFTA Invites Governor

ATLANTA, Sept. 25.—Gov. Eugene
Talmadge has been invited to address
the convention of the Georgia Indepen-
dent Theatres' Ass'n here, Oct. 1
and 2.

JERSEY DUAL BARGAIN BELIEVED TO BE DOOMED

(Continued from page 1)
by the Allied Observatory, New York City while Warners have added
12 radio acts to their program, Astor at
Bayonne, eliminating one of the two features. The Allied Observatory will
claim that the single feature policy
were adopted, a price war would follow, because the publishers do not want to sign
any agreement.

Executives of Allied still have
leisure till some of the 15 theatres
holding out will sign by Oct. 3.

PETTJOHN ASKS MORE UNITY IN TAX FIGHT

LOS ANGELES, Sept. 25.—Addressing
a special meeting of the I. T. O. of
California, Robert Pettijohn, general counsel of the M. P. D. A., urged closer coordination
between distributors and exhibitors to adopt
a program of legislation that might be imposed on the industry, es-
specially excessive taxation, admission...

Following Pettijohn's address the I. T. O. selected Harry Chittner to
represent its interests at the clearance
hearing to be held in New York Oct. 3.
The group also discussed certain
changes in the zoning schedule which,
if the belief of the board of directors of the
members of the local board represent-
ing unaffiliated exhibitors are mem-
bered by the M. P. D. A. to be ad-
mitted Exhibitors of Los Angeles, which
came into being as a result of a split in the ranks of the I. T. O.

DETROIT SMOKING TO BE STOPPED OCT. 10

DETROIT, Sept. 25.—Smoking in Detroit is out after Oct. 10. This
is the result of an ordinance which has been given final approval of the
Common Council. The new legisla-
tion was recommended by the Board of
Fire Commissioners after Fire Marshal G. S. Goldwater had termed
smoking in theatres a fire hazard.

Penalty for violation of the new
tax calls for a 30-day jail sentence
of $100 fine, or both. Punishment will
be meted out to both the patron
smoker and the theatre manager.

BALCONY SMOKING IN L. A.

LOS ANGELES, Sept. 25.—The city
ordinance permitting smoking in the
balconies of theatres in Los Angeles
yesterday. The result has been a great-
er demand for balcony than for orchestra
seats.

PARA. PICTURE RETITLED

HOLLYWOOD, Sept. 25.—"Wings in the Dark" has been chosen as the re-
title of Paramount's "Eyes of the Eagle."
September 24, 1934.

Mr. James R. Grainger,
Universal Pictures Corporation,
1270 Sixth Avenue,
New York City.

My dear Mr. Grainger:

I want you to know how very much we appreciated the extraordinary service rendered by the Universal Newsreel in getting the first pictures of the capture of the Lindbergh kidnapper to us so promptly last Thursday night. It really was remarkable evidence of a well-co-ordinated organization.

Our audience was entirely unaware of the event, and when the news was flashed on the screen, the fifty-two hundred people in the house were thrilled by it.

With all good wishes,

Cordially yours,

Howard S. Cullman.
first
/
STEP OUT WITH UNIVERSAL NEWSREEL!
PICK YOUR FAVORITE TRADE
They have different ways of saying it but the words all mean: "it's great!"

* **Variety Daily:** Excellent entertainment for both adults and children. Poignantly and emotionally told. Nothing overlooked from broad comedy to tear-jerking situations.

* **Film Daily:** A certain hit! Every boy and everyone who has been a real boy will want to see this picture. Jackie Cooper scores in title role.

* **Showmen's Round Table:** Box-office bull's eye loaded with adult and kid appeal. Excellent suspense...absorbing dramatic moments...hilariously funny situations.

* **Motion Picture Herald:** Chock full of salable elements. Humanly real...sympathy-stirring drama...comedy...tragedy...and unaffected heart-warming tenderness.

* **Motion Picture Daily:** A real hit! Rich and wholesome...full of vitality...glowing with incidents that tickle the ribs and wet the eye.

---

Jackie Cooper in

**PECK'S BAD BOY**

**THOMAS MEIGHAN**

**JACKIE SEARL**

**O. P. HEGGIE**

**DOROTHY PETERSON**

A Sol Lesser Production

Directed by Edward F. Cline

Screen play by Bernard Schubert and Marguerite Roberts
Para.'s Bank Action Faces Delay Again

(Continued from page 1) who told the court that a settlement agreement with a large group of bondholders was imminent and would make possible the submission of a final reorganization plan for Paramount Publix within the next few weeks.

Arthur A. Ballantine, of counsel for the Paramount Publix trustees, told the court that the trustees were uncertain as to whether or not they should oppose further postponement of the suit. He declared that if a settlement could be reached which the trustees could approve they would prefer a settlement to lengthy litigation. He added that the court held on the Paramount estate, but also felt that if a settlement could not be reached the suit should be begun at once.

Bogue said that the banks have already agreed to the plan of recon-
tant settlement. It is understood that the proposal calls for a cash payment to the banks of $3,000,000, with their $89,000,000 balance of principal due in six months as a general creditors' claim. Lansing Reed, representing the Paramount Publix bondholders' committee, declared the bondholders' committee would not have approved the settlement by Louis M. Loeb, representing the stockholders' committee.

Judge Cox stated that he did not believe the trustees could bring the bank suit to trial by early November and felt that the court could accept the responsibility of granting the adjournment, hoping the settlement might be reached. He added that the trustees' motion may be made again if a settlement is not effected soon.

Congressmen Study Para. B'way Plan

(Continued from page 1) Reorganization committee at its first session in the Federal Bldg. here yesterday.

Charles D. Hilles, Eugene W. Leake and Charles E. Richardson, trustees of Paramount Publix, were sub- poened by the Congressional committee for questioning in connection with the plan, as was Peter Grinn of William A. White & Sons, chair- man of the Paramount Broadway bondholders' committee. Arthur A. Ballantine of Root, Clark, Buckner & Ballantine, counsel for the Para-mount Publix trustees, aided in furnishing the committee with informa-
tion on the Paramount Broadway plan. Mr. Ballantine, a former member of which Rep. A. J. Sabath of Illinois is chairman, indicated that the group might be called again for further questioning in the future.

The Federal committee is engaged in a national investigation of the ad-
ministration of real estate for mort-
gage bondholders by committees estab-
lished for that purpose. The plan of reorganization for Paramount

New Fox Met Plan Aims to Avoid a Sale

(Continued from page 1) care for 20 per cent of their claim, 30 per cent of the balance would be met with four per cent cumulative bonds that will pay only 50 per cent in income bonds on which no interest would be paid until the entire balance has been retired. All of the common stock of the new company would be issued to Fox The-
der, Twentieth Century-Fox, which are virtually the only unsecured creditors. Skouras and Randolf would receive without salary, but would receive 50 per cent of the profits of the new company. The operators would also be responsible for new operating capital. The second complaint was that Roosevelt and Randolf have given tentative approval to this proposal. Palmer contends that his plan would end interminable litigation in the Fox Met picture, would give the bondholders some immediate cash, and would provide for a complete liquidation of their claims within eight or nine months. He would preserve the present Fox Theatre and Twentieth Century-Fox in Met, and would save the new company the $125,000 aggregate salaries of Skouras and Randolf.

F. W. C. Expanding in So. California

(Continued from page 1) a new operating division which will take in all theatres in Pasadena, Glendale and beach communities, the fallen Emy, former Skouras operator, the Warren, the Y. M. Heron circuit and all but one of the houses operated in southern California by Pacific National Theatres.

Men's G-M to Do Crime Yarn

Hollywood, Sept. 25—M-G-M will produce a new crime film based on the famous novel, and the story will be taken from the junior stock company. Harry Rapf will produce.

Sam Bischoff at Work

Hollywood, Sept. 25—Sam Bisch- off has returned from a vacation in Honolulu and has gone to work at Warners, where his next two produc-
tions will be "Sweet Music," starring Rudy Vallee, and "Casino de Paree," starring Al Jolson.

F. W. C. Expanding in So. California

Hollywood, Sept. 25—M-G-M will produce a new crime film based on the famous novel, and the story will be taken from the junior stock company. Harry Rapf will produce.

Reading Is Accepted

(Continued from page 1) plan when the enactment of the National Industrial Recovery Act. The bill was finally passed he made administrator with full control on Sept. 16, 1933. The combined company has 2,200 employees and 95 per cent of all industries are codified. It is anticipated the NRA will be administered on a commission prin-ciple, with four or five men in charge instead of a single individual. Two important developments have taken place. Under the commission, it is understood.

The setup the NRA will be divided into legislative, judicial and executive functions. One-man oper-
a is under attack from busi-
ness, labor and some people. Many claiming codes have been hand-
icap to recovery rather than a help. In recent weeks Johnson has been criticized for his iron handed admin-
istration by members of the Roosevelt official family, including Donald R. Henderson, a former member of the board of Disney, was right hand man to Johnson, and Secre-
tary of Labor Perkins. The dis-
crediting of the government came so acute the matter was finally taken to the President, and it is un-
derstood he decided on the new form of administration as most desirable for the NRA.

Code Amendments Up to Campi Body

(Continued from page 1) code violations. Many complaints have been received to the effect that the standard contracts of some dis-

Grievances Dropped At a Hearing Here

Two complaints were thrown out by the New York grievance board yesterday. One was an overbilling charge on new product and the sec-

mum of the board would not let the complainants complete their cases. The other was a charge that the board refused to meet with the plaintiff, with the right to file

The first case was that of the Royal, Portland, against the Strand and Ritz. Al Suchman, attorney defend-
ing the Royal, charged that Harry Shiffman had purchased 404 pictures for both houses when his requirements called for 312. Shiffman contended that up to date he had bought only 259 features and that he was more willing to meet cancellations and to provide sufficient playdates for pictures promised which may not be delivered.

The second complaint was that of Leon Rosenblatt of the Westwood, Westwood, N. J., against the Packach, same city, charging that RKO, Universal and Vitagraph were in a conspiracy with Skouras not to sell him pictures. Louis Seidler, attorney for Skouras, stated that aside from Fox, which the circuit has under franchise, Skouras had bought only Paramount. Since Skouras and Randolf have the same management, the circuit felt the complaint was premature.

Roscoe Turner Sailing

Roscoe Turner, speed flyer, who is aviation adviser to Warners, leaves for England aboard the Washington today to take part in the Australian-Melbourne air derby. The plane he will pilot has been named the Warner Comet.
ROSENBLATT MAY RESIGN NRA POST

Federal Loans On Equipment To Be Sought

WASHINGTON, Sept. 26—Resignation of Division Administrator Sol A. Rosenblatt from the NRA would not surprise observers here. He was regarded as third man in importance under General Hugh S. Johnson's regime.

New leadership and new policies are not expected to be made known for two weeks. The former probably will be announced just before General Johnson leaves permanently on Oct. 15.

Faced with a steadily growing opposition on the part of industry to the iron-fisted regime of the Johnson era, the President is understood to be meeting with some difficulty in securing the services of outstanding business men to head the organization unless they can be assured there will be no outside pressure.
First Division Will Delay on Treasurer

First Division will not name a treasurer under the reorganization set up today until the first annual meeting in April, it was reported yesterday. The four-day meeting starts tomorrow at the Park Central.

Product Service and new exhibitors will have the session held here at the meeting.

C. H. Thimmig Buried

St. Louis, Sept. 26.—Funeral services were held today for Charles H. Thimmig, 59, prominent real estate man and one-time theatre owner, who died at St. Anthony's Hospital on Sept. 24. He was admitted to the hospital about two weeks ago. Thimmig was brother of Walter A. Thimmig, operated the old Midway until about six years ago.

Miss Mehrmann Dead

OAKLAND, Calif. Sept. 26.—Helen Mehrmann, comedienne, who appeared on stage and screen in the past pictures, died here today after a prolonged illness. Her last appearance on the stage was in 1932.

Reardon Services Held

Funeral services for Stephen Reardon, who died early Tuesday, were held yesterday at the Walter B. Cooke Funeral Parlor. Burial was in the Calvary Cemetery.

Olympic Has Six Ready

Olympic Pictures, American distributor for Twickenham, Ltd., British independent producer, has acquired the first six pictures on a schedule of 18 which it will release for Twickenham this season, according to M. J. Lynch, Olympic president. Initial six are ready for distribution now.

L. B. Mayer and Wife Sail

NEW YORK, Sept. 26.—Louis B. Mayer and his wife sail tomorrow on the Paris for New York. While there Mayer completed details for M-G-M production unit in England. The ship is expected to arrive in New York Oct. 3 and will stay there one day.

Dr. Kalmas Going West

Dr. Horace T. Kalmas, president of Technicolor, leaves for Hollywood today or tomorrow.

Minister Sues Warners

HACKENSACK, N.J., Sept. 26.—Suit for $250,000 alleged damages was filed today in the Bergen County Clerk's office by Rev. Vincent G. Burns, pastor of the Union Church, Palisades, against Warners. He charges he was defrocked by Warners for a minstrel show on a ship.

Diamond's Deal Is Off

Davide Diamond's plans to produce two pictures a year for Columbia in England have fallen through. Diamond was returned from England yesterday, conferring with Joseph Sidelman, charge of foreign activities for Columbia, and Joseph Friedman, in charge of distribution in England.

Franchise on 2nd Year

RKO starts the second year of its exclusive franchise with Warners when "She Loves Me Not" opens at all the Palace.

Curb Issues Show Gains

Technicolor

Trans Lux

High Low Close Net Sales

Columbia Pictures, v.c.e. 3756 3656 3656 $30
Consolidated Film Industries, p.l.d. 1458 1458 1458 1458 500
Eastman Kodak, p.l.d. 143 143 143 143 3,000
Fox Film "A" 1298 1266 1266 1266 4,000
Loew's, Inc. 289 289 289 289 3,200
Paramount Public, etc. 41 41 41 41 800
Pathé Exchange "A" 24 24 24 24 300
Warner Bros. 564 564 564 564 5,000

RKO Bonds in 3-Point Rise

General Theatre Equipment 6s 40 7 665 7 665 7 665 250
Paramount Broadway 6s 40 46 796 796 796 796 500
Paramount F. L. 6s 47 374 374 374 374 2,000
RKO 6s 41 3 59 3 59 3 59 20
Warner Bros. 6s 39, wd. 56 594 594 594 594 1,000

"Kid Millions"

(Signed United Artists)

SAN DIEGO, Sept. 26.—Versatile Eddie Cantor jumps from Greece to Egypt in "Kid Millions," which was previewed here at the Fox.

OVERVIEW

There are plenty of exploitation possibilities in the new Cantor film—plenty of laughs and pretty girls and a fairly strong plot, although a half dozen scenes

Cantor is an East Side boy who inherits 77 millions left by his father, Prof. Edward Grant Wilson. The father had found the jewels in an Egyptian tomb, and his will stipulates that Cantor tries to claim the inheritance. Col. Harry Larrabee (Burton Churchill), head of a society which had financed Wilson, and Tough Guy Louie (Warren Hymer) and his girl friend (Ethel Stone) become interested in the jewels.

Ann Sothern is a pleasing eyeful as the colonel's niece. Cantor is nearly boiled in oil by an angry sheik (Paul Harvey), who wants to punish the Americans for breaking into his ancestor's tomb. The sheik's daughter (Eve Sully) falls for Eddie and saves his life. He finally escapes in a plane furn- nished by the girl. When he gets to New York he erects an ice cream factory for kids who never get their fill of ice cream.

Once the best box office color and the color being hoisted to 20-foot ice cream sodas. The most artistic shot is the wife's sheiks dancing for Eddie by a pool.

Donaldson's and Kahn's lyrics went over big with the audience, especially "When My Ship Comes In" and "Head on My Shoulder." Irving Berlin's "Mandy" is featured in a minstrel show on a ship.

Cantor furnishes most of the fun. The jokes are fresh enough to tickle almost any funnybone. Running time, 100 minutes.

Kaplar, Quigley

Clifton, N.J., Aug. 28, 1934—Harry Clifton, publisher of Clifton's Mirror, and Robert W. Quigley, of Quigley's Farm, were served with a notice of a motion to dismiss a suit in which they are defendants.

The suit was brought by H. W. Kaplar, of motorcycles, on Prickett's Hill, Bridgeport, Conn. It alleged that Quigley and Clifton endorsed a check which was returned by the bank.

The notice of the motion to dismiss was filed in Superior Court here.

Executive Committee of the Union, Palisade, against Warners. He charges he was defrocked by Warners for a minstrel show on a ship.
IMPORTANT NOTICE TO THE TRADE!

WARNER BROS. beg to announce that they will SPECIALIZE exclusively in the production of COMEDIES such as "Here Comes the Navy" MUSICALS in the manner of "Dames" ROMANCES like "Happiness Ahead", which previewers call "grand"—"a sweet picture"—"100% entertainment" AND DRAMAS such as "British Agent", which has just done 2 weeks' business in its first 5 days at New York Strand—

FOR 1934-'35
Sept. 22
WARREN WILLIAM
in
"THE CASE OF THE HOWLING DOG"
Introducing the New King of Crime-Hunters
—Perry Mason

Sept. 29
BARBARA STANWYCK
in
"A LOST LADY"
From the Famous Novel by Willa Cather,
Pulitzer Prize Author

Oct. 6
GUY KIBBEE
ALINE MacMAHON
in
"BIG HEARTED HERBERT"
From the Long-Run Stage Hit

Oct. 13
JOAN BLONDELL
GLENDA FARRELL
HUGH HERBERT
in
"KANSAS CITY PRINCESS"
The "Havana Widows" in gay Paree
WARNER BROS.' HAPPIEST SEASON

Oct. 13
DOLORES DEL RIO
in
"MADAME DU BARRY"
Warner Bros.' Royal Blush

Oct. 20
JOE E. BROWN
in
"6 DAY BIKE RIDER"
Backed by $100,000 National Quaker Oats Promotion Campaign

Oct. 20
PAT O'BRIEN
in
"I SELL ANYTHING"
A Riotous Comedy of Super-Salesmanship

Oct. 27
DICK POWELL
in
"HAPPINESS AHEAD"
with JOSEPHINE HUTCHINSON
The Season's Surprise!
Rosenblatt May Quit Recovery Post

(Continued from page 1)

be a return to industry of the meas-
ure of self-government to which it
tends it is entitled.

The four outstanding reforms now
needed in the N.R.A., according to ob-
servers, are the government's over-
seas; improvement in admin-
istration so that prompt action can be
given to problems; the elimination of
all kinds of red tape and superfluous
serve, and development of adequate
enforcement.

Announcement of Johnson's resigna-
tion, long anticipated, was followed
today by intimations that many of
his associates, particularly those
who have been the strongest in-
fluencers of the general's "crack down"
philosophy.

In the legislative events, it is
believed probable that if Rosenblatt
quits in the not distant future, the
administration, and his resignation,
will be taken over by his chief aide,
William P. Farnsworth.

The argument which this belief lies in
the fact that during the past few
weeks Farnsworth has been taking
over more and more of the code
work which has been handled exclu-
sively by Rosenblatt. He has
been handling some of the labor
problems and appreciation of laws
the legal division on extra and agency
committee reports; sat in, two weeks
ago, with the group which has been
by drawing up the general statement
of policy for the organization, and
morrow will attend the Camp meet-
ing in New York.

Allied at Albany
Again Hits Code

(Continued from page 1)

of negotiation, drafting and admin-
istration was passed.

Another resolution was passed for
a revision of the copyright laws. Ex-
tension of the N.R.A. and to
provide for a new and fair code with
unbiased government representatives also
was voted in a third reading.

The meeting was informal. Among
those speaking were Sidney Samuel-
son, president of the national organ-
ization; Nathan Yamin, president of the
L.T.O.A. of New England, and
Aaron Saperstein of the Chicago unit.

Officers elected were Abe Stone,
president; Chester Fenyvesky, Robert
Goldblatt and George King, vice-pres-
idents; E. F. Tarbell, secretary, and
Chester R. Didsbury, treasurer.

William Smalley is chairman of the
board of directors, which includes
Robert Goldblatt, Fenyvesky, Abe
Papayianos, Henry Frieder, H. C.
Morse, Charles Wilson, John W.
Goldblatt and Abe Rasaiy.

20th to Film 'Miserables'

Hollywood, Sept. 26—Twentieth
Century has raised its current pro-
gram to two features with the decision
to produce "Les Miserables," the Vic-
tor Hugo classic.

Raf, Jr., Producer

Like father, like son, fa-
vorite holds true in
the case of Harry Raf and
his son, Maurice.

Harry came from Russia where he spent
the summer looking over condi-
tions, reports today, in
Dartmouth to complete
his senior year.

Raf's son has written
two plays, one of which
was rejected from the
college and also has
made a short called "Dart-
mouth Days."

Stuart Named for
Columbia Ad Post

(Continued from page 1)

became general manager of the Hol-
lywood Theaters and film exchanges.
Stuart then joined Paramount and
was made division manager of the
firm's operations in Texas, Oklahoma
and Montana.

For four and a half years he was
general manager of the Poli circuit
in New England. He resigned this
post to join RKO and at one time
was managing director of the entire
circuit. He left RKO about two years
two ago and since has held an important
post with Publix in Detroit. Some
time ago he made a survey of Publix
theaters in Dallas and other sections
of the south for the trustees.

Circuits Against
Higher Sign Cost

(Continued from page 1)

would consent to absorbing the addi-
tional costs, and made the necessary
agreements with the contractors.

The possibility of a strike
sign writers was admitted by official
of a number of circuits. In the event
the contractors were unable to
make further headway with the circuit
of the increase the increases.

The union expects a final report from
the contractors within a week.

Denver's Holdovers
Up to 13 for Year

(Continued from page 1)

tied by "Belle of the Nineties," now
in its second week at the Denham.

The latest Mae West film holds
the house record at the Denham for
three weeks. In the previous two
years, "I'm No Angel," still holds
the house record for number of
patrons. Prices decrease
-ently from 15c, 25c, 35c, to 25c, 35c
and 50c.

Holdovers have been: "I'm No An-
gel," "My Little Lady," "Dinner at Eight," "Little
Women," "House of Rothschild,"
"I Married a Woman," "Gold Diggers," "Belle of
Treasure Island," "Chained," and
"Belle of the Nineties."

Montague Flies East

Hollywood, Sept. 26—Abe Monta-
gue, Columbia sales manager, is fly-
ing east.
"BARRETTS BIG!"

"Heigh ho the merry o'! We're dancing with joy. It's another 'Smilin' Thru'. Thank you NORMA SHEARER FREDRIC MARCH CHARLES LAUGHTON for 'BARRETTS of WIMPOLE ST'."

with Maureen O'Sullivan, Katharine Alexander. From Rudolph Besier's play. Directed by SIDNEY FRANKLIN
SHOWMEN!  BOX OFFICE

THRILLS MADE TO ORDER FOR YOU!

More Thrills Than the Public Gets
From a Four Alarm Fire!
"Check full of thrills."—VARIETY DAILY.  "Packed with thrills."—BILLBOARD.
Players Risked Their Lives To Give You

ONE EXCITING NIGHT
OF SEETHING — SIZZLING — SPECTACULAR ENTERTAINMENT — HEROIC RESCUES — PERFECT ROMANCE — SCREAMING COMEDY — POLITICAL INTRIGUE — THRILLS AND CHILLS!
"Romance, drama, comedy, action."—M. P. HERALD.
"Exceptionally well produced."—BOX OFFICE.

EXPLOITATION—Possibilities unlimited. ANY fire thriller is a natural—"NIGHT ALARM"—greatest of all thrillers—gives you instant effective tie-ups with City Officials, Fire Chiefs, Civic Bodies—a Fire Prevention Week—Newspaper co-operation—Radio broadcasts—ALL in the big Press Book.
"Showmanship and entertainment ... make contacts easily possible ... stirring up more than ordinary public interest."—M. P. HERALD. "Genuine major class production."—SHOWMAN'S ROUND TABLE.

WISE SHOWMEN are Booking "NIGHT ALARM" NOW!

MAJESTIC PRODUCING CORP.
RKO Bldg., 1270 Sixth Ave., New York — Exchanges Everywhere
NRA Placed Under Board By President
Also Sets Up Industrial Emergency Committee

WASHINGTON, Sept. 27.—The revised NRA today was placed under the control of a board of five by President Roosevelt. The board consists of Clay Williams of the R. J. Reynolds Tobacco Co., North Carolina; A. D. Whiteside of Dun and Bradstreet, New York; Sidney Hillman and Leon C. Marshall, labor representatives, and Walton Hamilton, industrial adviser, with whom all will sit, without vote, Blackwell Smith, legal.

Max Reinhardt Is Signed by Warners

Hollywood, Sept. 27.—Max Reinhardt, European stage director, who has just created a sensation with his outdoor spectacle, “Midsummer Night’s Dream,” at the bowl, has

Scully Is Named to Head G-B in Boston

Boston, Sept. 27.—John Scully formerly with Fox, has been put in charge of Boston sales of Gaumont British by George W. Weeks, general sales manager. Ben Rogers and Myron Schulman will be members of the sales staff. After making the appointments, Weeks left for Philadelphia to line up his selling crew there.

Two Cups for Nizer

Louis Nizer’s trip abroad was profitable in more ways than one. While going over on the Ile de France, Nizer won a silver cup when he chalked up high score in a ping pong contest. Coming back on the Conte di Savoia, he also won a ping pong game and walked off with another cup.

Customs officials yesterday declared that the Ile de France prize was worth more than the one awarded by the Conte di Savoia.

Eurpean Film Outlook Gaining, Says Giannini

Production and exhibition are picking up rapidly in England and are showing signs of improvement to a lesser degree in other European countries, declared Dr. A. H. Giannini, chairman of the executive committee of the Bank of America National Trust and Savings Bank. A news bulletin last week announced a new challenge aboard the Conte di Savoia.

Nicholas Ludington and William M. L. Fiske, 3rd, new interests in First Division, will be introduced to branch managers, salesmen and bookers at the company’s first annual convention which opens today at the Park Central.

In addition to formally introducing these men, First Division forces will hear outlined new product and expansion plans. The company intends to establish itself in the west where it will purchase interests in exchanges.

Brill in Charge of Sales for Principal

David Brill, formerly with Capital-Majestic, has been named general manager of Principal Film Exchange, Inc., by Sherman S. Krellberg, and Brill has named as his metropolitan sales staff Ben Levine, for the Brooklyn territory; Ben Schwartz, New York, and Harry Goldstone for Long Island and upstate New Jersey. A New Jersey man will be picked shortly.

Krellberg has gone to the coast to start work on the first of eight features, “The Lost City.”

ASCAP Unwavering On Its Tax Stand

The new music tax schedule proposed by A.S.C.A.P., which, according to exhibitor estimates, will increase theatre payments to the society from $300 to $1,000 per cent over the old rate of 10 cents per seat, becomes effective on Monday. The board of directors of A.S.C.A.P. met yesterday and voted neither a modification nor a modification.

Film Daily, also a passenger on the liner, agreed with this view and said that in England the gain is becoming a “big boom.”

Louis Nizer, executive secretary of the Film Board of Trade, and Winfield Sheehan, vice-president in charge of production for Fox, were among the film notables on the ship. Sheehan had little to say about his return last night (Continued on page 7)

Ludington and Fiske to Meet 1st Div. Men

KANSAS CITY, Sept. 27.—On Campi’s definition of what constitutes a member of the industry, in connection with the code provision relating to undue interference with the continued possession of a theatre, hinges the future of theatre operations in Jefferson City, Mo. The precedent-setting ruling expected from Campi will determine a case certified to it by the local grievance board. The chief point for determination is whether Harry Sodini, (Continued on page 10)

Campi Ruling Required for Lease Battle

Police Chiefs Ask Film Cooperation

WASHINGTON, Sept. 27.—Cooperation of the industry in stamping out crime will be sought by the International Assn. of Police Chiefs under a resolution adopted at its annual convention today.

Today’s action followed the side-tracking of the resolution offered yesterday, condemning the industry for its “glorification” of crime and commending the churches for their campaign for improvement. While a (Continued on page 15)

No Federal Action Expected on Para.

The petitioning creditors are represented by Charles H. Kelly who (Continued on page 10)

Jersey Allied Dual Plan To Be Changed

Allied of New Jersey has dropped its plan to adopt a single feature policy in the entire northern New Jersey area and instead will try to get exhibitors in each of the individual territories to drop duals.

With 92 per cent of the territory signed, Allied failed to get 15 theatres (Continued on page 10)

Deal for Katz Near Decision

Confer Today; May Be Aide to L. B. Mayer

Final action on a proposal by which Sam Katz, according to a new executive assistant to Louis B. Mayer at the M-G-M studios is expected to be taken today, at a conference between Nicholas M. Schenck and Katz.

Discussions on the proposal have been in progress for several weeks, was stated yesterday at Schenck’s office, and today’s scheduled meeting is expected to be conclusive, it was said. If the negotiations are concluded satisfactorily, Katz will accompany Mayer to the coast to assume his new duties within two weeks. Mayer is scheduled to leave Europe (Continued on page 10)

See Long Delay on Fox Theatres’ Bid

A cash bid by creditors of Fox Theatres for the company’s assets, which include all of the common stock of Fox Metropolitan Playhouses, is not believed to be possible in less than three months as a result of an order signed by Federal Judge Martin Manton requiring creditors who are petitioning for a reorganization of Fox Theatres to submit a special master for determination of their probity.

The petitioning creditors are represented by Charles H. Kelly who (Continued on page 10)

Turn Clocks Back

Daylight saving time will be ended tomorrow night. Clocks are turned back one hour at 2 A. M. Sunday.
MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Vol. 36  September 28, 1934

No. 75

RAY BOLTON has been appointed publicity and promotion director of the campaign of Joseph D. McGoldrick, independent candidate for comptroller in New York City.

Fred Fleck of the Radio staff, formerly an assistant director at the Paramount Long Island Studio, is in town doing Manhattan scenes for "Romance in Manhattan."

MRS. ELLEN D. HOPKINS, mother of THELMA HOPKINS, has organized a group of southerners at the Music Hall for the opening of "The Rich Girl in the World."

"Guy Kibbee gets on his way east to carry out his contract with the Metropolitan Opera Co. He has just finished work in Paramount's "Enter Madame."

JACKIE COOPER has written two parodies on "California, Here I Come," which will be a feature at the Rooster Street House, starting tomorrow.

TOM GABLE, art director at the Warner home office, is the father of a baby girl, eight-pounder, who has been tagged SUSANNE EYE.

Maurice Raff, son of Harry, left for Dartmouth College yesterday. The M-G-M producer left by plane for "Enter Madame."

TOD BROWNING'S and GUY ENDOE'S "Vampires of Prague," an original mystery yarn, has been bought by M-G-M.

AARON SACKS, pioneer film executive, celebrated his 48th birhtday at the Hotel Edison the other night with a dinner.

STUART ERWIN left for the coast last night on a hurried call from the M-G-M studios.

Police Stop a Picket

An attempt by a picture for a sign painters' union to parade in front of the Criterion yesterday afternoon was short lived. A police sergeant, who was watching two Local 300 pickets, noticed the third about to join the parade when he ordered him to drop the sign. The painters' picket folded his sandwich sign and walked away.

"Peck's Bad Boy" Is Shown—Reviewers

Trade and daily paper reviewers and a number of persons identified with cultural and educational organizations, including the San Francisco and Los Angeles chapters of "Peck's Bad Boy," last night at a private showing of "Peck's Bad Boy," at the Tivoli Theatre in Chicago.

Dinner preceded the showing of the picture in the Sert Room of the Waldorf Astoria. Among the guests were Jackie Cooper, the picture's star, and his mother, Mrs. Charles Gigliow, George Jessel, Norma Talmadge, Edward G. Robinson, Charles Carleton Dr. A. H. Giannini, Harry Hoxbaum, E. C. Granger; George O'Brien and the fourth girl, Marguerite Churchill, Harry Arden, Jessie Lee, and Howard S. Cullman.

"Peck's Bad Boy" was reviewed in the following broadsheet:

Peter Debye's at Ampa

It was Educational Day at the Ampa yesterday with plenty of talent on hand.

Talented guests who were present, and entertained were E. W. Hammons, president of Educational; Al Depinet, Miss King, of York and King; John Meyers, Ernest Truex, Jackie Cooper, Line Hix, Martha Ocellon, Donald Grofed, Marion Martin, Tom Howard and George Melton, the Five Cabin Kids, the Modernaires, and the Big Four, to name a few.

Hammons stated that facilities for producing in the east are most favorable for dramatics. It is very plentiful. Ed Finney was chairman.

Film Timing for Track

A film timing system, on the general principle of that used in track meets, will be employed for the first time in horse racing when the fall season opens way at the track of the Los Angeles Turf Club at Santa Anita, 35 miles from Los Angeles. It was revealed here yesterday with the announcement of the signing of a contract between Erpi and Charles H. Strub, vice-president and general manager of the track. Hal Roach is president. A partial demonstration was given yesterday at the Erpi offices.

Set Radio Chinese Deal

A deal for the distribution in China of all the RKO Radio new season series, excepting "The Scarlet Pimpernel," has been concluded by M. P. Co., Inc., of Shanghai, Ned Depinet, Radio Pictures head, said today. The contract is for "The Scarlet Pimpernel" and "The Telfair Knight," which is now in New York from Shanghai. This is the second consecutive season that Pesco has handled Radio distribution in China.

MOTION PICTURE DAILY

Purely Personal

SCHNECK VISITING MEXICO

Hollywood, Sept. 27.—Joseph M. Schneek and Douglas Fairbanks are flying to Mexico City where they will be received by Adolfo Ruiz, president of Mexico, on arrival. Schneek's mission, undertaken as official representative of the American motoring group, is to announce that his former wife, has to do with American pictures in Mexico. Saturday evening. Schneek and Fairbanks are guests of honor at the opening of the Mexican National Theatre here. From there the two will fly to Yucatan, Havana and Florida. Their journey will end in New York.

CUMMINGS COMING HOME

Samuel Cummings, head of the Eurela Prod., sales manager from Southampton on the Beringer after spending three months abroad. He is bringing with him to Chicago a $600,000 rights to "Extase" and "Young Love," two European features.

THEATRE OPERATORS HERE

Louis Drent, circuit operator in Denver, is in town. Likewise John and Barney Babayan from Chicago, also operators, en route from the Saenger circuit, New York.

JACOBS BACK ON COAST

Hollywood, Sept. 27.—Louis Jacobs is back from Arizona where he has been filming a story based on the lives of the Hopi Indians.

JACQUE COOPER plans to make a series of personal appearances which will keep him away from the M-G-M studios until the first of the year. His next engagement is La's, Jersey City, a week from today.

NORMAN KRAEKA, author of "Small Miracles," to film on the coast yesterday."

BRONCO BROWN is on his way east to carry out his contract with the Metropolitan Opera Co. He has just finished work in Paramount's "Enter Madame."

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You may love antiques!
...but PROFITS come only from PROGRESS!

Interesting in a museum

BUT this is the way to travel today

Hot stuff in 1905

BUT you use this for speedy mail service today

Looks romantic in pictures

BUT this takes you to Europe a whole lot quicker

Better than the old gray mare

BUT these are the kind folks buy today

You sneaked into a theatre like this

BUT crowds proudly go to this theatre today

So...
FOX REVOLUTIONIZES
so that you may

Bringing you box-office names...introducing darin

the news of the day. Dramatized by Laurence

fame as a newspaper, stage and screen write

commentators...favorite of millions. A subj

...an entertainment important to your theat

LAURENCE STALLINGS
LOWELL THOMAS

The New FOX
Everything new be
*and that's the en
THE NEWSREEL......profit from progress

Modern methods...injecting showmanship into

ings...whose vital imagination has won him

ated by Lowell Thomas...ace of radio news

unch and wallop. More than a newsreel

its drawing power!

MOVIE TONE NEWS

trade mark*

he world!
Give your patrons the *modern* newsreel... the newsreel of TODAY! Keep abreast of the times with the newsreel of personalities... of showmanship... of entertainment... of drawing power.

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**Released October 2nd**

Vol. 8, No. 5

*New FOX* MOVIE TONE NEWS

Produced by Truman Talley       Edited by Laurence Stallings
NRA Placed Under Board By President

(Continued from page 1)

adviser, and Leon Henderson, economics adviser.

At the same time the President said that he had appointed an emergency committee, consisting of Secretary of the Interior Ickes, Secretary of Labor Perkins, Attorney General F. M. Trask, and the head of the National Industrial Recovery Board to be selected). Relief Administrator Hopkins, Secretary of Agriculture Gifford Pinchot, and Donald R. Richberg.

The duty of this committee will be to make recommendations with respect to among other things, to contain clause, and industrial recovery and to determine the general policies of the administration of the Industrial Recovery Act.

Cincy Board Hands Down Three Rulings

CINCINNATI, Sept. 27.—Three decisions have been rendered by the grievance board. A cease and desist order was issued to the Favorite, Covington, O., on complaint of the Piqua Opera House at Piqua, O., charging reduction in admissions through two-for-one contest.

On complaint of the Family, at Hazard, Ky., the Virginia, same city, a stop order was issued to the Virginia, less than the minimum specified in contract, and to discontinue two-for-one contest.

In the postioned case of Paramount vs. the Lyric, Lawrenceburg, Ky., involving transfer of the theatre, representation in contract was found to be less than the minimum specified in contract, and to discontinue two-for-one contest.

Strand Clearance In Yonkers Is Cut

The New York clearance board yesterday handed down a decision declaring seven days’ clearance for the Strand, Yonkers, over the Hastings, Hastings-on-the-Hudson, is excessive, following complaint by the Hastings. The board held, however, that the Yonkers house was entitled to prior run.

Yesterday Campi postponed until the next meeting the complaint filed by the Forum and Fleckwood against Loew’s Victory. A decision on the Forum case was handed down, but Code Authority was stumped when it tried to decide the jurisdictional issue and then called a rehearing.

Report N. O. Zoning Revision Necessary

NEW ORLEANS, Sept. 27.—Complete revision of the clearance and zoning schedule is reported necessary as a result of the new set of principles adopted by Campi. The old schedule, recently returned, is now being studied.

Cleveland Cut Rate Is Ordered Stopped

CLEVELAND, Sept. 27.—The Family has been ordered to stop five-cent children’s Saturday matinee by the grievance board. Although the pictures exhibited at a nickel were bootlegged, without any contract, the board nevertheless ruled that the standard exhibition contract applies to the practice. The complaint was filed by the Woodland Centre Amusement Co., operating the Haltmoth Theatre.

The board dismissed the overruling of complaint of M. J. Glick, Lincoln Theatre, Dennison, against E. E. Bair, State and 30th Theatres, Uhrichsville.

In a second complaint against the Lincoln, charging reduced admissions in violation of contracts, Bair was ordered to end 10-cent admissions until 7:30 P.M. when exhibiting product from distributors whose contracts call for the same.

This disposes of all claims now on file.

The clearance and zoning board meets tomorrow to review the Cleveland and Toledo clearance schedules which have been returned by Campi for revamping.

Cost Coast Agrees To Code Board Order

LOUISIANA, Sept. 27.—Feldstein & Dietrich, operating the San Fernando, indicated not to take a chance on losing their film service. They have notified the grievance board they will comply with the code and offered to raise the rates. As a result, the board has withdrawn its order for stoppage of film service.

Ben Bernstein, operating the El Cortez in the Central Ave. colored section, has been ordered to stop advance advertising on pictures showing the Lincoln, operated by the code.

The American Amusement Co., operating Oxnard theatres, is facing suspension of its license, which will take effect today.

The hearings are to continue for the next two weeks.

Minneapolis Board Ends 11 Cut Rates

MINNEAPOLIS, Sept. 27.—Eleven theatres have here been ordered to end reduced admissions as a result of charges brought by Henry Green, exhibitor, before the grievance board.

Harry Dickerman of North Minneapolis and J. L. Smith of Columbus Heights, were the only defendants to deny the charge. Verbal fireworks developed during the hearing of these cases.

Dickerman says he will file an appeal with Campi.

Agency Problems to Be Heard on Oct. 17

WASHINGTON, Sept. 27.—Recommendations of the agency committee will be considered at a hearing to be held at this hotel Willard here, Oct. 17, it was stated today by Division Administrator Sol A. Rosenblatt.

No information regarding the recommendations was available today, the report of the committee being still in the hands of the printers. Rosenblatt will preside over the hearing.

New K. C. Clearance Submitted to Campi

KANSAS CITY, Sept. 27.—A draft of the revised clearance schedule for Kansas City, as completed by the local clearance and zoning board, has been handed to Campi yesterday. No information regarding the revisions will be given out until it has been approved by Campi.

If Code Authority sees fit to recommend further changes, the local board will again go into session to consider the proposed final drafts to the authority will be repeated until a satisfactory setup is reached. The subsequent procedure is that objections will go direct to Campi instead of to the local board.

The board goes into session Monday to begin revamping schedules adopted for St. Joseph, Mo., and Wichita and Atchison, Kan. The same procedure will maintain in these instances.

The revised Kansas City schedule is to be presented to the machinery operating last May. The first was scrapped following numerous objections.

Ask Court to Force Cincy Union Scales

CINCINNATI, Sept. 27.—Injunction suit charging violation of the code was filed against eight local theatres in Common Pleas Court yesterday by John J. Schneider, prosecuting attorney, acting under direction of Attorney General John W. Bricker, at Cincinnati.

The action requests that operators at the houses in question be punished for the same violations of the code, with result that “labor conditions in the motion picture industry have been thrown into chaos.”

The suit is an aftermath of investigations by John F. Toedtman, deputy administrator of the Ohio Recovery Authority, in charge of the M. P. Operators’ Union, Local 327.

The houses involved are: Class A: Monta Vista, Union scale 62.50 percent. Class B: Western Plaza and Hollywood, $50; Class C: Winton Place, Broadway, Clifton, Emery and Pendleton, $20.50 are neighborhood or suburban spots.

Sports Problems Picket Two Phila. Houses

PHILADELPHIA, Sept. 27.—Local 77, musicians’ union, began picketing the Stanley and Stanley-Warner downtown houses here, today, in an effort to force the employment of local musicians.

The union declares that all S-W houses will be picketed later. Romeo Cella, union president, stated that Warners own nineteen months of the local theatres and employ no musicians. He pointed out that other theatres in the city are paying up for the service by enlarging their orchestras.

The Eagle, he said, has increased its orchestra of 25 to 50 men and will raise its orchestra list from 18 to 40 men for a special concert stage show.

Open Schenectady Plaza

SCHENECTADY, Sept. 27.—The Plaza will be reopened Oct. 1, according to announcement of Schenectady Theatres Corp., and the State will be switched to a second run.

Campi Ruling Required for Lease Battle

(Continued from page 1)

a former southern Illinois theatre operator, is engaged in the business together with national booking agencies Miller theatres from W. H. Mueller before Dubinsky Bros. could consummate a deal with his own present owner, and then proceeded to negotiate a deal with Dubinsky whereby the latter would either sell the unexpired term of the current lease and, according to Dubinsky, offered to assign his interest in the property to Mueller, a bonus of $20,000 for the two houses.

The grievance board, passing the case to Campi for determination, decided that in order to find for Dubinsky, it was bound to find two elements existing; first, that Sodini and Mueller are engaged in the industry; second, that their actions were for the purpose of inducing a delay in the consummation of the transaction between Dubinsky and Mueller.

The whole case became involved with the fact that Sodini, a St. Louisan, has had no connection with the industry for more than fifteen years prior to the time of the offer. In addition, it indicated that his recent activities in Jefferson City and with Dubinsky are evidence of a purpose to induce a delay in the consummation of this transaction. With regard to Mueller, the board held the fact he operated the houses before leasing them to Dubinsky nine years ago and the fact he has been a party to the recent negotiations and as a de facto member of the industry.

Buffalo’s Clearance Calls for 17 Zones

BUFFALO, Sept. 27.—Buffalo would be divided into 17 zones in addition to its first run theatres under the revised clearance schedule prepared by the local board. A hearing will be held before Campi Oct. 9.

Niagara Falls theatres no longer would be able to show films ahead of Buffalo first runs, but could show day and date. Seven day clearance would be allowed to all houses.

Other suburban towns would be subject to the same clearance as Buffalo second run houses—30 days, and 42 days on holdover films.

Mrs. Herrick Named Regional Labor Head

Mrs. Elmo M. Herrick, vice-president of the Regional Board here, has been named regional director. Her territory will be expanded to include portions of New Jersey, Northeastern New York and Connecticut as far east as New York City.

Francis P. Godell of New Jersey is the new associate regional director. Ber Golden, executive secretary, becomes chief examiner.

1721
Every heart in every audience will beat faster when the rollicking vagabond thousands of "Caravan" make merry with full-throated song... make love in tempting, seductive melody. Every pulse will beat time to the enchanting tunes of these happy wanderers as they gather wine-filled grapes to tantalizing rhythm.

Your audiences will thrill to the gaiety of these joyous songs!

"HAPPY, I AM HAPPY"
"HA-CHA-CHA"
"WINE SONG"
Ludington and Fiske to Meet 1st Div. Men

(Continued from page 1)

now owned by independent. This follows the announcement of the company's invasion in Pittsburgh when First Division bought out Abe Schnitz-

ner, owner and general manager. Schnitzer has since resigned.

Although no new treasurer has been named, the board of directors now includes Harry H. Thomas, chairman; Ludington, Fiske and Robert Benjamin.

Among those attending the four-
day session will be: J. L. Rose, Ed-
ward Hochstum, Peggy Hawkins, Al-
hany; Elnor Lux, M. Brady, M. Schoeneid, Minna Gold, Buffalo; M. A. Lebenschmug, M. Chapman, M.
Vincent, Cleveland; Sam Rosen, Mike Levenson, John Goldmark, V. Seguino, Moe Sherman, Philadelphia; Joseph Skirboll, David Selznick, E. Skirboll, M. Wheelock, New York; in addi-
tion to home office representatives includ-
ing Charles Rosenzweig, general sales manager; Al Friedlander, Otto ederger and others.

The session today opens at 9:30 A.M.

N. O. Neighborhoods Arguing with Union

New Orleans, Sept. 27.—First runs are not expected to be affected by the trouble now brewing between the operators' union and neighbor-

hood houses at 8530 and 8560 Air Saenger houses, Loew's State and the Orpheum have contracts, and it is possible the St. Charles will sign one soon.

Subsequent runs are insisting that the wage cuts in effect last year be continued.

ASCAP Unwavering On Its Tax Stand

(Continued from page 1)

of the rates or a postponement of the effective date.

Exhibitors will rely for relief on the success of the Federal anti-trust suit seeking the dissolution of A.S. C.A.P. and other music licensing groups. Federal officials believe the suit can be brought to trial late in October.

Jersey Allied Dual Plan to Be Changed

(Continued from page 1)

to agree to eliminate duals. Each territory will be canvassed again to determine its decision.

The first of monthly meetings in Newark was held last night by the organization in the form of a beef- steak dinner at the Newark Athletic Club.

European Film Outlook

Gaining, Says Giannini

See Long Delay on

Fox Theatres’ Bid

(Continued from page 1)

stated at a creditors' hearing before Judge Manton last week that he was organizing a Fox Theatres creditors' committee to try to make a cash bid for the company's assets within a brief time. Judge Manton's order requiring a test of the claims is regarded as making such a bid impossible for at least three months, the time in which it would require a special master to examine the claims and make a report to the court.

Today in submitting the Fox Theatres' bid, however, is regarded by creditors of Fox Met as increasing the chances of reorganizing the latter story. "So many the better," it would be possible if a new creditors' group were to enter the Fox Met re-

organization proceedings at this late date.

No Federal Action Expected on Para.

(Continued from page 1)

 Paramount Broadway plan was fur-

ished the Congressional committee by Arthur A. Ballantine of counsel for the Paramount Publix trustees. The committee was also advised that ef-

forts are being made to meet all reason-
able objections to the plan made by dissenting bondholders.

The Congressional committee, of which Representative A. J. Sabath of Illinois is chairman, adjourned its hearings here for the time being after scoring many of the defaulted mortgage bond committees as "rackets." The New York Times was also charged with lack of cooperation with the Congressional committee. The association had offered the serv-

ices of James N. Rosenbarg of Ro-

senberg, Goldmark & Colle, but these were declined by the committee because of the law firm's association with Paramount Publix bankruptcy affairs and those of other concerns under scrutiny.

McLean to New York

Hollywood, Sept. 27.—Douglas MacLean goes to New York this week to discuss with Maxwell Anderson the picturization of the Stark Young novel. The yarn is being lined up as a vehicle for Pauline Lord.

Charles Miller Passes

New Albany, Ind., Sept. 27.—

Charles Miller, former operator of the Grand Theatre in New Albany, Ind., is dead at his home here as a result of a heart ailment.

Re-Sign Mary Astor

Hollywood, Sept. 27.—Mary Astor had her option renewed by Warners on completing "To a Walk on the Wild Side". The actress' next assignment is indefinite.

Deal for Katz

To Join M-G-M Near Decision

(Continued from page 1)

on the Paris tomorrow and will arrive here late next week.

While England is making rapid headway in production, it has a long way to go yet to beat America, which is taking their production problems seri-

ously and they have the sponsorship of the government, which Giannini deems wise and prudent.

He stated that English producers have their own form of censorship and want official body stops objection-

able films. "We can still send over a few men to show them a few things," he added.

Improvement Due to Us

Most of the improvements in English production are due to Ameri-
can stars, producers, directors and writers. Giannini believes British producers have to thank us for this.

The Bank of America executive deplored the mediocrity of dubbed films of American productions in Italy and France. He said he didn't know what was responsible for it, but that the printing it should be im-

proved. He said hundreds of prints used in this country. He held that the prints are so poor the projection is impossible to the ver-

sion. He added that if these were rem-

edied American pictures would do more good than harm to these countries.

He also stated that "the popularity of American films is not due to badness in England is very good." France has had a dull season, Giannini de-

sires, but is showing signs of im-

provement.

Louis Nizer, executive secretary of the New York Film, Radio, Trade and film attorney, was on the boat. He spent five weeks visiting all the European capitals and study-

ing the justice systems of these countries. He visited the judicial systems in every country he visited. Nizer also said he was impressed with the judicial systems.

Nizer also stated that the production of American films is the same as all other countries.

Allocco on English Situation

Allocco was more emphatic in dis-
cussing the English situation than was Dr. Giannini. "Motion picture business is having a boom in Great Britain," he said, "while on the continent the trend continues to be nationalistic with most of the countries making pictures primarily for their own con-

sumption.

"England is going through some-

what the same expansion trials as the United States went through," Allocco continued. "There is a tendency to-

ward overproduction and excess the-

ting, while negative costs are gradu-

ally mounting. "Theatre attendance is good in Great Britain. "The picture is put on continuously, and it is off from 25 to 40 per cent. American films are maintaining their leadership of the foreign markets."

Robert Edwards, a British design-

er for radio, and Mrs. Jones were on the same ship. They leave immediately for Hollywood. Other passengers were Mrs. Lucinda Rei-

chenbach, Giovanni Martinelli and Phil Baker.

Giannini to Attend

Col. Board Meeting

Dr. A. H. Giannini, chairman of the general executive committee of the Bank of America, National Trust & Sav-

ings, is to address the Columbia board of directors meeting tomorrow. He returned yesterday from a vacation abroad.

Giannini is a member of the Columbia board.
On Short Subjects
the name Hal Roach
is like 14 Karat
on gold
Hats off to Hal Roach! This is his 21st year as Short Comedy leader. He has stayed on top because he believes that quality and star value are as important to short subjects as to features. Hal Roach never hesitated when others wavered. His career and resources have been pledged to the perfection of the short comedy for the happily balanced show. That's why a Hal Roach Comedy on your program is the entertainment argument that clinches the ticket sale!

In the whole industry the ONLY GREAT STUDIO devoted entirely to the SHORT COMEDY!

Above is a photo of the only big scale studio in films which makes the Short Comedy its exclusive business! No equipment too ambitious for the Hal Roach Studio... its resources and personnel are FEATURE STRENGTH just like the splendid entertainments that come from it to your screen!

STAN LAUREL OLIVER HARDY

This teamfull of merriment is an American institution! The only big time feature stars who also come to you in short comedies!
THELMA TODD
PATSY KELLY
Exhibitors tell us they have become the female Laurel-Hardy team! Your public will like these gay, giddy gals more than ever in their new routine.

CHARLIE CHASE
A welcome addition to any program, because the Charlie Chase comedy has long proved itself a consistently likable fun film. An established marquee name!

IRVIN S. COBB
The first Irvin S. Cobb comedies have definitely confirmed the showmanship inspiration of Hal Roach. The chuckling personality of America's idol is on the screen!

OUR GANG
It has been an achievement in picture making to successfully present these juvenile stars during so many years. The public loves them, and Spanky and his Gang go merrily on!
HAL ROACH COMEDIES

3 LAUREL-HARDY
8 CHARLIE CHASE
7 IRVIN S. COBB
8 Thelma TODD
   Patsy KELLY
6 “OUR GANG”
   featuring Spanky

—merrily presented by
THE LAUGHING LION

THEY PLAY RINGS AROUND ALL OTHER COMEDY SHORTS!
Police Chiefs Ask Film Cooperation

(Continued from page 1)

small group in the organization pressed the resolution, cooler heads on the council convinced them that the police should not get mixed up with the churches and should develop good feeling rather than ill, among the producers.

The resolution passed today, which asserts that "through the instrumentality of the motion picture industry the youth of the country may be taught a proper respect for law and order," directs the president of the association to appoint a committee of two, one of its members to be himself, "to confer with executives of the motion picture industry to see what steps may be taken to utilize the educational facilities of the motion picture along those lines."

James E. Davis, chief of the Los Angeles police, was chosen to serve on the committee with Peter J. Siccari of the Brooklyn, N. Y., president of the association.

Chicago Legion Has 50,000 in a Parade

CHICAGO, Sept. 27.—Fifty thousand students in parochial schools and colleges marched down Michigan Boulevard today in the first public exhibition of the Catholic Legion of Decency film drive.

Some of the banners carried read: 
"Youth must see, but clean films must be.
"Chicago youth shall boycott evil films."

Most Rev. Bernard J. Sheil, auxiliary bishop of Chicago and chairman of the steering committee of the Chicago Council of the Legion of Decency, spoke over WJRZ tonight at 7:45 o'clock. His subject will be "Youth and the Motion Picture."

These are scenes of a series of four broadcasts over a national network by the Legion.

Film Debate Set at Methodist Session

CARTAGENA, Mo., Sept. 27.—A debate on films will feature the annual Missouri Session of the Methodist Episcopal Church, which opens here Wednesday. Leslie J. Lyons, Kansas City lawyer and president of the Day Conference, will preside for a "cleaner" screen, while Howard E. Jameson, Fox Midwest district manager at Wichita, Kan., will present the theatre man's viewpoint.

After each has finished speaking an open question period will be led by R. Carter Tucker, another Kansas City lawyer. Approximately 500 ministers and a like number of laymen will attend. F. W. McConnell of New York, a conference speaker, is expected to hear the film discussion.

Form Film Committee

OMAHA, Sept. 27.—The Omaha Council of Churches has organized a better films committee. Material for sermons on films is being sent to pastors here by the Federal Council of Churches.

Hungary Heat Sets Back Fall Pictures

By ENDRE HEVESI
Budapest, Sept. 27.—The heat wave that prevailed here at the end of August and the beginning of September has put the heat on the heat wave, with "Storm at Daybreak" the first American film to be shown here in a long time, and the motion picture industry is being transferred to the Casino three weeks at the Royal Apollo. "I Am Suzanna" had a two-week run at the Forum while "Fox Follies of 1934" got good notices at the Decsi. "Condemned" can only run a week at the "Hollywood" syn-chronized in Hungary, for a for certain of Cradle Song." The film and Kamara simultaneo-ously, "Beloved," kept afloat for a fortnight at the Casino, but "Mandala," had only a week at the Radius. "Little Man, What Now?" was very well received by the discriminating public. "The Private Life of Sherlock Holmes," "The Winter," was taken off after one week.

Much is expected from Russian pictures, which will be shown in Hungary for the first time this season. Since Soviet pictures have been barred under the terms of the special treaty with the Soviets, Russian pictures are admitted. Six are on schedule at various theatres.

Max Reinhardt Is Signed by Warners

(Continued from page 1)

been signed to a long term contract by Warners.

His first under the new contract will be a film version of the Shakespearean bowl spectacle, and is expected to start work about Nov. 15.

Commenting on the fact that for 15 years Reinhardt had refused to connect himself with films, Jack Warner, vice-president in charge of production, said: "We believe there is a definite place for the presentation of Shakespearean plays, and we consider the addition of Prof. Reinhardt to our production forces a distinct achievement. We are confident that Prof. Reinhardt will attract not only the regular patrons, but millions of new ones."

Reinhardt's work will not be confined to Shakespearean productions.

Statements commenting on the signing of Reinhardt were issued through Warners today by John Baha-

Los Angeles Public Library Rates Films

LOS ANGELES, Sept. 27.—The public library has established a motion picture committee to build a collection of foreign films suitable for adults, children and families. The classifications are made by women's club leaders who have been reviewing films for the past two years.

Reviewers are representatives of the Daughters of the American Revolution, National Society of N. E. Women, General Federation of Women's Clubs of California, Congress of Pe- nants and Teachers, Inc., National Federation of Women's Clubs, the Women's University Club, United Church Brotherhood and the National Council of Catholic Women.

The bureau will inform inquirers as to whether pictures are tragedy, comedy, farce or fantasy, or whether they adhere to traditional moral codes. It will not attempt to pass on the artistic or entertainment value of pictures. Information will be given out by phone.

Sells York, Neb., Houses

YORK, Neb., Sept. 27.—Charles McCloud has sold his two theatres, the Sun and York, to Central States Thea-
tres Corp. This gives Central States 13 houses in the Omaha trade territory.

Hall M. C. at Wichita

WICHITA, Sept. 27.—The Fox Orpheum, originally a vaudeville house, has been converted into a 1,000-seat movie theatre. "U" Switches a Title

Hollywood, Sept. 27.—The title of Universal's "What Ladies Dream" has been changed to "One Exciting Adventure." The film top spots Bin-

 enforcement of Decency.
MOTION PICTURE

DAILY

16

September

Friday,

28,

1934

"Barretts" Pittsburgh 's Hit "You Belong"
Top "Cristo" At $19,000, Over by $7,000 $23,000 Top,
—With
And "Dames"
Philadelphia

Washington's

Pittsburgh, Sept. 27.
exception, the Fulton, business

—

one

was up

over town last week and par

all

fell

Washington, Sept. 27 "The Count by the wayside all along the line.
The big noise was "The Barretts of
of Monte Cristo" and "Dames" were
outstanding hits here last week. The Wimpole Street," which drew a nice
$5,600 on a
Keith's and

by

par

topped

former

gross of §17,000 at
was a big surprise.

RKO

The

was

latter

good for $21,700, over normal by
$4,100, with a stage show, at the Earle.
Business was generally good. The
Rialto had a fine $4,000 on "There's

carriage trade to the Penn all week
and gave the house a fine $19,000, exactly $7,000 above average. The Stan-

jumped with "She Loves Me
Not," getting $12,000, while the Alvin
had no kicks coming with "The Cat's
Paw," holding for nine days and gathering a profitable $8,500.
ley, too,

Always Tomorrow." "Murder on the
At the Warner, "Crime Without
Diamond" grabbed $21,500 at Loew's
Fox, and "She Loves Me Not" took Passion," on a double bill with "We're
$4,900.

Total

run business was $84,500.

first

Axerage

Week Ending Sept. 19:
ALWAYS TOMORROW"

"THERE'S

(Univ.)

RIALTO — (1,864),

25c-75c,
$3,700)

(Average,

$4,000.

days. Gross:

7

Week Ending Sept. 20:
"DAMES" (Warners)
EARLE— (2,218), 25c-77c, 7 days.

Stage:
Orchestra, Edgar BerBredwins, Gladys Aheam &
(Average,

& Havana

Rimacs
gen,

The

Brother

Rich Again," got a lot of attention
and is given credit for $5,500, which
quite good in the face of so much
competition.
At the Fulton, "Paris
Interlude" and "Straight Is the Way"
each ran three days and the two of
them were good for only $3,200.
is

$74,900.
Estimated takings, exclusive of tax
is

"One

7

(M-G-M)

LOEW'S FOX— (3,434),

"Happiness Follies
Ted Lewis and Orchestra.
Stage:

Gross:

METROPOLITAN— (1,591),

days (return engagement).
(Average, $4,100)

25c-40c,

7
$4,900.

Gross:

"THE COUNT OF MONTE CRISTO"
(U. A.)

—

RKO- KEITH'S (1,836), 25c-55c,
Gross: $l/\000. (Average, $11,400)

days.

7

"Limberlost" Gets

Kansas

City,

Sept.

27.

—"One

honors at the Midland, with $9,800.
The Uptown turned in a big $6,700 on
Cat's Paw" and held the picture.
"Scarlet Empress," in six days at the
Newman, bettered average at $7,000,
while the Mainstreet's "British Agent"

"The

went

to $6,000.

Total

run business was $42,500.

first

Estimated takings

—

It
best attractions of the year.
held a second week. The take was
$8,200, or $3,200 over average.

the

:

Week Ending Sept. 20:
(F. N.)
MAINSTREET— (3,100), 25c-40c, 7

was

Hamrick's Music Box
in its third week was up to normal,
and moved to Hamrick's Blue Mouse
for a fourth week.
"The Last Gentleman" at United
at

Artists secured a take
$1,000 over normal.

of

or

$6,000,

"BRITISH AGENT"

plus Saturday midnight show.

(Including Ross-McLarnin
tures last 2 days.)
000.

today.

fight

$6,-

pic-

"COUNT OF MONTE CRISTO"

(U. A.)
(4.000). 25c-40c, 7 days, plus
Saturday midnight show. Gross: $9,800.

MIDLAND—

"ONE NIGHT OF LOVE"

TOWER— (2,200),

(Col.)

7 days, plus
Stage: "Varieties

25c-35c,

Saturday midnight show.

1934," with augmented vaudeville featuring Naro-Lockford & Co.. Lucille & Bud,
Lester Harding, Gene Sheldon with Loretta Fischer, Paul Kirkland & Co., Clarence Stroud, m. c. Gross: $13,000. (First
week of new price schedule; previous av-

run business was $24,200.

Week Ending Sept. 21:
"THE CAT'S PAW" (Fox)

Estimated takings for the week end-

UPTOWN— (2,000),

:

"THE GIRL OF THE LIMBERLOST"

25c-40c, 7 days. Gross:

$6,700.

(Monogram)

BROADWAY— (1,912),
Gross:

$8,200.

(Average,

25c-35c-40c, 7 days.

7

days.

3d

Sidetrack Columbus Tax

$5,000)

"DAMES" (Warners)
HAMRICK'S MUSIC BOX— (2,000),
35c-40c,

week.

Gross:

25c-

$3,000.

(Average, $3,000)

"OF HUMAN BONDAGE"
HAMRICK'S ORIENTAL— (2.040),

days. Gross:

$2,000.

(Average. $2,000)

PARAMOUNT— (3,008), 25c-35c-40c,
days. Gross: $5,000. (Average, $5,000)
"THE LAST GENTLEMAN" (U. A.)
UNITED ARTISTS— (945),
$6,000.

days. Gross:
(Average, for six days, $5,000)

$8,500.

IS THE WAY" (M-G-M)
"PARIS INTERLUDE" (M-G-M)
FULTON— (1,750), 15c-40c, each picture

"STRAIGHT

three days. Gross: $3,200. (Average, $4,500*

25c-35c-40c,

(Average,

$5,000)

7

7

—

Philadelphia, Sept. 27. Philly's
biggest week in months came last week
as the result of some good bookings.
Dick Powell's personal appearance at
the Earle, plus "You Belong to Me" on
the screen tilted the gross to $23,000,
highest figure since the Mary Pickford

"BARRETTS OF WIMPOLE STREET" engagement.

PENN— (3,300),

(M-G-M)
25c-50c,

6

"THE DEFENSE RESTS"
PITT— (1,600), 15c-35c, 6 days,
Gross:

vaudeville.

of

Gross:

days.

(Average, $12,000)

$19,000.

(Col.)

seven acts
(Average,

$6,800.

$6,500)

ME NOT"

"SHE LOVES

STANLEY— (3,600),
Gross:

(Para.)

25c-50c,

6

days.

(Average, $9,000)

$12,000.

"CRIME WITHOUT PASSION" (Para.)
"WE'RE RICH AGAIN" (Radio)

WARNER— (2,000),

25c-40c, 6 days. Gross:

(Average, $5,000)

$5,500.

Is

A

surprise hit of the week was "The
Monte Cristo," which
of
quickly developed capacity business at
the Aldine and clicked through its first
week with a big $13,000. "Chained"
at the Boyd grabbed $15,000 and was
held for a second week— first holdover
there in a long time.
Nothing suffered very drastically in
town, though "British Agent" and
"Down to Their Last Yacht" did not
hold up to average.
Total grosses were $85,300. Average is $66,900.
Estimated takings for the week ending Sept. 20:

Count

"TREASURE ISLAND" (M-G-M)
(Second Run)
ARCADIA— (600). 25c-40c-50c, 6 days.
Gross: S2.500. (Average. $2,400)
"COUNT OF MONTE CRISTO" (U. A.)
ALDIN E— (1.200). 40c-55c-65c. 6 days.
Gross: $13,000. (Average, $7,000)
"CHAINED" (U. A.)
BOYD — (2.400). 40c-55c-65c, 6 days. Gross:

Seattle,

27.

Sept.

— Grosses

week at the Blue Mouse.
"Scarlet Empress" took a fair $5,300
at the Paramount.
second

Total

run business was $26,800.

first

Average

is

$31,000.

Estimated takings for the week ending Sept. 22:

"DAMES" (Warners)
BLUE MOUSE— (950), 25c-40c-55c,
2nd

week

Hall.

days.

7

extended run from Music
(Average, $4,000)

of

Gross:

$2,800.

"CHAINED" (M-G-M

FIFTH AVENUE— (2,450),
days.

Gross:

25c-40c-55c,

"HELL CAT" (Col.)
"BEYOND THE LAW" (Col.)
LIBERTY— (1.800). 10c-15c-25c, 7
Gross:

$3,200.

"THERE'S

S12.000)

7

days.

(Average, $4,000)

(Para.)

6
days.
Stage: Dick Powell, Albertina Rasch Girls,
Collins and Peterson and Ray and Sunshine. Gross: $23,000. (Average. $12,000)
"SERVANTS' ENTRANCE" (Fox)
(Second Week)
(3.000). 30c-40c-65c. 6 days. Stage:
(Average. $12,000)

FOX—

"DOWN TO THEIR LAST YACHT"
(Radio)
KARLTON— (1.000). 30c-40c-50c, 6 days.

Gross:

$2,500.

(Average. $3,500)

"BRITISH AGENT" (Warners)
STANLEY— (3.700). 40c-55c-65c. 6 days.
Gross: $10,000. (Average. $12,000)
"CRIME WITHOUT PASSION" (Para.)
STAN TON— .700) 30c-40c-55c, 6 days.
(1

Gross:

$5,800.

.

(Average, $6,000)

Jones Heads Warner Club
Atlanta, Sept.
manager of

27.

office

(Average, $7,000)

$6,800.

(Average.

"YOU BELONG TO ME"
EARLE— (2.000). 40c-55c-65c.

—George

the

local

Jones,

Warner

exchange, is the new president of
the Warner Club, social organization
of the Warnerites. Bowling and basketball teams will be entered in local
leagues this winter by the club.

ALWAYS TOMORROW"
(Univ.)

"MIDNIGHT ALIBI" (F. N.)
MUSIC BOX— (950). 25c-35c-50c, 7
Gross:

days.

MUSIC

HALL— (2,275).

days. Gross: $5,800.

7

"THE SCARLET EMPRESS"

PARAMOUNT— (3,050).

(Para.)
25c-35c. 7 davs.

Band.

Gross:

$5,300.

Is Gaining
—Max Young,
Young & Reinhart Co.,

O., Sept. 27.

head of the

25c-40c-55c,

(Average. $6,500)

Stage: Ralph Britt's
(Average, $6,000)

Max Young
Canton,

(Average, $3,500)
"BRITISH AGENT" (Radio)
$2,900.

operating the State, Mozart and McKinley, who has been ill
several
weeks, is slightly improved, but still
unable to look after his theatre interests.

Columbus,
tax,

which

it

Sept.

27.

—The

was planned

special
to levy

Col.

Changes Two

Hollywood,

Sept.
the title

Titles

into effect, according to

Mayor Wor-

Instead, the City Council will
place a $850,000 deficiency bond issue
on the November ballot.
The change in plans is believed to
have been largely influenced by pressure brought to bear by exhibitors.
ley.

Bernard J aeon Celebrates

27.— Columbia

Bernard Jacon, manager of the
changed
of "Criminal Ritz East 180th St., celebrated his
Within" to "Fugitive Lady."
birthday and his 13th anniversary in
The studio has also changed the the show business this week with a

has

current Harry Langdon
from, "The Barrister," to
"Counsel on De Fence."

title

of

the

comedy

against local theatres, will not be put
7

"THE SCARLET EMPRESS" (Para.)
"CRIME WITHOUT PASSION" (Para.)

days. Gross:

(Fox)

erage, at 25 cents, $6,500.)

$20,000.

ing Sept. 21

days,

Gross:

of

Pantages was reopened under name
Hamrick's New Orpheum Theatre

is

"THE CAT'S PAW"
ALVIN— (2,000), 25c-40c, 9

were
Night of Love" zoomed the Tower's weak all along the line. "Chained"
take to a record-breaking $13,000, made the best comparative showing
giving the house a fine start on its new with $6,800 at the Fifth Avenue, but
policy of product of major calibre. this was under par by $200.
"Count of Monte Cristo" took second
"Dames" fell off to $2,800 in its

$8,200, Portland

Average

Estimated takings for the week ending Sept. 20

$15,000.

Portland,. Sept. 27. "The Girl
Week Ending Sept. 19:
"SCARLET EMPRESS" (Para.)
of the "Limberlost" stood them up at
NEWMAN— (1,800), 25c-40c, 6 days, plus
Parker's Broadway and proved one of Saturday midnight show. Gross: $7,000.

first

runs were

"Chained"

Night,"

$21,500.

"THE AFFAIRS OF CELLINI" (U. A.)
LOEW'S PALACE— (2.370). 35c-75c, 7
days. Gross: $13,000. (Average, $14,500)
"SHE LOVES ME NOT" (Para.)

Total

first-

$42,000.

is

25c-66c, 7 days.
of 1934" with

(Average. $20,500)

"Dames"

Average

At $13,000,
Fair; Seattle
K.C. Record Grosses Down

$17,600)

"SPRINGTIME FOR HENRY" (Fox)
LOEW'S COLUMBIA— (1,264), 25c-40c,
days. Gross: $2,400. (Average, $3,100)
"MURDER ON THE DIAMOND"

Total grosses in six

$55,000.

Ban Hauptmann Film
Berlin, Sept.

—Export of news-

party at King Yen's restaurant in the

Bronx.

"Ziegfeld" Worth $5,000
The

title

"Ziegfeld Follies" has been

at $5,000 by Mayor Robert
Bruno Richard Haupt- Smith of White Plains, special refmann's birthplace, Kamenz, has been eree for the bankrupt estate of Florbanned by the Ministry of Propa- enz Ziegfeld. Billie Burke has offered
ganda.
that sum for right to the name.
reel shots of

27.

valued


Hollywood Personalities

Hollywood, Sept. 27.—Irving Cummings brought Jesse Lasky’s production, “White Parade,” under the line in 27 days at Fox. . . . Zasu Pitts signed for “Repeat” at M-G-M. . . . Mae Marsh and Hugh Marlowe continue their pairing in “Walkin’ with the Wind.” There is 60-minute private preview of “We Live Again.” . . . Clarence Brown killed two racketspans on the grounds of his home in Hollywood Hills. . . . Douglas Shearer flew his plane 12 miles out to sea over the boat which held Miss Shearer, returning from Australia. . . Mady Christians is rehearsing two songs for “Wicked Woman” at M-G-M. . . . Ernst Lubitsch accompanied Mae West to Reinhard’s production of “Midsummer Night’s Dream” recently.

“Belle” Sets $27,675 Pace On the Coast

Los Angeles, Sept. 27.—“Belle of the Nineties” knocked all the opposition into the well-known loop here at the Paramount last week. It was a boxoffice riot from the opening day with the boxoffice soaring $9,675 over normal to $27,675.

In the face of this terrific competition “Chained” topped par by a gross of $17,000 at Loew’s State, and “Bulldog Drummond Back” garnered a good $10,000 at United Artists. Other spots felt the pinch.

Total first run business was $95,475. Average is $90,200 without the United Artists. Estimated takings for the week ending Sept. 26:

“CHAINED” (M-G-M) . . . Loew’s State—$17,000, 5c-75c, 7 days. Gross: $119,000. Average: $16,929.

“BELLE OF THE NINETIES” (Paramount) . . . PARAMOUNT—$1,370. 20c-50c, 7 days. Gross: $9,590. Average: $1,369.

“RICHES IN THE WIND” (Radio) . . . ROYAL CITY—$4,100. 20c, 7 days. Gross: $28,700. Average: $4,164.


“TARMAC GIRL IN THE CITY” (Radio) . . . WARNER BROS.—$2,300. 25c-50c, 7 days. Gross: $16,100. Average: $2,300.

“THE DRAGON MURDER CASE” (War.) . . . WARNER BROS. (Downtown)—$1,400, 25c-50c, 7 days. McLennan-Ross right pictures. Gross: $9,800. Average: $1,400.

“GOLDEN GATE” . . . PARAMOUNT—$1,300. 25c-50c, 7 days. Gross: $9,100. Average: $1,299.

“POSTMASTER” (Mono) . . . ROYAL CITY—$1,000. 25c-50c, 7 days. Gross: $7,000. Average: $1,000.

“THE DEFENSE RESTS” (Col.) . . . FEMMAY—$1,400, 30c-50c, 7 days. Gross: $10,800. Average: $1,543.

“TWO DRAW” (War.) . . . WARNER BROS.—$1,400. 30c-50c, 7 days. Gross: $10,000. Average: $1,429.

“THE SAVAGE” (Radio) . . . ROYAL CITY—$1,000. 30c-50c, 7 days. Gross: $7,000. Average: $1,000.

“THE CAT’S PAWS” . . . WARNER BROS.—$1,400. 5c-25c, 7 days. Gross: $9,800. Average: $1,400.

“IT’S ALL TRUE” (U. A.) . . . THEATER—$1,200. 30c-50c, 7 days. Gross: $8,400. Average: $1,200.

“THE WAR” (Radio) . . . ROYAL CITY—$1,000. 30c-50c, 7 days. Gross: $7,000. Average: $1,000.

“A THIN MAN” (U. A.) . . . THEATER—$1,200. 30c-50c, 7 days. Gross: $8,400. Average: $1,200.

“WANDERER” (Radio) . . . ROYAL CITY—$1,000. 30c-50c, 7 days. Gross: $7,000. Average: $1,000.

“TALL MEN” (Col.) . . . FEMMAY—$1,400. 30c-50c, 7 days. Gross: $10,800. Average: $1,543.

“THE SHEET” (Radio) . . . ROYAL CITY—$1,000. 30c-50c, 7 days. Gross: $7,000. Average: $1,000.

“DESPERATE” (Warners) . . . ROYAL CITY—$1,000. 30c-50c, 7 days. Gross: $7,000. Average: $1,000.

“WILD WOLF” (Radio) . . . ROYAL CITY—$1,000. 30c-50c, 7 days. Gross: $7,000. Average: $1,000.

Allied to Meet Oct. 3-4

Milwaukee, Sept. 27.—Allied is calling a statewide exhibitors business meeting to be held here Oct. 3 and 4. The gathering represents postponement of the previously scheduled Sept. 26 and 27 meeting and will be followed by Allied convention. Early notice, if the members so decide. The place of the meeting is still to be decided by the committee on Milwaukee affairs.

Mae West Gets Top Indianapolis Take

Indianapolis, Sept. 27—Mae West’s popularity is undimmed here. “Belle of the Nineties” was the outstanding draw of the week, the $5,000 take at the Circle being $1,000 up, and away ahead of any other first run on a competitive basis.

“Dames” took $6,500, “Death on the Diamond” a par draw at $4,500 in the Palace.

Total first run business was $23,500. Average is $2,444.

Estimated takings for the week ending Sept 27.

“SERVANTS’ ENTRANCE” (Fox) . . . APOLLO—$1,675, 30c-40c, 7 days. Gross: $11,725. Average: $1,675.


“DEATH ON THE DIAMOND” (M-G-M) . . . PALACE—$2,436, 25c-40c, 7 days. Gross: $16,052. Average: $2,293.

“DAMES” (Warner) . . . INDIANAPOLIS—$2,830, 25c-40c, 7 days. Gross: $19,810. Average: $2,830.

“LYRIC” (C星) . . . LYRIC—($1,890, 25c-40c, 7 days. Gross: $13,230. Average: $1,890.

“DEATH ON THE DIAMOND” (M-G-M) . . . PALACE—$2,436, 25c-40c, 7 days. Gross: $16,052. Average: $2,293.

Tennis Star Gets Offer

Los Angeles, Sept. 27.—Frederick Perry, world’s No. 1 tennis player, is understood to have been offered a $100,000 contract for a series of shows on tennis.

She Was a Lady

Best in Oklahoma

Oklahoma City, Sept. 27.—First runs here went into a slump last week, with “She Was a Lady” the only attraction downtown to reach par. The $2,200 take at the Fox was $300 better than a normal week’s average. “Wild Gold” on the other three days was up $1,000 from last week.

“Last Gentleman,” “British Agent” and “One More River” failed to draw the customers.

Total first run business was $12,200. Average is $1,525.

Estimated takings for the week ending Sept. 27.

“LAST GENTLEMAN” (U. A.) . . . CRITERION—($1,700, 10c-20c-30c-40c-50c, 1st week. Gross: $2,400. Average: $333.

“BRITISH AGENT” (F. N.) . . . METER—$1,400, 30c-50c, 7 days. Gross: $10,800. Average: $1,543.

“ONE NIGHT OF LOVE” (Col.) . . . RICHMOND—$1,200. 30c-50c, 7 days. Gross: $8,400. Average: $1,200.

“DAMES” (Warners) . . . PARAMOUNT—$1,800. 30c-50c, 7 days. Gross: $12,600. Average: $1,800.

“SHE WAS A LADY” (Fox) . . . LIBERTY—($1,300, 10c-20c-30c-40c, 1st week. Stage: Broadway Varieties, 4 days. Gross: $2,800. Average: $700.

“WILD WOLF” (Fox) . . . LIBERTY—($1,300, 10c-20c-30c-40c, 3 days. Gross: $800. Average: $266.)
FIRST FOUR ENGAGEMENTS PRIVATE

GEORGE ARLISS in "THREE "

IS THE GRAND BOX-FRONT

GEORGE ARLISS IN "THE GRAND BOX-FRONT"

ATLANTIC CITY . . . Double

DENVER . . . Opened biggest

SEATTLE . . . . "Big $9,500

PORTLAND . . . "Plenty stro

Directed by SIDNEY LANFIELD

Released through UN

20CENTRIPIC

A
MENTS PROVE THAT
LAST GENTLEMAN
FFICE SUCCESSOR TO
HOUSE OF ROTHSCCHILD

record set by "Rothschild"
an "Rothschild"! Held over!
.....Variety
Holding over!".....Variety

a DARRYL ZANUCK
PRODUCTION
Presented by
JOSEPH M. SCHENCK

UNITED ARTISTS
"Hideout" and Bernini Smash
In Cleveland

Cleveland, Sept. 27.—"Hideout" on the Loew's State screen with Ben bernini and his band on the stage at the admission prices was the big box-office attraction of the week, grossing $21,500, or $1,500 over average.

"Chained" in its second week at Loew's Stillman and its third week downtown grossed $6,000, or 50 per cent over average, and was satisfactory but not outstanding.

Total gross was $45,500. Average is $14,000.

Estimated takings for the week ending Sept. 21:

- **"CAT'S PAW"** (Fox)
  - Allen: 28c-35c-40c, 7 days moved over from RKO Palace. Gross: $3,500.
  - THE "Fountain" (Radio)
    - Radio L.A.: 35c-40c-45c, WARNERS' HIPPOKRAEME, $3,000. 30c-35c-40c, 7 days. Gross: $1,000. (Average: $150.)
  - **"THE RICHEST GIRL IN THE WORLD"** (Radio)
    - RKO PALACE: $21,500. (Average stage show, $3,000.)

**"CHAINED" (M-G-M)**

LOEW'S STATE: 30c-40c-60c, 7 days. Stage: Bernie Bernini and His Tads. Gross: $2,100. (Average with stage show, $3,000.)

**"CHAINED" (M-G-M)**

LOEW'S STILLMAN: 30c-35c-40c-45c, 7 days. Stage: 60c. Gross: $4,000. (Average, $1,000.)

Tracy Suspended Again

Hollywood, Sept. 27.—Spencer Tracy is temporarily suspended as the result of his alleged failure to appear for the start of "Heldorado," the first and second days. Richard Arlen has replaced him in the cast.

Tracy is reported to have been ordered to appear in court in connection with a trial for violation of a restraining order and for perjury. Tracy's counsel, lawyer was present when the judge ordered him to appear. "I'm not going for the ride" Tracy is said to have said.

Radio Signs Designer

Radio has signed Bernard Newman, Fifth Ave. designer, to create its coming movie posters. He will be responsible for designing all the costumes worn by Miriam Hopkins in "The Richest Girl in the World," Newman will leave for the coast early in October.

Gering Off for Havana

Hollywood, Sept. 27.—Marion Gering flew to New York today and from there he will go to Havana to look over locations for the Paramount picture, "Rhumba," which he will direct. George Raft and Carole Lombard are in the featured spots.

Century to Build House

Century Circuit will build a new theater at Queen Road and East 12th St., Brooklyn. It will be a 600-seater. Construction is to start shortly.

**One Exciting Adventure**

(Hollywood, Sept. 27.—Dealing with a girl obsessed with a desire to purloin diamonds, a perfume salesman, a master gem and two human detectives, this show proves fair and adult entertainment. The story features Binnie Barnes, who steals diamonds for excitement, but never captures the man.

Paul Cavanagh follows in his Rolls Royce writing checks for the stolen gems. Two flat feet, Grant Mitchell and Eugene Pallette, hop on her trail, enlisting Neil Hamilton, who peddles perfume to aid them through a scented glove left at a jeweler's. Hamilton and Miss Barnes grove romantic, with a subsequent struggle, Cavanagh. The climax unfurls from a bet between Hamilton and Cavanagh that Miss Barnes will quit her thievery for Hamilton's love, with Cavanagh making his exit, or vice versa.

Miss Barnes then follows the straight and narrow despite the temptations placed in her path by Cavanagh, with the latter finally being arrested for a string of European gem robberies, but fails to capture Miss Barnes as his accomplice. Mitchell and Pallette contribute the comedy high spots trying to outdo each other. Ernest L. Frank's direction is okay, as is the photography of Norbert Brodine. All members of the cast turn in good performances. The screen play is by William Hurlbut from an original story by Franz Schulz and Billie Wilder.

**By Your Leave**

(Hollywood, Sept. 27.—Straight as a die this one got right over to every funny-bone in the audience and tickled away one hour and 20 minutes. The story is incident to the knockout performances of the cast plus the smart direction. The picture is all about Genevieve Tobin and Frank Morgan, a set, married couple who try to separate vacations to capture the old thrill and bring romance back into their lives.

Morgan's antics in trying to regain his waning ego with a professional hostess, Marion Nixon, are nothing short of hilarious. Miss Tobin's trials with an explorer, Neil Hamilton, and her husband's friend, Glenn Anders, are no less amusing. All ends well and everybody is satisfied, particularly the audience. Morgan and Margaret Hamilton, as a bossy maid, rate top honors, and Gene Lockhart contributes a rowdy but well-nigh perfect drunk scene. Hamilton, Miss Nixon and Anders are pleasing and natural. Director Lloyd Corrigan displays a swell comedy flair. The dialogue sparkles. The photography by Nick Musuraca is good. The mood of the film is humor and has been seen in some time. Previewed without production code seal. Running time, 80 minutes.

**Ready for Love**

(Paramount)

Hollywood, Sept. 27.—This is a delightful, nonsensical comedy that will provoke laughs from any audience. The story has Ida Lupino, daughter of a vaudevillian troupe, Marjorie Rambeau, sent to a small town to live with her aunt.

Through a fluke she is mistaken for the ex-girl friend of the town big shot, deceased. In saving Miss Lupino from a ducking in the village pond at the hands of the womenfolk, Reporter Richard Arlen helps her to make a new career as a dance-hall impresario. Miss Lupino refuses Arlen's offer of marriage, but Mama Rambeau brings them together. Not much story, but the trimmings are all that is needed.

Marion Gering's direction is smooth. Arlen and Miss Lupino are pleasing. The dialogue scintillates. Billie Burke and Bondi and Ralph Renley are excellent as a small town dowager and her husband. Junior Durkin runs off with plenty of laughs as a love sick youth. Others contributing laughs include Miss Rambeau, Henry Travers and Louise Carter. The photography by Leon Shamroy is good. Production code seal No. 254. Running time, 65 minutes.

**"Bandini" for Robinson**

Hollywood, Sept. 27.—Edward G. Robinson's next for Warners will have an Italian background and will be titled "Bandini." John Tante has joined the studio writing staff to work up an original.

Cohan Finishes Film

THE BOX OFFICE
CHECK-UP
of 1934

Thousands of people—writers, artists, actors, masters of cameracraft and directors—contribute daily to the making of America's motion pictures.

In Hollywood and in New York their artistic and executive labors have made America synonymous with the greatest achievements in the world of motion picture entertainment.

Box Office Check-Up of 1934 undertakes an extensive analysis of their work ... an annual record and reference book published in the interests of those who have participated in the making of notable pictures of the year.

The comprehensive facilities of Quigley Publications are providing a meeting ground for showmen and the creative talent of the screen.
ANOTHER MONUMENT OF 
BROUGHT BY RKO-RADIO
THE 
INNO
by 
EDITH 
WHARTON
IRENE DUNNE
JOHN BOLES

First time together since "Back Street"
with Lionel Atwill
Helen Westley  Laura Hope Crews  Julie Haydon

From the play by Margaret Ayer Barnes

Directed by Philip Moeller
Associate Director, Jane Loring

Pandro S. Berman Production

RKO RADIO PICTURE
Reduced Rate Cases
Show Gains in K. C.

KANSAS CITY, Sept. 27.—Reduced admission 
complaints constitute a large proportion of the cases filed 
with the local grievance board. So far, the
initiative in bringing action has been 
taken by exhibitors. It is said the dis-
tributors consider it best policy not 
to antagonize offending exhibitors.

Before the code machinery became 
effective, a few operators apparently 
were winking at contract violations on ad-
missions and were inclined to do noth-
ing unless the opposition objected, but 
now exhibitors are watching their competitors like hawks and are not 
slow in demanding that the code be 
obeyed.

The grievance board is swamped with cases and is holding weekly ses-
tions to dig out from under. Com-
plaints just filed are:

Jaay Means, Oak Park, Kansas City, vs. C. H. Potter, Baltis; Ed Burgen, 
Terry Smith, Midway; W. A. Leucht, Olive, St. 
Joseph, Mo., vs. Frank Cassil, Rialto.

Preview Shows Get
Test in Vancouver

VANCOUVER, Sept. 27.—Preview 
nights once weekly at the Kerrisdale, a 
1,280-seat suburban theatre, is 
being considered by Famous Players 
incarnation. Policy is to spring an unannounced, 
unadvertised program of three or four shorts and one feature picture, start-
ing at 8 p.m., for one showing each 
Thursday at 50 cents, any seat.

Alvin Alvin

PITTSBURGH, Sept. 27.—The Harris-
Alvin, which has been running steadily 
as an independent, has been closed down 
for a couple of weeks, plans to swing 
into stage shows by the first of 
October. Jerry Meyall will produce 
and he has for his assistant Ruth 
Miller, who used to stage the chorus 
numbers at the Ambassador in St. 
Louis.

Zanuck Borrows Two

Hollywood, Sept. 27.—Darryl 
Zanuck has borrowed Virginia Bruce 
from M. G. M. for "Miracle in 
Bar-
um," and Pert Kelton from Radio for 
a part in "The Red Cat." Production on the latter picture will begin 
upon the return of Maurice 
Chevalier and Constance Bennett 
from France.

Laemmle, Jr., to Sail

Hollywood, Sept. 27.—Carl 
Laemmle, Jr., accompanied by Harry 
Zehnor, leaves on Oct. 15 for Europe, 
where they will visit all prominent 
studios and search for new writers 
and directors.

ITOA in New Quarters

The ITOA has moved into the 
Lincoln Hotel. Its new offices are 
adjacent to those of Allied of New 
York.

Albany

ALBANY, Sept. 27.—Nate Sauer 
was announced as the new 
golf trophy at the Shaker Ridge 
Country Club outing, RALPH 
PELOW was runner up and Mayor 
Thatcher was third.

Sauer, Pelow and the Mayor also 
won other prizes in the low medal 
classification. J. D. Reaves, 
Hostick of the Star, Hudson, led 
in the driving contest, and TOM 
SHEA, RKO Theatre, was the only 
hit of the world's series baseball celebrities.

Open house at the clubrooms 
has continued, and Vice-President 
Edward Kirchner is issuing 
special bulletin for a weekly "Queens for a Day" every Wednesday.

Detroit

DETROIT, Sept. 27.—Monday 
Luncheon was held at the Variety 
Club, at the Cadillac Hotel Oct. 
1, according to J. E. Flynn, presi-
dent.

It was the first meeting King's for 
A Day, Maurice J. Caplan and 
FRANK DOWNEY preside.

The kings are expected to visit 
various local places to promote 
the world's series baseball celebrities.

Pittsburgh

Pittsburgh, Sept. 27.—JOE E. 
Brown will attend the annual 
ballroom dance at the Variety Club 
set for the afternoon at the 
William Penn Hotel here on 
Oct. 14, according to a wire just 
received by John J. Harris, chairman 
of the banquet committee. Brown 
is coming east for the world series and 
will journey to Pittsburgh for the 
very first time, according to Mr. 
Morris. He also will 
attend the Pitt-California football game 
on the day preceding the banquet.

Many notable stars will come 
to Pittsburgh for the banquet, which 
is to honor the retiring officers, 
HARRY KALMINE and HARRY 
Goldstone, and chief barker Mike 
COLLEN ART LEVY, L. G. BIEHLEAER, 
JAMES G. BALMER, BEN KALMANSON, 
MARK B. LEVY, J. R. GIVENS, 
JAMES B. CLARK, JULES LAPIDES, 
WILLIAM BENSWANGER, FRANK 
STRAUSS and HAROLD LUND.

Last year more than 45 acts and 
seven bands furnished the entertain-
ment. Equally as many will partici-
pare at this year's event. The 
entire 17th floor of the hotel has 
been taken over for the affair.

Because of the success of our 
previous banquets, tickets are selling 
rapidly this year," declares HARRIS.

"Even three weeks before the banquet 
the ticket prices are fast selling 
and we expect a complete sell-out by 
Oct. 1."
**Katz, M-G-M Deal Closed; Starts Soon**

**Mayer Cables Approval; No Studio Changes**

The deal by which Sam Katz becomes an executive assistant to Louis B. Mayer was concluded in a conference yesterday with the receipt of Mayer's approval, cabled from Europe.

Katz left yesterday evening for a five-day trip to Chicago and will return here tomorrow night to wind up his eastern affairs preparatory to leaving for the M-G-M studios within the next week or 10 days. He was 

(Continued on page 3)

**Ford Is Made Head Of Universal Reel**

Charles E. Ford was appointed editor of Universal Newsreel yesterday, succeeding Allyn Butterfield, who resigned with the expiration of his contract.

Ford, who assumes his new post on Monday, was editor of the independent newsreel produced by The Chicago Daily News from 1925 to 1929. He became associated with 

(Continued on page 3)

**Columbia Directors Delay Board Session**

The Columbia board of directors meeting, slated for today, has been postponed indefinitely. It was originally slated for Sept. 23 and then put over until today.

Harry Cohn, president, had planned to come to New York for the session, but his trip east, likewise, has been dropped for the time being. 

(Continued on page 3)

**Switch 2 Para. Men In Central America**

Several changes in Paramount's forces in Central America were revealed yesterday.

Arthur L. Prattchet, who has been Cuban manager for the company, has 

(Continued on page 3)

**Says Gaumont Does Not Plan U.S. Pictures**

**Balcon States Policy; No Theatres, Oster**

Gaumont British does not intend to produce in America for the time being. Malcolm Balcon, production head for the company, stated upon his arrival yesterday on the Aquitania. This statement was held by Mark Oster, who was later questioned on the possibility. Oster added that the company definitely was not in the market for theatres.

Balcon added that G-B will confine its production to England and that there is no need of the company to send production forces to America. The G-B production head declared his company's product is commanding a position in the international market.

(Continued on page 3)

**Federal Ticket Tax In K. C. Is $49,138**

**Kansas City, Sept. 28.—Federal**

taxes on admissions to film theatres and other amusements in the Kansas City district totaled $49,138 for the fiscal year 1934, which ended June 30, according to figures made public by the Internal Revenue Department. The total of Federal tax collections of all kinds in the district for the fiscal year was $209,747, including the new processing taxes. Leaving the processing taxes out of the picture, the increase in 1934 was 40 per cent. Figures show the district's income taxes increased 10 per cent over 1930, and that the long string of miscellaneous taxes virtually doubled. Rising 98 per cent from $2,777,427 in 1933 to $5,516,544 in the fiscal year recently ended.

(Continued on page 4)

**Point System Used On Operator Scale**

**The NRA fact finding committee yesterday adopted a point system as a yardstick for classification of local theatres in setting up a basic wage scale. Both major and independent houses will be guided by the new**

(Continued on page 4)

**Clean Films Drive Started In England**

**London, Sept. 28—British organizations are following the lead of the United States in a clean film campaign, it was learned today. The Westminster Catholic Federation is**

(Continued on page 4)

**Cliff Tries an "I"**

San Francisco, Sept. 28.—Honest, Cliff Work isn't a Fascist, but the Golden Gate Theatre ad appearing in the dailies last week:

IF I WERE DICTATOR! I would command every theatre-speed to see "The Richest Girl in the World," because it has the beauty of "Little Women... the non-American star's innocent 'first man'... the delightful romance of "It Happened One Night." . . .

But since I am not dictator I can only guarantee a refund to anyone who does not agree with this piece of GREAT ENTERTAINMENT!

Sincerely, 

Cliff Work, Manager.

(Continued on page 4)

**Agents' Rules Call for Full Public Record**

**Hearing to Be Given on Regulations Oct. 17**

WASHINGTON, Sept. 28.—Twelve rules regulating the relations between agents, clients and producers are now before the agency committee on which hearings will be held Oct. 17, it was revealed today, with which will be the responsibility of the Recovery Administration.

Disclosure of full details of ownership and financial backing of agents will be required, with a special provision that full publicity shall be given the fact that a producer is interested in the agent's business. Reports of agents regarding their organizations are to be filed with the committee, with which will be the responsibility of disclosing producer interests.

A number of practices, such as the making of gifts to secure the business of a producer, encroachment of employees, etc., are prohibited.

Relations between agents and their clients will be closely controlled under 

(Continued on page 4)

**New Deal on Code Costs Up to Trio**

S. R. Kent, Harold S. Bareford and Edward Golden have been named by Campi as a committee to work out an equitable plan of assessment for producers and distributors.

The second plan submitted by the finance committee was voted down 

(Continued on page 4)

**Chicagio's Schedule Back for Revision**

Because the schedule failed to provide clearance for theatres charging under 15 cents, Campi has returned the Chicago clearance and zoning schedule for redrafting.

While most distributors' contracts for a 15-cent minimum admission, it is held by Campi that this does not mean distributors cannot sell 10-cent houses. Clearances for 15-cent houses must be put into the schedule before Campi will consider it again. 

(Continued on page 4)

**Florida's Grosses**

$1,746,000 in 1933

WASHINGTON, Sept. 28.—Ninety-four theatres in Florida last year had receipts of $1,746,000 and expended 

(Continued on page 4)
MOTION PICTURE DAILY
(Registered U. S. Patent Office)
Vol. 36 September 29, 1934 No. 76

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Mentioned in this issue: Quigley's Film Financial Handbook, a comprehensive guide, published by the Motion Picture Bureau, 86 Dunedin Road, G. Holmes, Representative; Budapest, 2nd, Endre Heresi, Representative; Moscow Bureau: Vyazhnye Vrazhki, B. 25, Apart 146, Moscow U. S. R., Russian, Kazah, Representative. Cable address: Sankt-Petersburg.

Para. Sales Heads
William Erb, district manager in Boston; Harry Goldstein, district manager in Philadelphia; Frank Newnan, branch manager of the Paramount exchange in New Haven, were in town yesterday confirming with J. J. Unger, Paramount division manager.

Lease Portland House
Portland, Sept. 28—J. J. Parker, independent exhibitor, and Frank Newman of Oregon State's theaters, have leased the Music Box, formerly operated by John Harnick. Ted R. Gamble will be in charge.

Chinese in Bankruptcy
Hollywood, Sept. 28—Graham's Chinese has gone into bankruptcy. Federal Judge Paul J. McCormick has granted Joseph M. Schenck permission to reorganize the company and continue operations.

MacLean's Way to N. Y.
Hollywood, Sept. 28—Douglas MacLean is on his way east to confer with Maxwell Anderson on a story for Pauline Lord's next Paramount film.

Third Week for "Agent"
"British Agent" will be held over at the Strand for a third stanza beginning Wednesday morning.

Court Approves New Paramount Mortgage
Readjustment of the mortgage on Paramount's Coral Gables, a 1,457-seat seat house at Coral Gables, Fla., was approved yesterday by Federal Judge Alfred C. Cox. The theatre property is subject to an $87,500 mortgage held by Manufacturers' Trust Co.

Under the plan of readjustment Famous Theatre, Paramount subsidiary, pays $25,000 against the mortgage principal, plus interest and overcharges. In return, maturities on the mortgage will be extended and interest reduced from seven per cent to six.

Rolf to Arrive in Jan.
Tutta Bernetz Rolf, the Scandinavian actress signed by Winfield Street last at home, will come to this country in January. She is a former singing and dancing comedienne and has appeared in films for various Scandinavian companies. She has been in this country before as the bride of the late Ernst Rolf, Scandinavian producer.

Brown En Route to Coast
Chicago, Sept. 28—After settling differences with the local newsreel companies, shooting of the I. A. T. S. E., left for the coast today.

Louis Krouse, assistant to George Brown, left for Philadelphia on business and plans to stay there for the weekend.

Mountain Joins Spectrum
It is understood that Dave Mountain, former president of Showmen's and Richmont Pictures, has joined the newly formed Spectrum Pictures, Inc., as general sales manager. Announcement of the new company's product will be made shortly.

Poole to Coast Soon
Arthur B. Poole, vice-president and treasurer of Pathe Exchanges, Inc., plans to leave for the coast within the next month.

Sonnin Closes West End
Sam Sonnin closes the West End, Long Beach, tomorrow night.

Many Big Board Stocks Weaker

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Technicolor Falls 1/4 on Curb

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RKO Executives at Farewell for Sisk

About 150 guests attended a farewell dinner to Robert F. Sisk at Gables, Fla., was the Hotel St. Moritz last night. RKO, formerly director of advertising and publicity for RKO, leaves for the coast by plane today to assume his new position as executive vice-president of the company. Mr. Sisko, president of RKO Radio Pictures, on Monday.


Ryskind Gets an Heir
Morris Ryskind, writer, who recently completed an adaptation of "Reel" for M-G-M, flew into town yesterday. Morris was accompanied by the 12-year-old son, born at the White Plains Hospital. Both of his children and baby are coming along nicely. Allan House will be the name of the Ryskind heir.

Fisher Drops Its Shows
Detroit, Sept. 28.—The Fisher has discontinued the vaudeville and stage shows after two weeks. A new policy of first and second runs was initiated today. Certain of the new policy pictures is "Jane Eyre" along with "Paramount's "Now and Forever," a second run.

Fly to Mexican Opening
Hollywood, Sept. 28. — Frances Drake and Elissa Landi took a plane for Mexico City today to appear at the opening of the National Theatre tomorrow night. They will return here Monday.

Mayfair Books "I" Film
Universal's "Wake Up and Dream" goes into the Mayfair following "Wagon Wheels," which is the next attraction. It's a one-picture deal.

JACK PEARL and MRS. PEARL
JOHNNY WEISSMULLER and MRS. WEISSMULLER
LUCY O'BRIEN and MRS. O'BRIEN
MARGARET CHURCHILL, SIR LESLIE and LADY LESLIE
CLARK GABLES, LADY CLARK GABLES
ROBERT RITCHIE, MANAGER OF HENRIETTA's 

Purely
Personal

N

HOWARD DA SILVA has been engaged for a role in "Dough, Little Clown," the Ben Hecht-Charles MacArthur production being made at Halpern Studio Services.

LUCILE WERNING, who has charge of "Dough, Little Clown," picture being made at the Hotel Edison, will be married today to Josiah Neuhart of Pittsburg.

MARION GERING, Paramount director, got into from the coast yesterday, bound for a vacation in the West Indies.

RICHARD DE ROCHMESTON, formerly in charge of the Paris office of Fox Movietone News, is back in town.

PAULINE LORD arrives here from Hollywood tomorrow on a short vacation from Paramount.

CAPTAIN WILHELM'S "Behind the Green Lights" has been bought by Mascot.

GUY KIRKE, who was to have gotten into town yesterday, arrives today instead.

LWELLYN HUGHS' "East End, West End," has been purchased by Fox.

PETE SMITH slipped the other day and hurt his ankle. Nothing serious.

LIZZIE A. PERRET BURIED
Funeral services for Lizzie A. Perret, former wardrobe mistress for Paramount Publicity theatres in New York, who died Thursday at 63 in the Orange Memorial Hospital, Orange, N. J., were held in Lyndhurst, N. J. yesterday. Interment was in the churchyard of the Embury M. E. Church, Little Silver, N. J. A brother, a son and two sisters survive.

LEX HARRIS PASSES
Detroit, Sept. 28.—Lex Harris, 39, salesman for Excellent Pictures Corp., for the past year and a half, is dead of a heart attack. Harris is survived by his widow and two children.

MRS. A. B. CHALMERS DEAD
Mrs. A. B. Chalmers, wife of the marine engineer, and owner of the oceanic Forwarding Co., died in London yesterday morning.

STICKLING DUE WED'N
Howard Stickling arrives on the Paris next Wednesday. He has been in Europe accompanying Louis B. Mayer.
Katz, M-G-M Deal Closed; Starts Soon

“365 Nights in Hollywood” (Fox)
Hollywood, Sept. 28.—Although built on a weak story and at times a bit fantastic, this picture garners plenty of laughs while offering music and dance routines pleasing to the ear and eye. The yarn is typically Hollywood, revolving around Jack E. Leonard, the director who does a Brodie from the bottom of the ladder for letting success go to his head.

Down and out, he is induced to join a fake drama school, headed by Grant Mitchell. While coaching the drama students, Dunn meets Alice Faye, who has screen aspirations. John Bradford, a famous star employed by the school to create a good impression with the students, makes a play for Miss Faye, thus making the romance triangular. The story gains momentum when Frank Melton blows into town with $75,000 to burn. Mitchell talks him into sinking the money in a picture which Dunn directs. The picture is good enough to get release and the pair of Dunn, Alice Faye and John Bradford to run out with the money to haywire through Dunn’s cleverness. Mitchell and Durant, as two adagio ice-men, steal the show with their comedy. All the performances are okay. Director George Marshall gets the most out of the story. Sammy Lee staged the novel dances.

The success of this will depend largely on exploitation. Production code seal No. 269. Running time, 75 minutes.

“Six-Day Bike Race” (Warner)
Hollywood, Sept. 28.—When edited this will present hilarious laugh entertainment for the average fan and doubtless so for Joe Brown enthusiasts. This comedy of the olden days which centers around a hick farmer boy, aspiring to fame and glory as a bike racer, who lands in a big city to become involved in melodramatic situations, makes clean, family entertainment.

The races are thrilling, with rapid action throughout, all building to a surprise climax. The direction is well handled by Lloyd Bacon from a clever original story by Earl Baldwin. While Brown dominates the story, he is well supported by Maxine Doyle, who furnishes what little romance and feminine lure there is for the hero and the heavy, the latter being played by Gordon Westcott. The cast gives credible performances, with Frank McHugh, Arthur Aylesworth, Lottie Williams, Eddie Foy, Helen Macculloch, Robert Alda, Jack Carlsen, E. Ragert, Ralph Remley.

This offering affords opportunity for unique exploitation. It is particularly timely for small towns where the bicycle craze is imminent and should appeal in big cities to those interested in bicycle racing and the glamour and excitement of one-winner riddles. Production code seal No. 289. Running time, 90 minutes.

“Lady by Choice” (Columbia)
Hollywood, Sept. 28.—This is money in the bank. Crammed with novel class and mass appeal, the picture is a triumph for Mary Robson and Carole Lombard and a feather in the caps of all concerned. The yarn’s warm human interest combines sweet drama, stirring comedy and creative acting.

Miss Robson, a gin-sotted bag who is a perpetual night court problem, is adopted as a publicity gag by a fan dancer (Miss Lombard) as her mother on Mothers’ Day. Respect developing despite mutual temperamental antipathy, Miss Robson takes the job seriously and tries to educate Miss Lombard for better things. Fostering a romance between the girl and her mother son of an old sweetheart is Miss Robson’s objective. Sincere, sympathy-stirring humanness motivates Miss Robson, who takes stern measures to prevent Miss Lombard’s temptation to backside, which sets the situation for a happy finale.

Paced by Miss Robson, Miss Lombard clicks with a bang. Walter Connolly, Roger Pryor and Arthur Hohl are outstanding in the featured support. David Burton’s understanding direction capitalizes the stirring sock of Dwight Taylor’s story and Jo Swerling’s screen play. Theodore Tetzlaff’s photography is an artistic contribution.

The picture has the necessary showmanship entertainment qualities to insure it wide popularity. Another gem in Columbia’s diadem. A worthy successor to “Lady for a Day.”
Production code seal No. 272. Running time, 85 minutes.

(Continued from page 1)

“U” Planning Fast World Series Film
Play by play filming of the World Series at Detroit with special facilities for working to be completed. Time is getting the film to theatres is planned by Universal Newsreel, the company said yesterday.

A complete developing laboratory is being sent to Detroit and film will be shipped out as fast as the game progresses. Plans call for having pictures of the game in Detroit theatres one hour after it is over and special plane service has been arranged to carry prints to distant points. A play by play description will be given by Hal Totten, baseball commentator for NBC.

Warners Take Para. Film
Warners has closed a deal with Paramount whereby the latter’s product goes into the former’s circuit nationally.

R. & K. Closing United
Rachmil & Katz, operating four Brooklyn houses, will drop the United tomorrow. The theatre is in the colored section of Brooklyn.
New Deal on Code
Costs Up to Trio

(Continued from page 1)

last Thursday because of an attack by independent forces.

In connection with the assessment starts with companies doing a minimum annual business of $80,000, and the levy increases as the business figures go up.

The exhibitor assessment for the second half of the year has been held up pending revision.

The NRA in Washington must approve all resolutions on assessments. The request may be made by the National Recovery Administration. They will become effective Oct. 8.

The regulations govern the compensation to be paid extra and cover such matters as overtime, allowances for transportation, meal periods and pay for waiting. They were approved in the form in which they were announced some days ago by Campi.

Agents’ Rules Require Full Public Record

(Continued from page 1)

a group of 14 rules recommended by the committee in which split commissions and other questionable practices are banned.

Producers are to be forbidden to transact business with an agent not in good standing, and are prohibited from attempting to induce any person to fire an agent by employing a particular agent. Signed contracts between agents and clients will be required for recognition of the former as a representative of the latter.

Ban Seventh Bank Night

KANSAS CITY, Sept. 28.—The local grievance board has ordered J. E. Whitten, Gem, Neeleshah, Kan., to discontinue bank nights on complaint of Glenn Klock, Klock Theatre, same town. This is the seventh consecutive case in which the board has banned bank nights.

This decision follows an earlier one in which Whitten was awarded about 70 features from Klock on a soft-opened contract.

Named NRA Board Head

WASHINGTON, Sept. 28.—Clay Williams, chairman of the NRA’s tobacco committee, was named by R. F. Reynolds Tobacco Co., was today appointed chairman of the board of five members by the President yesterday to administer the NRA.

Scolly Square to Open

BOSTON, Sept. 28.—M. & F’s Scolly Square opened on Oct. 1 after renovation. Films and a seven-act vaudeville program with orchestra will be the policy.

MOTION PICTURE DAILY

HOLLYWOOD PREVIEW

“Dangerous Corner” (Radio)

HOLLYWOOD, Sept. 28.—This mystery carries entertainment value, but is likely to confuse any but the most sophisticated audiences. Repetition in action suggests possible results had not a radio tube blown out at a party, leaving the guests to serious talk instead of gaiety.

A bond stolen from the safe of a business office causes the executives, Conrad Nagel, Helen Wadsworth, Mahlon Hamilton, and Ian Keith, to suspect each other until Keith is shot. The verdict suits to their beneficence.

All seem satisfied, including the business men’s wives, Ern O’Brien-Moore, Betty Furness, and the business partner, Virginia Bruce.

Comes the incident of the radio and the above mentioned group starts the serious discussion. A thought has crossed all the minds of all the guests involved. Keith was murdered. Everything seems involved when again comes the incident of the radio and repetition in action. This time a new tube is found, the guests dance gaily, all ends well.

Director Phil Rosen handled this tricky story deftly, highlighting drama and suspense. Good performances are rendered by the cast, especially Miss Furness and Keith, and Authoress Doris Lloyd. The photography by J. Roy Hunt is satisfactory. Production code seal No. 237. Running time, 70 minutes.

“Caravan,” Thursday morning’s opener at the Radio City Music Hall, was reviewed by wire from Hollywood on Aug. 27.

“Count of Monte Cristo,” Wednesday’s opener at the Rivoli, was reviewed on Aug. 29.

“The Barretts of Wimpole Street,” yesterday’s opener at the Capitol, was reviewed by wire from Hollywood on July 14.

Pettijohn in Defense Of Block Booking PASADENA, Cal., Sept. 28.—Block booking was defended by C. C. Pettijohn, counsel for the M.P.I.F.D.A., last night before the convention of the California League of Municipalities.

“General opinion,” he said, “is that theatres through block booking are compelled to play bad pictures to get the good ones. Nothing could be further from the truth. Motion picture distribution is not and cannot be made a moral question. It is an economic problem the same as in any other business.”

Pettijohn, in a plea against censorship, asked that the industry be allowed to regulate itself. He said that only five per cent of those in the industry are not clean-minded. Governor Frank C. Meriam introduced Pettijohn.

Clean Films Drive Started in England

(Continued from page 1)

circulating papers in all the large cities and towns of England and Scotland.

The operators report that more than 250,000 pledges have already been signed and they hope for several million signatures during an intensive campaign this winter. A. J. Smith, secretary of the federation, asserted that the necessity for this movement must be “blamed on Hollywood.”

“American film producers do not realize their responsibilities and the establishment of a code of morals in the United States has failed to effect this purpose,” he charges.

Smith said there is also considerable room for improvement in the home product.

Doane Back at “U”

HOLLYWOOD, Sept. 28.—Warren Doane is back at Universal to continue the current production contract with the studio. Doane’s contract was suspended two months ago, when the producer was unable to get Sterling Holloway for the top role in a two-reel comedy. Holloway is now available.

Opening in Shreveport

NEW ORLEANS, Sept. 28.—The New Venus will open in Shreveport, La., Oct. 1, under the management of J. T. Padlock.

Select Film to RKO

A deal has been negotiated by RKO Radio to distribute Select’s “Woman in the Dark,” produced by William Saal.

Sign Men May Take Strike Vote Today

(Continued from page 1)

are to be resumed today with a strike decision expected if no settlement is reached.

Sign writers are demanding an increase of 20 cents per hour to $11.20 to $14.20 for a seven-hour day.

Zohlb Is Comptroller Of Radio’s Studios

Herman Zohlb, former RKO treasurer, has been transferred to Hollywood as comptroller of the Radio studios. No successor will be named for the present.

Florida’s Grosses $174,600 in 1933

(Continued from page 1)

$362,000 for wages, according to the U. S. Census Bureau.

Reports for the largest cities show the highest grosses. Miami had receipts of $625,000 and payrolls of $121,000; Jacksonville, six houses with receipts of $150,000 and payrolls of $51,000, and Tampa five with receipts of $133,000 and payrolls of $35,000.

Kansas City house had receipts of $121,000 and payrolls of $38,000. Of this 198 film houses accounted for $232,000 and payrolls of $329,000, and 25 film houses had receipts of $312,000 and payrolls of $38,000. In addition, there were six legitimate theatres with receipts of $27,000 and payrolls of $33,000.

Wichita, with 11 houses, topped the state with receipts of $462,000 on a payroll of $114,000. Six were straight film theatres with a box-office of $140,000 and payrolls of $27,000 and the other five were vaudeville houses with receipts of $52,000 and payrolls of $87,000.

Topkea, with six vaudeville theatres, reported a take of $317,000 and payrolls of $43,000, and Kansas City had 11 film houses with receipts of $262,000 and payrolls of $56,000.

Operators Reported Forming New Union

Reports were current yesterday that a new operators’ union has been formed locally with 60 men already registered in the organization. Joseph Tepperson was said to be the attorney for the new unit and when reached by the Motion Picture Daily, Tepperson would neither affirm nor deny the report.

Tepperson stated, however, whatever plans were in process could not be revealed at this time.

Point System Used On Operator Scale

(Continued from page 1)

scale which has been approved by two operators’ unions.

Before the plan can be finally adopted, the NRA in Washington must approve it. The plans the two groups have submitted to the committee have not answered the questionnaire sent out by the committee. These replies are expected to arrive within the next week with the possibility that the new basic scale can be put into effect sometime in October.